

Town of Farmington  
Board of Selectmen Public Meeting Minutes  
Monday, June 4, 2018

**Board Members Present:**

Paula Proulx, Chairman  
Neil Johnson, Vice Chairman  
Dave Connolly  
TJ Place  
Ann Titus

**Others Present:**

Arthur Capello, Town Administrator  
Residents Bill Fisher, Elise Haig

**1). Call to Order:**

Chairman Proulx called the meeting to order at 6 p.m.

**2). Pledge of Allegiance:**

All present stood for the Pledge of Allegiance.

**3). Public Input:**

**A). PLAN NH Steering Committee Report-** Committee member Bill Fisher told the board that over the last month the committee has been collecting data about the downtown/old firehouse revitalization from town residents. He said they plan to expand the data collection to residents outside the downtown area, seniors and past business owners. They will collect information for 2 more weeks and then the information will be submitted to the UNH Cooperative Extension to be compiled into a report he said.

**B). Conservation Commission Report-** Mr. Connolly said that the Con Com will be hosting a forum on the role of Conservation Commissions at the Goodwin Library on Wednesday, June 6 at 6 p.m. The Executive Director of the NH Association of Conservation Commissions will be the guest speaker he said.

Mr. Connolly also reminded everyone about the dedication and grand opening of the McCarthy Trail located behind the Public Safety Building on Sunday, June 10 at 1 p.m. He asked for volunteers to help set the granite bench for the dedication at the trail site on Saturday, June 9 at approx. 5:45 p.m.

**C). Special Town Meeting-** Mr. Capello said that a Special Town Meeting will be held on Monday, June 25 at 5 p.m. in the Municipal Office Building for the purpose of naming the Selectmen as agents to expend funds from the Highway Equipment Capital Reserve Fund.

**4). Review of Minutes:**

May 14, 2018- Public Session- Page 8, Hydrant Flushing, third line- add "DPW" before "Director"

**Motion:** (Titus, second Johnson) to accept the minutes as amended passed 5-0.

May 21, 2018- Public Session- No errors or omissions

**Motion:** (Titus, second Connolly) to accept the minutes as written passed 5-0.

**May 21, 2018- Non-Public Sessions A-C – No errors or omissions**

**Motion:** (Johnson, second Titus) to accept the minutes as written passed 5-0.

**5). Award RFP for Replacement Truck:**

Mr. Capello said Interim DPW Director Gary Rogers sent out 7 requests for bids for a truck to replace the one that burnt and that only 2 responses were received. He said Mr. Rogers contacted the other 5 dealers to find out why they did not submit bids and found they did not have any desire to submit a proposal.

Mr. Capello said that he and Mr. Rogers recommend that the board approve the purchase of a 2019 1-ton truck from DiPrizio GMC Trucks, Inc. for \$54,049. He said they are making their recommendation based on the fact that DiPrizio's bid was \$8,178 less than the Rochester Ford bid (\$62,227), they are a local business, and have done a lot of work on the Town vehicles.

Mr. Johnson noted that the warranty coverage information provided is for 2017 vehicles and they are proposing to purchase a 2019 vehicle.

Mr. Capello said they will obtain the 2019 warranty coverage documentation.

Mr. Johnson said Mr. Rogers' memo to the board states that both vehicles have the same warranty but that the GMC has a corrosion warranty for 3 years/36,000 miles and the Ford vehicle has a 5 years/unlimited mileage warranty against corrosion.

Mr. Capello said he did not know if that difference was worth \$8,000 more for the Ford truck.

Mr. Johnson said the DiPrizio bid has 2 amounts for \$700 and \$500 for a half-inch plate hitch and tarp roller kit which adds \$1,200 to the total cost that is not reflected anywhere in the bid.

Mr. Capello said that is because the Town would not be purchasing those items.

Mr. Place said to his knowledge DiPrizio has a good reputation, that the bid numbers look good and that he would not prefer the Ford truck.

Mr. Johnson asked about the insurance reimbursement for the burnt truck.

Mr. Capello said the Town received approx. \$64,000.

Mr. Johnson then questioned the difference in the reimbursement received and the cost for the new truck.

Mr. Capello said one reason is because they decided to down size from a 5500 to a 3500 because the Town does not need a truck as big as the one that was burnt.

Mr. Johnson asked if the new truck will have a gas or diesel engine.

Mr. Capello said it will have a gasoline engine.

Mr. Johnson then asked what would happen if the voters did not give the Selectmen the authority to expend funds from the Highway Equipment CRF.

Mr. Capello said they planned to pay for the truck with the insurance money which has not been deposited in the Highway Equipment CRF. He said the board will need the authority to withdraw funds from the CRF to make up the difference in the funding received from the state Clean Diesel Grant and the cost for the new bucket loader. Approx. \$18,000 will be needed

from the CRF he said.

