

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, August 26, 2019

Board Members Present:

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

Others Present:

Arthur Capello, Town Administrator
Cemetery Assoc. Pres. Don Fuller
Trustees Tracy Cameron, Bob Place,
Paul Turner
DPW Director Gary Rogers
Water Dept. Supervisor Chuck Tiffany
DPW Asst. Alicia Giovannelli
Finance Administrator Pam Merrill
Police Chief Jay Drury
Con Com Chair Laura Bogardus
EGGI Hydrogeologist Dan Tinkham
Residents Bill Fisher, Stuart Pease
Blanche Tanner

1). Call to Order:

Chairman Proulx called the meeting to order at 6:03 p.m.

2). Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

3). Public Input:

SRO MOU -Blanche Tanner asked if she could get a copy of the **Memorandum of Understanding** between the Town, the Police Dept. and SAU 61 for the **School Resource Officer** Program once it is finalized.

Mr. Capello said she will be able to get a copy of the agreement then.

Ms. Tanner asked if the bulk of the agreement would be composed by the Police Dept.

Mr. Capello said it will be composed by the Police Dept. in conjunction with the Town Attorney.

Ms. Tanner asked if she had additional questions about the MOU if she should contact the Police Dept. for answers.

Mr. Capello asked that she send her questions to him and he would get the answers for her.

Ms. Tanner asked if someone would let her know when the agreement was completed.

Mr. Capello said the issue was on tonight's agenda and that the Police Chief would be present later in the meeting. He said that once that it was finalized someone would let her know.

Ms. Tanner said she would check back with Mr. Capello at Wednesday's Budget Committee

meeting for the status of the agreement.

Mr. Johnson said that the document wouldn't be finalized until the School Board signs it which was unlikely between now and Wednesday.

Mr. Capello said that once the Selectmen finalize it, it becomes a public document.

Chairman Proulx asked that it be designated as a "draft" document if it is released to the public before the School Board signs it.

Non-Public Sessions - Ms. Tanner asked if when the board goes into non-public session to discuss the former fire station property if that is done by RSA 91-A.

Mr. Capello said the board would go into non-public session for this issue under RSA 91-A: 3 II (d) Acquisition, Sale or Lease of Property.

Tax Relief Incentives - Ms. Tanner asked if anyone could tell her the number of businesses that have taken advantage of the tax relief incentives (RSA 79-E Community Revitalization Tax Relief Incentive or Tax Increment Financing-TIF District) put forth by the Town.

Mr. Capello said the board will review the first 79-E application at their Sept. 16 meeting.

Mr. Johnson said the TIF District is a completely different program that has nothing to do with businesses and that nothing has been done with it yet.

Survey Questions - Ms. Tanner said she had questions about the survey being conducted to help with the revision of the Master Plan and asked if she should direct them to the Planning Board.

Mr. Capello said she could also direct her questions to him.

Mr. Pease's Questions - Chairman Proulx said she was visited by Stuart Pease who asked why the Town charged a hook-up fee for the connecting to the water and wastewater services when he is a taxpayer and he has paid for that through taxes. She said Mr. Pease said that Mr. Capello gave him an e-mail and asked Mr. Capello for more information on what he gave to Mr. Pease. Mr. Capello said he gave him a copy of an e-mail that explained that the purpose of the hook-up fees is to pay for the depreciation and maintenance of the water and wastewater infrastructure because he would be adding more to the load on those systems. It is a one-time hook-up fee for each system and then your bill (for usage). That is something that was set by the Selectmen "many moons ago" he said.

Chairman Proulx said Mr. Pease made it quite clear he did not like that answer and asked the board if they had anything they would like to add. She said she told Mr. Pease she would bring it up with the board to discuss the reason why it is done that way.

Mr. Capello said Mr. Pease also visited him that day wanting to know where the board stands on the access easement to his property. He said he told Mr. Pease he would ask the board at this meeting but he did not know if there would be any news.

Chairman Proulx said Mr. Pease also asked her about the easement and that she told him that they had just received information from the Steering Committee and they are still in the "collection mode" to figure out what will be done with the old fire station property. She asked

the board if they agreed they were still gathering information and that as soon as they know what will happen there Mr. Pease will know too.

Selectmen agreed they are still collecting information on the project.

Chairman Proulx asked Mr. Capello to inform Mr. Pease of the board's answer to his question.

Mr. Capello said he would pay a visit to Mr. Pease and relay the board's answer to him.

Please Take the Survey- Mr. Capello asked any residents who have not completed the survey to please do so. He said there will be paper copies and index cards with the link to website for the online version available at the Municipal Office Building, the Goodwin Library and at various businesses in town. He added he would also drive a paper copy of the survey over to residents if necessary. The survey closes on Sept. 30 to allow time to compile the data he said.

4). Review of Minutes:

August 12, 2019- Public Meeting Minutes – No errors or omissions

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

Interruption - At this point Mr. Pease entered the room and interrupted the meeting by walking up to the board and saying he was watching the meeting on TV and then began to contradict earlier statements made by Mr. Capello.

Chairman Proulx stopped him and asked him to sit down and wait to be recognized by her after the review of the minutes was finished. She said she was willing to return to public input unless otherwise directed by the board.

Mr. Pease returned to the back of the room.

August 19, 2019 – Public Meeting Minutes – Page 5, 3rd line- strike “with MRI”

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

August 19, 2019 – Non-Public Sessions A & B – No errors or omissions

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

5). Public Input (continued):

Chairman Proulx asked the board if they were okay with recognizing Mr. Pease.

Consensus of the board was to allow Mr. Pease to speak.

Mr. Pease came forward and said he watched the board on TV discussing the discussions they had that day and that most of them were inaccurate and left something out. He said he went to the Water and Sewer Dept. that morning to get information about a hook-up for a piece of property he is trying to purchase and discovered that the property can be hooked-up with no problems. He said the dept. employee said that hook-ups are expensive in Farmington and quoted a price of \$3,220 for a sewer hook-up and \$2,910 for a water hook-up.

Mr. Pease said he then went to see Mr. Capello and asked him why there was a charge for hook-ups and that Mr. Capello told him he did not know but would get an answer for him. He said Mr. Capello sent an e-mail to (Water Dept. Supervisor Chuck Tiffany) and this is the copy of the e-mail response he got. He said it does not say anything about maintenance and

that the e-mail states its \$3,220 for sewer hook-up per unit and \$2,910 per unit for water. He read that these prices were set by the past Selectmen so that new users on the system are helping to pay their fair share for past expenses and future on-going expenses of the wastewater system.

Mr. Johnson asked Mr. Pease to stop yelling.

Mr. Pease said he then went to discuss the matter with Chairman Proulx. He said he told her that if he paid for the sewer when it was installed he understood that as his taxes paid for a bond to install the sewer and that he could understand having a hook-up fee. He asked why it was \$2,910 and \$3,220 when he still has to pay the cost to dig the trenches just to look at it and it (the e-mail) says that it is for past expenses. You can't charge me for past expenses that have already been paid and incurred and you shouldn't be charging me for future expenses unless you are charging the rest of the town. If you want to charge the town \$2,910 a year every year for future maintenance then that's wonderful he said.

Mr. Johnson asked him to "step it down" as his voice became louder again.

Mr. Pease said he was going to pay his water bill and to charge someone \$6,000 for permission to hook-up to the required sewer is unrealistic and unfair.

He held up the copy of the e-mail and said that according to this it is unlawful because they can't charge him for the future expenses unless they charge everybody else. He said it does seem unreasonable and then turned to Chairman Proulx and said somehow this was not the discussion he heard coming out of her mouth (earlier that day).

Mr. Pease said Mr. Capello said the fee was for maintenance and that is not what it says on the copy of the e-mail.

Chairman Proulx asked Mr. Pease what she told him during the conversation at her house.

Mr. Pease said she told him that that was not the case and asked if that is not the case then to tell him why the maintenance is not being incurred by the rest of the town as well.

Chairman Proulx said the maintenance cost is incurred by the rest of the town through the depreciation cost of the infrastructure which is paid through their taxes. She said Mr. Pease happens to be a resident but it is not just him paying this cost.

Mr. Pease said his point was that the information was given to him by a Town employee and that he didn't find it to be a reasonable explanation. You still have to pay to dig the holes and put in the sewer pipe for the privilege required by Town for me to hook-up you charge me \$6,000. He said if they didn't require him to hook-up to the Town water and sewer and allowed him to put in his own water and septic and not charge him for water and septic that would be one thing.

Chairman Proulx said that has been her argument "forever and a day" because of the rates and that she wished she had her own (water and septic) as she would take care of it very nicely.

Mr. Pease said he didn't mind paying the water and sewer bill but the \$6,000 hook-up fee in addition to the \$20,000 cost to install the system is not realistic and told them they needed to

“get their heads out of somewhere”.

He then turned to the issue of the right-of-way for his property and asked the board when they would reach a decision and not “when we arrive at one, we’ll tell you”. He said leaving it out indefinitely does not work and he’d like to have a timeframe when he’s going to get an answer.

Mr. Pease emphasized his words by speaking loudly and slapping the table with his hand.

Mr. Johnson asked him to control himself.

Mr. Pease said he controlled himself 4 times at this meeting.

Mr. Johnson asked him to continue to do so. He said Mr. Pease kept escalating his voice and slapping the table and asked him to stop or they would cease the...

Mr. Pease then stood up and walked out of the meeting.

6).Well #4 Replacement:

Farmington Cemetery Association President Don Fuller and Trustees Tracy Cameron, Bob Place and Paul Turner came forward to discuss the possible purchase of cemetery land to locate a new Town well.

Mr. Capello said the association members had some additional questions so he invited Emery & Garrett Groundwater Investigations Hydrogeologist Dan Tinkham to attend the meeting and answer their questions or get the answers for them.

Mr. Fuller said their number 1 concern was the issue of the NH Dept. of Environmental Services (NH DES) and the 400’ offset. He said they have conflicting stories on what they can and can’t do and asked if the Town had anything in writing that says they can continue with the burial plots that are already sold that are impacted by the 400’ protected area required for the proposed new well.

Mr. Tinkham said the regulation that specifies what the **Sanitary Protective Area (SPA)** is (the 400’ radius around the well), says that the person who owns the well would have to control it by ownership or have a perpetual easement over that area so that the land use is left in as close to a natural state as possible.

He said that DES has a waiver provision so that in cases such as this where the 400’ SPA overlaps the cemetery plots they would write a waiver request on behalf of the Town asking for a waiver for that particular area of the SPA. In this case we would have to make an argument that we didn’t feel there would be any loss to the protection of the well he said.

Mr. Tinkham said he has worked with cemetery associations before and that DES would be concerned with the age of the cemetery, what we know about the actual burial plots that are there and what types of fertilizers and pesticides may be used there and would discourage their use if possible. They may require the Town to put in additional monitoring wells to keep track of the water coming from that direction when the pump is online he said.

He said they would write the waiver with a recommendation and DES would respond with whether they like it or not and if they don’t like it what they would like to see in addition.

Mr. Johnson said the rest of the agreement could be written so that nothing will proceed unless

the waiver is granted.

Mr. Fuller said the plots are already sold and people expect to and have loved ones buried there and expect to be buried there themselves. He said this has to happen or it would be a deal breaker and asked if the Town would go forward and get the waiver for the association.

Mr. Capello asked if the Town could go forward without having the land in an agreement.

Mr. Tinkham said they could move forward with the installation of the well and the preliminary testing phase for the new water supply.

Mr. Capello asked if they would be able to move forward with the waiver without having the easement in place.

Mr. Pinkham said they could make a request for the waiver without that testing being done.

Chairman Proulx asked if the Trustees were at all interested in having the Town look at this any further and to see if they can get a waiver for the well site.

Mr. Fuller said there are 3 areas they want to look at and if their questions are answered with little impact to the land for the association then he thought they would move forward with this.

Trustee Bob Place said they do use fertilizers there and asked if the well started to get contaminated then they would say they couldn't do that anymore.

Mr. Tinkham said that DES would prefer that no uses are done other than the well but that would be included in the waiver. DES would be giving the Town the waiver to reduce the size of the SPA and they may require some monitoring wells be put in between the cemetery and the well and to test for pesticides every 6 months or yearly to make sure the pesticides are not migrating. They may also suggest the use of a pesticide that is more biodegradable so there is room for some flexibility he said.

Chairman Proulx said that EGGI has done some testing in that area and asked if they picked up any of this in the testing that was done so far.

Mr. Tinkham said the existing Town well has been there for many years and the contributing area to the well includes some of the cemetery land and to his knowledge none of the testing they have ever seen or done has shown anything related to the cemetery.

Chairman Proulx asked if this is information they would be able to use with DES.

Mr. Tinkham said it would be useable and that DES would look up the chemistry they have on file as the well chemistry has to be filed regularly and ask what the potential threats are. There are a few potential threats specific to cemeteries they may look for depending on the age of the plots such as arsenic and other organic chemicals. We would look at what is there, what uses have been done, what we want to do and DES would have to make that decision. There have been waivers granted for cemeteries before and it is not that unusual although they wouldn't want the entire protective radius in the waiver he said.

He said if a monitoring well is put in right along the border of the SPA there would be time to do something if they see something. They wouldn't want a road 10' from a well but might consider it at 350' away from the well and this all fits into their decision he said.

Mr. Fuller asked if a road could be put through that area if it were so many feet away from the well. He pointed out the existing road located in the middle of cemetery property and the location of the existing swamp land on a map of the area and asked if they would lose access to a portion of the cemetery land due to the 400' SPA radius around the proposed well site if they were to continue to use the road.

Mr. Tinkham said the rules would state that the road and any infrastructure that is within the SPA should be for the sole use of the water supply and the removal of water. If you wanted access there would probably be a waiver provision to log land at that location he said.

Mr. Johnson asked how often they use the existing road.

Mr. Fuller said it is used often and they are getting ready to do a second round of timber harvesting.

Mr. Tinkham said the DES would say they would rather they didn't remove timber within the SPA with gasoline operated equipment but if you wanted to go through it to access the timber that may be acceptable.

Mr. Fuller asked if they would have to get a waiver for every time they wanted to do something on the property.

Chairman Proulx said it would be a one-time thing that would run with the land.

Mr. Fuller said it would impact future development of this area if they couldn't use the access road.

Mr. Johnson said they would be able to use the existing road as it is but they wouldn't be able to widen it or pave it.

Mr. Fuller asked if this is the only well site the Town can use of all the test sites.

Mr. Capello said this was the best choice of the sites tested.

Chairman Proulx said it has the best quality water without having to be treated and would be the least costly to develop.

Mr. Fuller said that well site also happens to impact their property the most. He asked if the Town has ever discussed the monetary value of this piece of property.

Selectmen said the monetary value of the property has not been discussed.