**Motion:** (Johnson, second Titus) to purchase a Sierra 3500 from DiPrizio GMC Trucks in an amount not to exceed \$54,049 as a replacement for the truck that burned up with the funds to come from the insurance settlement passed 5-0.

#### **6). Water Meter Fee:**

Selectmen reviewed the estimated amortization rates for a 10, 15 and 20 year loan with a \$450,000 principal provided by the NH Municipal Bond Bank as requested at the last meeting. Mr. Capello asked the board to choose the loan term length for water meter replacements and then discuss the amount of the water meter fees. He said he would like to include a notice of the new meter fee with the bills coming out in July and then begin collecting the fee at the next billing cycle so that the funds will be available for the first loan payment.

Mr. Johnson said the board was leaning toward the 15 year loan and that he had calculated that the interest rate would be between the 10 year and 20 year loan (at about 1.97%) but the interest rate shown is 2.25%.

Mr. Capello said the 15 year loan would result in a \$7.65 meter fee per quarter for water users. He said he took the total cost, divided it by 1170 users, divided the answer by 10, 15 or 20 (years) and then divided that answer by 4 to come up with the quarterly meter fees.

Chairman Proulx asked the board what loan term they were considering and why.

Mr. Johnson said he was leaning toward the 15 year loan with the estimated 20 year life span of the meters which would give the future board 5 years to build up a contingency fund for the next round of replacements or to cancel the meter fees until the meters need to be replaced. He said a 20 year loan with a 20 year life span of the meters would not provide any flexibility for the future board.

Mr. Connolly said the 15 year loan would give that board time to formulate a "game plan".

Chairman Proulx said the difference in interest amount for the 10 year and 15 year loans was approx. \$49,000 which would add about \$1.00 to the meter fee.

Mr. Capello said the difference is almost \$3.00 as the quarterly meter fee for the 10 year loan is \$10.40.

Mr. Johnson the cheapest meter fee would be \$6.10 per quarter with a 20 year loan but the meters will probably need to be replaced again almost immediately. He said the 15 year term is good compromise between the shorter payment term with the higher meter fee rate and the long payment term with the lower meter rate.

Mrs. Titus said the board has to think ahead and that she favored the 15 year loan.

Mr. Place said that a shorter term loan makes more sense and that he would favor either the 10 or 15 year loan.

Mr. Johnson said that the 10 year loan with a \$10.40 per quarter meter fee would cost the water users \$416 ( $\$10.40 \times 4 \text{ quarters} \times 10 \text{ years}$ ) and the 15 year loan with a \$7.65 quarterly meter fee would cost \$459 ( $\$7.65 \times 4 \text{ quarters} \times 15 \text{ years}$ ) which is savings of \$43 with the 10

year loan.

Mr. Capello asked about the savings in interest payments between the 10 and 15 year loans. Mr. Johnson said the interest savings would total about \$49,000. He said the 10 year loan is significantly cheaper in the long run.

He added that it comes down to meter fees of \$31 a year for 15 years or \$41 per year for 10 years.

Mr. Capello recalled that the board chose the 15 year bond for the Public Safety Building because of the savings in interest over the shorter term.

Mr. Johnson said they had basically the same discussion then and decided to go with the 15 year bond as it gave a little less of a “hit” to the taxpayers and the bond was paid off sooner.

**Motion:** (Johnson, second Titus) to go with a principal amount not to exceed \$450,000 for a term of 15 years at a rate of 2.25% passed 5-0.

Chairman Proulx said there is a big difference in installation costs from the residential meters to the larger meters than run up to 2 inches in size and that the board has to figure out a way so that the residential users don’t end up paying for the bigger meters. She said she would provide Mr. Capello with her calculations for the installation costs with a 15 year loan.

Mr. Johnson said he will also “run the numbers” and see if they come up with the same results. He said the meter rates would be set for the first year but then would need to be reviewed once the final amount of the loan is known and could be decreased.

Mr. Capello said he is working on the RFP for the installation of the meters. He said the first payment on the loan is not due until 2 years after the project is completed and he plans to pay the payment out of cash and then repay the Town from the loan to save on interest charges.

## **7). Town Administrator’s Business:**

**A). Application for Peddler’s License-** Mr. Capello said that Seacoast Eat Local has submitted an application to operate its mobile farmers’ market outside the Goodwin Library and the application has received approval from the Police Chief and the Code Enforcement Officer. He said the mobile van will be parked in a parking space in front of the library and assumed it will be parked so that the produce for sale can accessed from the sidewalk.

Mr. Connolly said the same van was at the Con Com booth at Hay Day last year and explained that the items can only be accessed from the passenger side of the van and that the foldout would protrude out toward the sidewalk.