Mr. Fuller asked if the Town just wanted them to give the land to the Town.

Mr. Capello said the Town would like that but that it would be up to the cemetery board to come back to the Town with a proposal.

Chairman Proulx said then the Selectmen would then make the decision as to whether or not it is worth the proposed price.

Mr. Fuller asked for the installation and yearly costs for the Town to go to one of the lesser potential well sites other than this one which is right in the middle of their property.

Mr. Capello said they couldn't put a number on it yet because they haven't done the testing on the other sites that has been done to the site on the cemetery property.

Chairman Proulx said they may not stay in this area when considering other potential sites.

Mr. Tinkham said this new well would be classified as a replacement for Well #4 so the SPA around Well #4 would not be needed any more which would free up that land.

Mr. Capello said that land would go back to the cemetery association.

Trustee Tracy Cameron said that most of the Trustee's main concerns were answered. We want it in writing from DES that we could continue the use that we have she said.

Mr. Johnson said the waiver is issued to the Town and the Town would give a copy of it to the cemetery board before the agreement would go any further.

Mr. Capello said that before the Town pays EGGI to get a waiver from DES he hoped the Selectmen and the Cemetery Trustees Association could come to an agreement on the monetary value of the property rather than paying for a waiver if they can't reach agreement on the monetary value.

Chairman Proulx said Selectmen were looking for the association to decide if this is something that they want to do because if it is not they will move off to "greener pastures" and start figuring out what they need to do for another well. If it is a decision you want to make based on the provisions you spoke of tonight, if you are in agreement that you want to consider it we could take that information and pay (EGGI) to get the waiver if they can get it which would be a "show stopper" if we can't she said.

Mr. Fuller said all of the association board members have an obligation to the Farmington Cemetery Association to make decisions in the best interest of the cemetery. We are a non-profit and have to be able to carry this on for future generations as a private cemetery. By taking this area out it really impacts a lot of our future plans so it is a big decision for us he said.

Mr. Capello asked Mr. Tinkham that if for some reason it doesn't work out with the cemetery site and the Town needs to go elsewhere, to back into a deadline date for a decision from the cemetery association in order to be able to qualify for grants/loans at another well location.

Mr. Tinkham said under the Drinking Water Groundwater Trust the deadline for applications is Sept. 13.

Mr. Capello said they would have to do another round of testing and draw downs at another site and asked how much time they would need to do this in order to apply for funding.

Mr. Tinkham said that a lot of it would depend on getting the landowner's permission and estimated it would take about 6 months to complete all of the testing needed to apply for the funds.

Mr. Capello that means they would need to begin the process at another site by February. He asked the association to provide an answer to Town before October 1.

Chairman Proulx asked that when the association meets next that they decide if they are in favor of moving forward with the sale of their land to the Town and if so to provide the Town with a written list of the provisions they would like to see included in the waiver and their proposed monetary value of the land.

Mr. Capello asked that their response be sent directly to him and he would distribute it to the

Selectmen.

Chairman Proulx said if there are any further questions to contact Mr. Capello so they could get that information to them as soon as possible.

7). Review of Water and Sewer Rates:

Water Dept. Supervisor Chuck Tiffany and Finance Administrator Pam Merrill came forward to continue the previous discussion about the water and wastewater rates.

Chairman Proulx said at the end of the previous discussion the board sent them away with a request for the income and expenditures for the Water/Wastewater Depts. (2014-8/13/19) and the numbers they just received are a lot different from the last set of numbers. She noted that there is big difference with the revenue lines.

Mrs. Merrill said that is because the revenue lines only contain the exact amount of revenue taken in for each dept.

Water Dept. - Chairman Proulx asked based on the amount of water usage at \$2.74 per unit (water rate) the sheet shows what the revenue total came out to minus anyone who didn't pay. Mrs. Merrill said if the Town Clerk did a lien for the unpaid amounts it would clear off that line and it would show up the following year.

Mr. Johnson asked if the revenue shown includes penalties and interest.

Mrs. Merrill said penalties and interest are included in the revenue totals. She said the only things it doesn't include is the **Capital Reserve Fund (CRF)** or grants.

Mr. Johnson asked if the dept. received about \$25,000 in penalties, interest and fees. He said if the usage is multiplied by \$2.74 the total comes out to \$245,000 but the actual revenue shown is \$272,000 (using 2014 as an example). For 2018 there is about a \$10,000 difference (90,159 units x \$2.74 = \$247,000) but we have \$256,000 in revenue he said.

Mrs. Merrill said the interest collected for 2018 was \$3,310. She said she took out the transfer from and the accounts receivable from the Water CRF from the revenue line.

Chairman Proulx asked if there has been a significant decrease in water usage from 2014 to 2018.

Mr. Johnson said the water usage amounts appear to be pretty steady with only about a 10% difference during that time period.

Chairman Proulx said there has been a significant decrease in the revenue (2014-\$272,525; 2018- \$256,433) and asked if there have been that many more people who have had a lien placed on their accounts.

Mrs. Merrill said she did not know the answer to her question and that they would need to ask the Town Clerk for that information.

Mr. Capello suggested that some of it could be weather dependant such as when there is more water usage during a drought. He said there were also some people using Town water without a water meter.

Mr. Johnson said the water usage is roughly the same at 89,500 units in 2014 and 90,160 units

in 2018 or about a 600 unit increase in usage but an approx. \$16,000 decrease in revenue. Chairman Proulx then asked Mr. Johnson how much revenue they should have when he calculated the 2018 usage by the water rate.

Mr. Johnson said the calculation comes out to \$247,035. That gives us about \$9,500 actual revenue above what the water rate is. Mrs. Merrill already said that \$3300 of that is interest which would bring the actual revenue down to about \$6,000. He asked if hook-up charges are included in this amount.

Mr. Capello said the hook-up charges go directly into the CRF.

He said if there was \$3,000 in interest this means there were several bills that weren't paid and went to lien.

Chairman Proulx said the revenue figure would also be minus abatements.

Mrs. Merrill said the revenue also includes finals and service work.

Mr. Johnson said the actual expenditures were \$40,000 more than what we took in last year and at the last meeting they discussed that increasing the water rate by 25 cents which would be the first rate increase in 10 years is around an 11% increase. That would give us an additional \$25,000 in income on the water side based on last year's usage he said.

He suggested they review it again after 2 years at the new rate.

Wastewater- Mr. Johnson said the sewer usage has been pretty stable over the same 2014-2018 period with a 5,000 unit difference between the high and the low usage over the last 5 years (56,000 to 61,000 units). He said the 2018 actual revenue based on 56,620 units times the \$7.19 rate is \$407,098 which is \$155,000 deficit over our expenses (\$562,898 in actual expenditures).

Mr. Capello said about 1/3 the number of water users are also sewer users.

Mr. Johnson said the septage fees are also part of the revenue so the actual revenue is about \$550,000 and our expenditures were about \$560,000 so it is about a \$10,000 deficit. I thought the sewerage was going to be much more of an impact he said.

Mr. Capello cautioned the board that the septage revenue has gone from \$68,500 to this year where we are at \$28,500 as of August. Last year and the prior year were extremely high years and he would not count on taking in \$131,000 every year he said.

Mr. Johnson asked if they know why those 2 years had higher septage usage.

Mr. Tiffany said it was due to taking in septage from other towns for treatment which we did not do before then.

Mr. Capello said the revenue is down so far this year.

Mr. Tiffany said the water bills had not gone out yet so he didn't know if the revenue figures were current.

Mr. Capello said all of the billing has been sent out now.

Mr. Tiffany estimated that the revenue received this year would be about the same as for last year (\$552,951).

Mr. Johnson said based on last year's numbers we were \$10,000 short. He said increasing the sewerage rate by 20 cents would give us \$11,000 in additional revenue and he did not want to make any more drastic increases until we see how this works out.

Mr. Capello said that knowing the coming increases to the cost of the treatment chemicals he would recommend that they go up a little less on the water rate and a little more on the sewer rate. He said there is one chemical that has gone up almost \$20,000 and the Town has no control over the chemical costs.

Mr. Tiffany said he is partnering with DES and trying to get rid of the phosphorus in the water so there is one chemical not being used that will save the Town \$20,000.

Mr. Johnson said they would be subsidizing the wastewater by charging the water users more. The people that only have Town water are going to be paying more to subsidize the sewer and they don't use the sewer he said.

Mr. Capello said that is why he suggested they charge less of an increase on the water and more on the sewer.

Mr. Johnson said for the people who have both it would be a total 45 cents increase and they won't care which side it comes from because they have both and will have to pay both.

According to Mr. Capello's suggestion the water users would have a 20 cent increase and the sewer users would have a 25 cents increase he said.

He asked if the Town has anything in writing from DES that says we don't have to use the chemical to treat the phosphorus issue.

Mr. Tiffany said they do not have to treat for phosphorus while they are working with DES.

Mr. Capello said Farmington is part of the pilot program DES is running to address this issue.

Mr. Johnson said the requirement to treat for this could come back at any time but he would like not to charge for it until it is necessary. He noted that chlorine has also gone up in price.

Mr. Capello suggested that the board review the sewer rate again next year and wait 2 years to review the water rate because by then all of the new meters will be installed and they would have a more accurate picture of the usage.

Chairman Proulx said the same argument would be true for both sides because the sewer usage is based on the water usage.

Mr. Johnson said the board may not do anything to the rates next year but they should still look at it.

Motion: (Johnson, second Place) to approve a 20 cent increase per 100 cubic feet on the water usage side from \$2.74 to \$2.94 and 25 cents on the sewerage side bringing it from \$7.19 per 100 cubic feet to \$7.44 per 100 cubic feet effective at the first quarter billing cycle in 2020 with notice of the increase to be included in the October 2019 billing

Discussion: Chairman Proulx asked how they would give notice to the users about the rate increase.

Discussion then included when the next water bill would be going out.

Mrs. Merrill said a notice could be put in the October bills which would be received before January.

Mrs. Titus said she hoped they could stay on top of this and get to a point where there wouldn't be that much of an increase on the rate payers.

Vote: The motion passed 5-0.

Mr. Capello asked Mr. Tiffany to inform the Town Clerk of the rate increases and ask her to include a notice about the new rates with the October water bills.

8). DPW Equipment Replacement:

Repair/Replace Skid Steer - Selectmen received a memo from DPW Director Gary Rogers on plans to repair/replace the dept.'s 2001 Skid Steer S250 which has been retired to usage at the Transfer Station.

Mr. Rogers wrote that the Town has the option to repair the skid steer at a cost of about \$6,381 or purchase a new one for \$38,016 (total price \$44,016; \$38,016 with a \$6,000 trade-in allowance). He recommended the Town purchase a new skid steer (Bobcat Skid-Steer Loader T4 S650 as the best option and also included several purchase options for the new machine.

Mr. Johnson said the board could discuss possibly leasing the new skid steer and asked what the maximum amount on a lease that the board could sign for.

Mr. Capello said there was no lease amount the board could sign for and that any kind of a lease would have to go to a vote at Town Meeting. He said the only time the board could sign up to a 5 year lease is for property.

He added that as of May, there is \$116,508.90 in the Highway Dept. Motorized Equipment CRF. He said he did not think the money approved for deposit in the CRF by voters at the 2019 Town Meeting has been deposited in the fund yet.

Mr. Johnson asked Mr. Rogers to tell the board why they should spend \$30,000 (to purchase a new skid steer) instead of \$6,000 (to repair the existing skid steer).

Mr. Rogers said it is an old piece of equipment and is beyond its life expectancy.

Chairman Proulx said the dealer will give the Town \$6,000 for a trade-in which is quite a bit of money for a trade-in. She said looking through the repair list she saw a lot wear items and the dealer is going to turn around and sell it so it doesn't appear to be at the end of its life.

Mr. Rogers said it is like trading in a used car where they will sell it or auction it off. He said if they intend to sell it, it will cost them \$6,000 to fix it.

He said they used this piece of equipment a lot and in the last few years it has mainly been parked because it has so many issues. It is unsafe because it has no neutral in it and the service that is needed is included in the repair quote and should bring it back up to where it should operate properly.

Chairman Proulx read some the parts listed in the repair quote and said it looks like a plan for a complete overhaul.

Mr. Capello asked how many operating hours are on this machine.

Mr. Rogers said the hour meter is broken so they are unsure as to the total number of hours it has on it. The Town mechanic believes there are 2,000 hours on it he said.

He said it is now mainly used at the Transfer Station and described some of the tasks performed there with the machine. If we had a better one, we would use it more often between the highway, Transfer Station, Water and Sewer Depts. he said.

Mr. Rogers said he was not against fixing it but that putting \$6,000 into this piece of equipment isn't worth it and that they would just keep going in the same boat with it because it is old.

Mr. Johnson said 18 years is a long time for a vehicle and if he owned a vehicle that old and the question was trade it in for \$6,000 or spend \$6,000 to fix it and trust it would last another few years that he would have a tough time with that decision.

Chairman Proulx said she owned a 30 year old Jeep maintained it well and it lasted right out to the last year. It was a lot cheaper to put in a couple thousand dollars worth in every year for wear items than to buy a new \$30,000 Jeep.

Mr. Rogers asked how many drivers she had driving that Jeep and what she did for work at that time. He said he thought it was more sensible for the Town to replace the skid steer.

Chairman Proulx said if she had all of the money in the world she would agree but that he is also requesting a dump body and they are also looking at other pieces of equipment right now. She said it is 18 years old but there is nothing major wrong with it- the engine is good and the transmission is good.

Mr. Rogers said they don't know that until they start doing the service on it and the cost could go up or down.

Chairman Proulx asked how she could make a decision on it then.

Mr. Rogers said that so far this is what they have found.

Chairman Proulx said that "so far" wasn't good enough as it doesn't help her make a decision.

Mr. Rogers said it is physically impossible to know until they start working on it.

Mr. Capello said they had the same issue with the cruiser that was damaged recently where they didn't know it would be totaled until they started ripping it down.

Chairman Proulx asked if they are having trouble with the skid steer.

Mr. Rogers said it runs, but not like it did when it was new and he didn't know if it will last another few years. He said he wasn't against putting the money into fixing it because they use it and want to use it more.

Mr. Johnson said his dilemma was if they put another \$6,500 into it what are the odds it's going to last long enough to pay that amount.

Chairman Proulx she didn't know that answer because she did not have enough information. She said if the transmission was skipping or the engine was missing a beat she wouldn't take the chance. But if it is running well and I need other priorities more than I need the skid steer to be top-notch that is different than having catastrophic failures with it she said.

Mr. Rogers said this is not the only time the vehicle has had an issue with the neutral gear and it

has gone back to Bobcat and to the Town mechanic for this issue.

Chairman Proulx asked if it would suffice for what it is being used for now if there are other priorities that need to be purchased.