**Motion:** (Johnson, second Connolly) to approve the Hawkers’ and Peddlers’ License application for Seacoast Eat Local and to authorize Chairman Proulx to sign the license passed 5-0.

**B). Planner Memo-** The board received a memo from Town Planner Dan DeSantis regarding creating a “buzz” about the downtown by having weekly musician “sidewalk pop-ups” throughout the summer months. He proposed they use the UNH Music Dept. at a cost of \$600. Chairman Proulx asked if the funding for the proposal would come from the Economic Development line of the budget.

Mr. Capello said it will over expend the line as only \$700 is budgeted for the line.

Mrs. Titus said this is a good idea but asked why the Planner couldn't look into finding some volunteers from among the talented residents in town instead of spending \$600.

Mr. Capello asked the board to let the Planner "run with this".

Chairman Proulx asked how Mr. DeSantis planned to advertise the events.

Mr. Capello said the events will be advertised on the Town website, Face book and that the word will get around once people start seeing them there. He said Mr. DeSantis also plans to get consent from the business owners to allow the musicians to play in front of the businesses.

Mr. Connolly asked if there would be any liability to the Town during the performances.

Mr. Capello said the liability would be minimal and that he expects that UNH would carry liability insurance. He said there is potential liability in everything someone does but that sometimes people worry too much about liability.

Chairman Proulx asked if there were any waivers the board needs to sign regarding use of the sidewalks and recalled that an individual was chased off for blocking the sidewalk.

Mr. Capello said the individual was chased out for a reason that had nothing to do with blocking the sidewalk. He said this proposal does not intend to block sidewalks.

Mr. Fisher suggested the events be held on the old fire house property with a canopy to shade the performers and audience members. People could set up their chairs and congregate in one place and would not block businesses he said.

Mr. Capello said the idea is to have them in various spots to bring attention to the downtown area.

Consensus of the board was to allow Mr. DeSantis to move forward with his proposal.

**C). Private Road Acknowledgement-** Mr. Capello recommended the board deny the request to acknowledge Pound Road as a Class VI private road because the applicant has not yet filed for a building permit or completed any of the required application process.

**Motion:** (Johnson, second Connolly) to deny the request as the application is incomplete passed 5-0.

**D). Sale of Next Property-** Mr. Capello said the next Town owned property he would like to put out to bid is located at 284 Spring Street (Map R49, Lot 37). He said the property was taken for \$8,000 in back taxes owed and the minimum bid has set at \$20,000. The parcel has been assessed at \$53,100 he said.

Mr. Johnson asked if the new owner would be required to make any changes to the property.

Mr. Capello said they would be required to demolish and remove the existing trailer as it is uninhabitable. He asked if the board would also like him to add a requirement for a \$5,000 escrow amount in addition to the \$20,000 to be refunded if the demolition and removal of the trailer is completed within a six month timeframe.

Consensus of the board was request that Mr. Capello add the requirements for the removal of the existing trailer and the \$5,000 escrow account to the RFB and to approve putting the

property out to bid.

**E). Town Administrator's Contract Renewal-** The board reviewed a memo from Mr. Capello reminding them that the board must notify him by July 1 if they intend not to renew his contract and requested that any discussion of his of contract be held in public session.

Mr. Connolly asked if Mr. Capello filled out an employee self-evaluation form.

Mr. Capello said he did not as he did not require any of dept. heads to fill out the self-evaluation and that it would be up to the board to require him to do so as he reports to the board.

Chairman Proulx asked when Mr. Capello's contract will expire.

Mr. Capello said his contract runs from August 1 to July 31 the following year.

He said that if the board decides to renew his contract he would like to request a three year contract instead of a year-to-year agreement as he is starting his fourth year as Town

Administrator and has sufficiently proven himself to the board to justify a three year contract.

Selectmen said they are looking for continuity with the other dept. heads and should consider a multi-year contract with the Town Administrator.

**Motion:** (Johnson, second Titus) to give Mr. Capello a three year contract with usual caveats and conditions passed 5-0.

#### **8). Additional Board Business:**

**A). Safe Routes to School-** Chairman Proulx asked why the Town is still receiving bills for this program.

Mr. Capello said the project is complete and the Town is not receiving any further invoices from the program. He said that the information received in their meeting packets are copies of missing documents the state requested that were re-sent to them from the Code Enforcement Officer's files along with the e-mails showing that the documents were previously sent to them.

**B). Water Quality Sampling at the Landfill-** Selectmen received copies of the April 2018 Water Quality Sampling Report prepared by CMA Engineers, Inc. Chairman Proulx said the report does not contain a summary of the groundwater monitoring results and asked if the board could get a summary without having to pay a "million dollars more" for it.

Mr. Johnson said the report is set up so if the items on the pages are not checked off then everything is fine.

Ms. Proulx said she did not like this system as she could not be sure that any of the items were not missed by mistake. She said she would like the summary to state if the area tested is improving, getting worse or staying the same and if there are any areas of concern.