Mr. Rogers said he couldn't answer that question just the same as she can't answer that question.

She said she was being asked to make a decision knowing there is a lot of old equipment needing to be replaced and they can only go so far with the threshold for borrowing money. She listed some other vehicles needing replacing and said before they know it their line of credit would be extended so far if there was a catastrophic event their debt ratio would be so high they couldn't afford to do what they need to do.

Mr. Capello agreed and suggested they look at the undesignated fund balance to fund warrant articles. He said the undesignated fund balance comes from last year's audit and that there is about \$325,000 in the fund.

Chairman Proulx said they may want to sit on some of that because the people may need a tax break.

Mr. Capello asked Mr. Rogers how he would prioritize the needs for the dept.

Mr. Rogers said he would prioritize the truck and they would have to fix the skid steer because it is truly not safe.

Chairman Proulx asked why it is still being used at the Transfer Station if it is unsafe.

Mr. Rogers said he wasn't aware of how bad it was until he got into it recently and because it has no neutral when you start it, it takes off.

Chairman Proulx asked if they know there is a problem with a piece of equipment why they don't get it fixed.

Mr. Rogers said they do and that is why he was bringing it forward to the board now.

Chairman Proulx said there have been other operators for this vehicle.

Mr. Rogers said if they don't tell him something is wrong with it then he doesn't know about it.

Mr. Capello explained that in the past the operators weren't allowed to tell.

Mr. Rogers added and it didn't matter if they did tell.

Mr. Johnson asked how much of the repairs to the skid steer could be paid out of the existing highway dept. budget.

Mr. Rogers said it depends on what they are doing with the other items.

Chairman Proulx asked as agents to expend funds if the board could take the repair money out of the DPW budget.

Mr. Capello said the board can expend the money from the Town budget but not necessarily from the highway budget. He said it was hard to say about the highway budget because right now the overtime line is pretty much spent and if we get a harsh Oct., Nov., Dec. it will "kill" the overtime line again.

Chairman Proulx said that she was talking about the Highway Dept. Motorized Equipment CRF.

Mr. Capello said there is \$116,000 in that fund.

Chairman Proulx asked if they could safely remove \$6,000 from the CRF to have skid steer fixed.

Mr. Capello said he would reserve his answer until after the board discusses the other items

Mr. Rogers planned to discuss with them. He said if the board decides to purchase a new truck for the DPW and that costs \$160,000 then we can't afford to take the \$6,000 out of the CRF.

He suggested they could take the dump body and the skid steer from CRF and put a warrant article for the new truck on the Town Meeting warrant.

Chairman Proulx said that would be her suggestion rather than take all this money out to buy it and the people have no choice over what they are hearing. That is the same reason for not taking it out of the undesignated fund balance- on a piece of equipment that big they should have a say she said.

Mr. Capello said whether they take the money from the undesignated fund balance or from a warrant article the people have a say because they have to vote on it.

Mr. Rogers said if the board is entertaining the idea of purchasing a truck with dump capabilities he would suggest that they scratch the plan to replace the dump body and mount the sander to the frame of the truck that needs the new dump body.

Mr. Johnson said that would mean the dump body would not be replaced until after the results of the vote in March (Town Meeting) and if the voters agree to purchase the new truck the dump body would not be replaced and the sander would be attached to that truck because the rest of that truck is fine.

Mr. Connolly said Mr. Rogers' memo to the board regarding the replacement of the dump body states that this is 'one of the cheaper of the many repairs that the truck is overdue for' and asked what else is wrong with this truck.

Mr. Rogers said the engine has already been rebuilt in this truck and it runs okay. He said they have already spent about \$6,000 on fixing the dump body within the past few years. The truck body was repaired and repainted. He said the frame is in good shape but needs to be sanded and repainted and it needs a lot of wiring work as it has been patched throughout the years. He said the truck runs good and to his knowledge there are no issues with the transmission. If we were to replace it I wouldn't get rid of it he said.

Mr. Capello said this truck would become a plow/sand truck only and would not be a front line vehicle. Right now we have a plow/sand only truck and this truck would replace that truck which would come out of the fleet if we were to get a new truck he said.

Chairman Proulx said she didn't understand why they were considering buying a new truck when this truck is one of the better running trucks in the fleet when all they have to do is put a new body on and fix some minor issues knowing that we have other trucks in worse condition.

Mr. Rogers said he wasn't looking to replace this truck. If we are going to replace a truck it would be the 1993 as the oldest truck in the fleet and the one with the most issues he said.

Chairman Proulx said if she was in Mr. Rogers' position she would put the 1993 truck out to bid,

and ask the Town mechanic to put the sander on 2004 truck and replace the 1993 truck with a new one.

Mr. Capello said that is what Mr. Rogers is proposing- to not buy the dump body, put the sander on this truck and in March, if the board is willing, to bring forward a warrant article to replace the 1993 truck.

Mr. Place said the fact that the 1993 truck doesn't have a dump body on it (and is strictly a plow truck) was left out of the conversation.

Mr. Capello said it spends more time in the shop than it does plowing.

Mr. Rogers added it pretty much doesn't move all summer.

Chairman Proulx asked what type of truck the 1993 is.

Mr. Rogers said it is a Ford 10-wheeler that used to be a tractor trailer and is used as a front line plow truck.

Discussion then included if the Town needs 6-wheeled or 10-wheeled trucks and the tasks performed by them and how many are needed to keep up with the workload.

Mr. Capello said they would not be adding any more vehicles to the fleet. They propose to get rid of the 1993 truck and moving the one that needs the dump body to take the place of the 1993 and purchasing a new truck to take the place of the one that needs a dump body. You would be keeping the same number of trucks and getting rid of the "problem child" he said.

Mr. Connolly asked if they don't replace the dump body they would put a sander and a plow on it and would still have to do the wiring and the frame work on that truck.

Mr. Rogers said that is correct. He said the trucks in the Town's fleet seem to have a lot of wiring issues for some unknown reason. He said it only makes sense to take care of the wiring and frame work while the dump body is off of the frame.

Mr. Connolly asked for an estimate on the cost of these repairs.

Mr. Rogers said it would be a small cost.

Mr. Capello said it would come out of their operational budget.

Mr. Johnson asked if they would be able to survive without this dump body potentially for 6 months.

Mr. Rogers said they would do what they need to do and make it work.

Mr. Johnson recommended that they repair the skid steer and make the frame and wiring repairs to the 2004 truck.

Chairman Proulx asked if the voters turn down the new truck if they can put a dump body on the 2004 truck.

Mr. Rogers said the sander could be removed and dump body could be put on in its place.

Mr. Johnson agreed that the potential purchase of a new truck should be put before the voters and that would also give them time to research other vehicles.

Chairman Proulx asked if any additional funds would be needed to retrofit the sander or the dump body to fit the 2004 truck.

Mr. Rogers said they would not need to be retrofitted to fit the 2004 truck.

Mr. Capello suggested that the board vote on withdrawing \$6,000 from the CRF and to ask Mr. Rogers to put together a spec sheet for the new truck and use it to develop an RFP (Request for Proposals) and then send it out for bids.

Motion: (Johnson, second Titus) to withdraw up to \$7,000 from Highway Dept. Motorized Equipment Capital Reserve Fund for repair of the skid steer passed 5-0.

Mr. Rogers asked if the board wanted a spec sheet for a truck with a CDL requirement or a non-CDL truck or one of each type. He said both trucks would be 6-wheeled trucks but the non-CDL truck would be made of lighter weight materials such as aluminum and polymers to reduce the weight to less than 26,000 lbs Gross Vehicle Weight.

Chairman Proulx asked Mr. Rogers to research the durability and the life span of the non-CDL trucks so they will know if the polymer stands up or if they need to go with CDL required vehicle. She then asked him to spec it out for only what the dept. needs.

Chairman Proulx asked if they planned to scrap the old dump body and that she would like to see some money come back from that if possible.

Mr. Capello said they scrap materials whenever possible and they just received a check for \$2,000 for highway scrap which has to go into the general fund.

Demo of Old Police Station – Mr. Capello said he spoke with Chairman Proulx that day about the potential to get the asbestos test done and have the DPW crew demo the building next year and then hire a mason to fill in whatever needs filling in.

Mr. Rogers said there would be some cost involved to rent a bigger excavator and a demo dumpster and haul it away.

Mr. Capello asked that they obtain price quotes for asbestos testing and estimates for asbestos removal should any be found.

Mr. Connolly suggested that both the old fire station and the old police station be tested at the same time.

Mr. Capello said he didn't think there would be any asbestos found in the old police station but there may be some in the roof and windows of the old fire house.

Mr. Rogers said Fire Chief James Reinert told him the roof on the old fire house was replaced about 5 years ago so probably is no asbestos there.

Mr. Capello agreed but asked if the old roof was completely removed or if they put the new roof over the old roof.

Mr. Rogers said Chief Reinert said that they tore off the old roof.

Public Works Asst. Alicia Giovannelli said that some of the demolition companies she contacted didn't want to come to the site to view the project or even submit a bid because the Town did not have any asbestos testing done. She said of the companies that did provide a bid some of them included the cost for asbestos removal and some did not making it difficult to know the actual price for the demo.

Mrs. Titus said her husband has experience with building demolition and she would speak to him about this project.

Mr. Capello suggested that maybe one of the surrounding towns would have a piece of equipment big enough for this task that we could borrow.

DPW Monthly Reports – Mr. Capello asked the board if there was anything they wanted to see added or removed from the monthly maintenance reports.

Chairman Proulx said that the Fire Dept. maintenance report separates out the routine maintenance and requested that a line or section be added to the DPW reports so that the same thing could be done with their reports. She said it included what routine maintenance was done to which vehicle such as an oil change was done to Engine 3 and that way they could keep their eye on what maintenance was being done.

Mr. Capello requested a short recess before beginning the discussion with the Police Chief.

Motion: (Johnson, second Connolly) to recess for 5 minutes passed 5-0 at 8 p.m.

The meeting reconvened at 8:10 p.m.

9). Police Chief Discussion of New Cruiser and MOU:

Mr. Capello said that Police Chief Jay Drury has come up with a viable option to replace the cruiser that was recently totaled in an accident (car 9). He said the Chief also provided the board with pricing for a 2020 (Ford Police Interceptor) cruiser and a 2020 (Ford Special Service Fusion) hybrid cruiser.

Chief Drury said the hybrid might be viable down the road as it gets 38 mpg and is the same size as the Ford Taurus which the dept. currently has two of and that he and the officers seem to like it.

Chairman Proulx asked if he knew of any other hybrid models to consider.

Chief Drury said he did not and that he would never buy the first year of any car. He said that hybrids do better in the city and he thought it would be appropriate for patrolling the downtown areas and Route 11. It's something to think about for the future at that price (\$32,438). The down side is that it is about the same price as a full size SUV but the fuel savings may pay for itself in the long run (36 mpg highway/40 mpg city and 38 mpg average) he said.

Chairman Proulx said that may be so as long as it holds up under the pressure.

Mr. Capello said this was for informational purposes only and to give the board a base point as they are not looking at purchasing a new cruiser at this time.

Chief Drury said the new SUV would be \$33,729 plus about \$12,000 to outfit it. He said the drawback to the 2020 vehicles is that not everything they currently own such as prisoner cages will fit in the new cruisers.

He said when he found that out he did as much research as he could to try to find an alternative to the cruiser that was totaled. The Town of Londonderry has a fleet of 20 cruisers that they cycle in and out every 4 years and this happens to be the year that they cycling them out. He said he found a 2016 Ford SUV there with 58,000 miles on it at a cost of \$17,921. It is an

identical sister to the car we had so everything we have can be put right into that car and we should be able to do that in-house unless we come across some bizarre hiccup so there would be no outfitting cost he said.

Mr. Capello said the Chief even plans to swap the doors from the totaled car to this car to save on painting and lettering.

Chief Drury said as part of this research he looked at leasing a new vehicle and he talked to the Milton PD who lease their cars and spend about \$11,000 a year per car that they lease. He said that he did not think they could lease a cruiser down the road using funds from the Police Special Details Revolving Fund.

Mr. Capello said they would have to change the purpose of the fund because right now it is worded that the purpose is to purchase cruisers. He added that he and the Chief are not big proponents of leasing police cruisers.

Chief Drury said he went to Londonderry to test drive the 2 cruisers they had left and the one he liked was a Detective's car and was not a front line cruiser and was more "gently used". He said he also talked to the Londonderry PD's maintenance officer and reviewed the service records for the vehicles and in his opinion that was the best one of the two cars. Within 2 hours of testing driving and putting a \$100 deposit on it they sold the other car he said.

The Chief said the car will be held until the next day and he had Officer Croteau who is the Farmington PD cruiser maintenance officer go to Londonderry to test drive the cruiser. Officer Croteau noticed a little pulsation with the brakes which he thought was a rotor and Londonderry is going to fix it and the car will come with a state inspection sticker on it he said. Chief Drury noted that the sale price for the cruiser was reduced from \$19,000 to \$17,000. Chairman Proulx asked if Primex will pay the Town about \$15,000 for the cruiser that was totaled.

Mr. Capello said the insurance carrier wouldn't give him a committed number but that was what he was told over the phone. The Town has already received about \$4,700 and will get roughly another \$10,000 because there is a \$1,000 deductible he said.

Chief Drury said they should be able to cover the difference from the Police Detail Revolving Fund. He said Mrs. Merrill provided the following information on the account: in 2015 the details brought in a profit of \$50,536, in 2016 it was approx. \$51,000, in 2017 \$121,000 was brought in, in 2018 \$97,000 was brought in and to date in 2019 \$34,300 has been brought to the fund. He projected that they should finish 2019 at \$55,000 in profit to the fund. That would give us a 5 year average of about \$75,000 a year but that is high and that \$50,000 is pretty close to what we bring in each year he said.

Chairman Proulx asked for the current balance in the fund.

Mr. Capello said that is tough to say because they haven't necessarily received everything they have billed out.

Chief Drury said he asked Mrs. Merrill for that number and that she said it was \$20,000 which

sounded high to him.

Mr. Capello suggested that number may include all of the receivables.

The Chief said if it is even half of that number they are okay to cover the balance for the replacement cruiser.

Chairman Proulx asked if they were looking to get a new cruiser in this budget season.

Mr. Capello said they were not.

Chief Drury said he was hesitant to get a new cruiser with the changes Ford is making to their cars with 2020 being a new model year and he would like to allow time for them to get the bugs out. They usually do 2 runs-one at the beginning of the year where those cars are sold in April and one in August/September. If our current cruisers hold up the end of 2020/beginning of 2021 is the earliest he would consider buying a new cruiser he said.

Chairman Proulx said that would mean it would not happen during this budget season but maybe during next budget season.