Mr. Johnson told the audience that the report states that there were no new compounds found at any of the sampling points, no detections of contamination in any drinking water that is untreated prior to use, there was nothing detected for the first time at any sampling point, there was no increase in concentration trend in any source, there was no violation of any monitoring zone and no recommendations requiring NH Dept. of Environmental Services

action.

Mr. Capello said he would request a summary from the company for the board.

**C). RFP for Installation of the Water Meters-** Mr. Johnson asked when the request for proposals would be ready to send out.

Mr. Capello said it would be ready within the next few weeks.

Mr. Johnson asked if the SRF loan documents have been sent to the state.

Mr. Capello said packet with the required documents has been submitted and they finalizing the details needed for the loan application.

Chairman Proulx if the RFP for the meter installation contained a request to breakdown the cost for installation by the size of the meter.

Mr. Capello said the RFP has not gone out yet and that it will contain a requirement to breakdown the cost by meter sizes. He said it will probably be about a month after the RFP is sent out to obtain that information as the bidders are usually given up to 30 days to respond.

**D). Anonymous Complaints-** Mr. Johnson said there were 3 anonymous complaints included in the board's packets and that he thought the complaint policy does not allow anonymous complaints to be accepted by the Town.

Mr. Capello said he would have to review the policy as there are certain complaints that are accepted from anonymous complainants.

Mr. Johnson said he thought the policy was not to act on anonymous complaints because they can be used as weapons between neighbors. He said he would like to know what has changed to start getting anonymous complaints.

**E). Golf Course Easement-** Chairman Proulx asked for an update on the discretionary easement with the Farmington Country Club.

Mr. Capello said the Town Attorney has determined that language does not have to be added to discretionary easement regarding the Town's water line easement. He said that the Assessing Clerk and the Town Attorney are working on the actual language needed for the discretionary easement.

**F). Streetlights-** Ms. Proulx asked if Mr. Capello had received a report back on the status of the streetlights downtown.

Mr. Capello said he asked Chief Drury to have an officer check on the lights and to let him know if there were any issues with the lights. He said he has not heard of any issues with the lights.

**G). Meet Your Selectmen-** Chairman Proulx said there seems to be a disconnect between residents and the board as many people don't understand what Selectmen do and don't attend board meetings because they don't want to be on camera or may feel intimidated by the process. She suggested the board consider going out to meet the public at locations around town. Suggestions for informal meeting places that would encourage conversation with the public include hosting a cookout at Fernald Park, a Saturday sporting event at the 500 Boys and Girls Club, a joint fundraising/meet and greet with Firefighters, in the library on a Wednesday, in the



TD Bank parking lot and outside the Rite Aid store.

Mr. Capello said he will put the topic on a future agenda so the board can continue the discussion.

**9). Non-Public Session A:**

**Motion:** (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place, Titus-yes) at 7:25 p.m.

**Motion:** (Johnson, second Titus) to come out of non-public session passed 5-0 at 8:10 p.m.

**10.) Non-Public Session B:**

**Motion:** (Johnson, second Connolly) to enter non-public session under RSA 91-A: 3 II (a) Compensation passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place, Titus-yes) at 8:10 p.m.

**Motion:** (Titus, second Connolly) to come out of non-public session passed 5-0 at 9:45 p.m.

**Motion:** (Johnson, second Titus) to take Gary Rogers off interim status and promote him to DPW Director with a six month probationary period passed 5-0.

**Motion:** (Johnson, second Place) to approve the salary changes as determined in Non-Public Session B passed 5-0.

**Motion:** (Johnson, second Titus) to enter into a three year contract with Police Chief Jay Drury, Lt. Scott Orlando and Town Administrator Arthur Capello prior to their salary changes being put into effect passed 5-0.

**11). Non-Public Session C:**

**Motion:** (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (d) Acquisition, Sale or Lease of Property passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place, Titus-yes) at 9:50 p.m.

**Motion:** (Johnson, second Titus) to come out of non-public session passed 5-0 at 10 p.m.

**Motion:** (Johnson, second Connolly) to seal the minutes until the matter is resolved passed 5-0.

**12). Non-Public D:**

**Motion:** (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place, Titus-yes) at 10 p.m.

**Motion:** (Johnson, second Titus) to come out of non-public session passed 5-0 at 10:05 p.m.

**13). Next Meeting:** Monday, June 11, 2018

**14). Adjournment:**

**Motion:** (Titus, second Johnson) to adjourn the meeting passed 5-0 at 10:05 p.m.

Respectively submitted

Kathleen Magoon, Recording Secretary



---

Paula Proulx, Chairman

---

Neil Johnson, Vice Chairman

---

David Connolly

---

TJ Place

---

Ann Titus