Mr. Capello said that he and the Chief briefly discussed potentially putting his cruiser in as a front line cruiser and having him drive the used cruiser they may buy if the board approves it.

Chief Drury said he does like that car and it would be nice to have it because it is a SUV and he has a lot of gear. He said his current car is a 2017 with 16,000 miles on it and would need to be outfitted with a prisoner cage at a cost of about \$1,000 to become a front line cruiser.

He said that September is the inspection month for dept.'s vehicles and that he started having them inspected early. All of their vehicles are inspected except for the Detective's gray Charger and car #5 which is the oldest one in the fleet and would potentially go to the Building Inspector if the board so decides. We've been using it as a detail car because it has 120,000 miles on it and they have been trying to take it easy on it he said.

Mr. Capello said he does not favor giving that car up to the Building Inspector because the dept. would then be one accident away from having to take the car back from him and having to re-outfit it. It's also a car there in case we need it if one of our cars goes down he said.

Mr. Johnson asked how much they were looking to withdraw from the revolving fund.

Mr. Capello said it would be roughly \$3,500 because he does not know exactly how much the Town will get from the insurance company. He advised that the board did not have to approve the withdrawal of funds from the account because that was done with the warrant article to create the revolving account at Town Meeting and that they only needed a motion to approve the purchase of the car.

Motion: (Johnson, second Titus) to authorize the Police Chief to purchase the Ford SUV from Ford of Londonderry in the amount of \$17,921 with the proceeds from the Primex insurance settlement for the totaling of the 2016 Police SUV to offset that cost and any future additional expenses to be taken out of the Police Special Details Revolving Fund passed 5-0.

Consensus of the board was to allow Chief Drury to decide what happens with his current car.

Chief Drury said he likes his car but would see how the transformation goes.

SRO MOU – Mr. Johnson noted some items were missing between the copy of the agreement they just received and the copy the board received last week and asked where those items went and why they were missing.

Mr. Capello said the Police Lieutenant and the Police Captain sent the Town Attorney some feedback so that could be part of the reason for the difference.

Mr. Johnson recommended additional changes and noted missing items as follows:

Page 1 – first paragraph- to add the Farmington School Board as one of the parties the agreement is made by and entered into by.

Page 3, Section V Procedure, A Selection, last line- change “a” Principal to “one” Principal to clarify that only one Principal can be sitting as a member of the Core Group.

Page 4, Section B iii – change “and appreciation” to “an appreciation”

Page 10, Responsibilities of the SAU –Section 5a regarding contacting the SRO or the Police Dept. for physical assaults resulting in injury to a victim. He said he previously recommended the addition of “no matter how minor” at the end of that line and now that whole section is gone from the latest draft.

Page 10, 2nd paragraph which requires the SAU to report allegations or suspicions of a criminal act or serious wrong doing to the Police Dept. before beginning its own investigation is missing Mr. Johnson suggested that “the SRO will not be requested to perform tasks outside of the MOU without SRO management approval” should be added to the agreement.

He also requested that a signature line for the Chairmen of both the School Board and the Board of Selectmen be added to the signature page of the document.

Mr. Johnson said they have been given different versions of the agreement and asked that they be reconciled.

Chairman Proulx said the draft versions are not numbered or dated and they all look the same.

Mr. Capello asked Chief Drury to be the “point man” in informing the Town Attorney of the necessary changes and replacement of the missing items as requested by the board so that they don’t end up with several different versions of the agreement again.

Chief Drury agreed and suggested that he and Mr. Capello meet the next day to combine their notes and then he will pass the information on to the Town Attorney.

Mr. Capello asked if once the document is reconciled if the board would like the Chief to be present when they review the latest draft.

Mr. Johnson suggested that the board be sent copies of the revised draft so they may review it and then determine if they need to have further discussion with the Chief.

Dog Warrants- Chief Drury gave the board copies of the warrant returns for the dogs “under arrest” in town. He read that 60 dog owners received and paid a civil forfeiture and no dogs were seized. He said that 23 people have received or will receive a summons to Rochester District Court as of that day.

The Chief said that in June there were over 300 dog owners who failed to vaccinate/license

their dogs so considerable progress has been made. He gave the official copy of the warrant to Mr. Capello and asked him to give it to the Town Clerk.

He said he has instructed the dept.'s Prosecutor not to accept any fines without the dog being properly vaccinated and licensed because this is something that has slipped through the cracks in the past where the dog owner pays the fine but the dog still isn't vaccinated and licensed.

Mr. Capello said the dog owner can literally be arrested for failure to do so.

Chief Drury said they can seize the dog but he did not want to go that route.

Mrs. Titus asked if there was a way to work with the dog owner doesn't who have the money to pay for a license and vaccination.

Chief Drury said they have been working with the owners for 3 months and have offered them rabies clinics at several local locations where they can get a rabies shot for their dog for about \$12-\$15. We have now worked with people as far as we can and we can't do any more for the last 23 owners he said.

The Chief explained that the Town Clerk sends out 2 cards to the dog owners and then they start making phone calls, a registered letter is sent out and then they make more phone calls. Unfortunately it sometimes gets to the point where we have to bring them to court and I would rather not do that he said.

The Chief added that if a dog without a rabies vaccination bites someone the dog has to be quarantined for 10 days and that can get expensive. He encouraged people to get their dogs vaccinated as it is so much easier in the long run.

Mr. Capello said the shot is good for 3 years if the dog has already been vaccinated once and it is a short expense for 3 years time. If this is the first time the dog is receiving a rabies shot then it lasts for 1 year he said.

Mr. Johnson he thought if the dog goes past the 3 year time limit from his last shot it would receive a booster shot which is good for 1 year.

10). Town Administrator's Business:

Driver's Training – Mr. Capello said he contacted Primex and asked for possible dates for them to provide a driver training class that would be mandatory for the staff. He said if the board would approve it he would like to become a certified trainer at cost of about \$7,800 and then he could provide the driver training to the staff.

Chief Drury said his dept. will have a certified in-house driving instructor by mid-October and suggested they find out if that would meet Primex's standards for their driving program.

Mr. Capello said Primex was not requiring that the Town do this and that he and the board are requiring it after several auto accidents have occurred. Primex was a potential resource that I reached out to he said.

Chief Drury suggested if the Primex training is free to ask them to come in anyway and they can use the 30 seat classroom at the Public Safety Building.

Chairman Proulx said they may want to consider the possible need for future additional classes

for refresher courses or for any new hires that come on board with the Town.

Mr. Connolly asked if having an in-house driving instructor would help with the insurance rates.

Mr. Capello said he did not know if it would help with the insurance rates but it may help with the Town's recertification for the Prime designation which qualifies us to have lower rates.

Master Plan Payment- Mr. Capello asked the board for a motion to approve a withdrawal from the Master Plan CRF for payment to Arnett Development Group (ADG) for their work on the revised Master Plan.

Chairman Proulx said she read through the survey and that she was even less impressed with it after reading it more indepthly than she was when she just skimmed through it. She said there was a question that asked the respondent their opinion about conservation land and if they were willing to put more money into conservation and open space even if it cost them a lot more money in property taxes. She said the question asked someone their opinion and then whacks them upside the head with it will cost them more and that could be said about everything in the survey.

She said she felt the whole survey was worded as to lead the readers in a certain direction. She said some of the questions should have been put together as one question to allow the resident to prioritize their answers and where there were 3 questions together the second and third questions in the group made the reader want to re-evaluate their first answer and what the question was actually asking.

She said she was very dissatisfied with the survey and had a hard time approving paying for it.

Mrs. Titus asked if ADG was finished with the work on the Master Plan.

Mr. Capello said the work is not finished and this is an installment payment for the project.

Mrs. Titus said she was also not happy with their work and didn't want to give a final payment.

Mr. Capello said this is not a final payment.

Mr. Connolly asked about the Farmington/Milford and Rochester/Milford RT charges.

Mr. Johnson said RT stands for round trip and these are mileage charges for ADG's services.

Chairman Proulx asked about the "Skype meetings" (voice and video phone calls via the Internet) listed as part of the charges for Implementable Master Plan.

Mr. Capello said ADG was holding Skype meetings with **Stafford Regional Planning Commission**. He said would get more information on the reasons for the meetings with SRPC.

Chairman Proulx said she could understand the need for details on some issues but it looks as though ADG is doing a lot of work with SRPC who they could have hired in the first place as they were one of the bidders for project.

Mr. Connolly returned to the mileage charges and noted that on the second invoice there additional lines included for the mileage in May and June and asked if that was a duplicate of the mileage charges on the first invoice.

Mr. Capello said mileage charges are broken down for each of the ADG associates.

Mr. Johnson asked why the Town was being charged different rates (58 cents and 54.5 cents a

mile) for mileage. He said he thought the mileage was locked in at one rate.

Mr. Capello said he would look into it as it may be the rate set by the federal government.

He then asked the board to give him all of their questions and he would e-mail ADG for answers before they vote on approving payment of the invoices.

Mr. Johnson asked why there are different mileage rates.

Mr. Connolly asked why there is so much work being done with SRPC.

Chairman Proulx asked about the 1 hour charge for a Selectmen's meeting on 5/6/19 (\$135) and the charge for 3 hours of prep and the Selectmen's meeting on 6/3/19 (\$405).

Landfill Easement – Mr. Capello said that DES is asking that an easement be included at the Town landfill solar power site as part of the plan to protect turtles found at the site. He said that the Town Attorney has been working with DES as there are other ways to approach the matter and in order to move ahead with the solar power project she has recommended that the board move to authorize the Town Administrator to execute on behalf of the Board of Selectmen if required a declaration of conservation restrictions and covenants for that portion of the site.

Mr. Capello said the covenants would be placed on the deed for the property as opposed to creating an easement.

Chairman Proulx asked what that would cover.

Mr. Capello said it would protect the turtles by restricting development along the river front.

Mr. Connolly said that section of the property is Town owned and runs between the river and the driveway so not much development would be possible there unless you were planning to put up a birdhouse.

Mr. Capello agreed but DES has the Town over a barrel.

Chairman Proulx asked what would happen if someone wanted to launch a boat from there.

Mr. Capello said they would make that part of the language on the deed.

Mr. Connolly asked about the property on the other side of the river and that the turtles are coming from the Public Safety Building and going to the river. He asked if Mr. Knight still owns that property.

Mr. Capello said as far as he knew Mr. Knight still owns the "sand pit lot" adjacent to the former Town landfill site.

Mrs. Titus said the turtles are coming from several areas along that portion of the river.

Mr. Connolly agreed and said he wondered why DES wasn't looking at those properties as well.

Mr. Johnson said they may be looking at those properties as well but because it has nothing to do with the Town the Town may not have been told about it.

Mr. Connolly said if the DES is working with them to set up conservation easements the Town would be notified about it.

Chairman Proulx said she would not like to see covenants so restrictive that someone couldn't even put a canoe into the river there.

Mr. Connolly said a few years ago the **Conservation Commission** was addressing the canoe/kayak launch site that has existed on that side of the river. He said the present location is not the ideal place for a launch site because of the slope of the land on that side of the river, the traffic interfering with the Transfer Station traffic, limited parking and the line of sight issues for traffic leaving that area.

He said the Con Com had started talks with the landowner on the other side of the river but the talks had reached an impasse.

Mr. Capello said the landowner had some liability issues.

Mr. Connolly said an easement could address that. He said the Attorney must be aware that if the proposal goes through as is it would make the Town the grantor and the Con Com the grantee and gives the grantee the responsibility to maintain the conservation easement which means they would have to maintain the driveway as well.

Mr. Capello said this correspondence was received today and that the Attorney sent correspondence directly to DES telling them there is no need to do this as there are other options. He said the board meets every week and suggested they hold off on taking any action until further information is received and they can call a meeting with 24 hours notice if needed.

Solar Power Fees – Mr. Capello said he contacted the solar power company and asked them to start paying the fees to the Town. He said he received a response agreeing that the Town did have that discussion with them and they would contact the finance people and get back to him.

Hay Day Comments- Mr. Capello said the board received the following 4 comments in the suggestion box at Hay Day:

1) Explain what your comments are about, don't make a comment without a short summary;

Mr. Capello said he thought this may refer to when the board asks him if he followed up on something and he answers without giving an explanation as to what they are talking about. Selectmen and Mr. Capello agreed they have all done this from time to time and would try to remember to follow this suggestion in the future.

2) Noise Ordinance-*Fireworks- except on holidays;

Mr. Capello said the board has already gone down this path and he didn't know if they wanted to go down the path again. He said Farmington does not have a noise ordinance and we follow the state law which talks about noise levels at a reasonable time. The problem with fireworks is catching them he said.

Chairman Proulx said fireworks are not allowed in Farmington.

Mr. Capello said they are illegal without a permit from the Fire Dept.

Chairman Proulx said anyone having any issues with fireworks should call the Police Dept.

Mr. Johnson said it was his understanding a signed complaint was needed to make a fireworks complaint.

Mr. Connolly asked if there were any restrictions regarding noise in the morning.

Mr. Capello said the law does not mention any specific times and just says at a "reasonable"

time. He said that although some people don't think it is reasonable they typically go by 7 a.m.

3). Zoning- No farm animals allowed in town area! Pigs/Sheep/Chickens;

Mr. Capello said he assumed the writer meant the Village Center District and that it would be up to the Planning Board to bring forth a warrant article or a resident could bring forth a petitioned warrant article with 25 signatures and submit it by the deadline for warrant articles to appear on the warrant at Town Meeting.

Bill Fisher asked if the writer was asking for no animals in Village Center.

Mr. Capello said the suggestion asked for no farm animals in the Village Center.

4). Brook on lower end of Lone Star backs up (Beaver?) outfalls down there

Mr. Capello said he planned to pass this on to the DPW Director after the board had a chance to review it.

Mrs. Titus said she lives in this area and there is a lot more to this issue than just the beavers such as drainage issues and issues with the property owners. She said there is pond on Civic Street and the water run-off is not crossing over and going down to that pond.

Mr. Capello said he would ask Mr. Rogers to check on this comment.

Revised Estimated Revenues – Mr. Capello asked if the board wished to discuss the draft MS-434.

Chairman Proulx asked about the handwritten numbers next to the typed entries.

Mr. Capello said those were his notes from when he reviewed it line by line based on what was budgeted and what is actually anticipated for revenues. He said for example they budgeted about \$10,930 more than is anticipated for the Yield Tax. We are anticipating more revenue for some lines and less revenue for other lines he said.

Chairman Proulx asked if overall the revenues are on target with the "pluses and the minuses".

Mr. Capello said we are at about \$48,382 less than anticipated and that they have made up \$11,000 of that already. This may change when it is time to set the tax rate because we will readjust it and I wanted to give the board where we are at now he said.

He said this form is due to the state on Sept. 1 and they always do a revised one the day before the tax rate is set. This may also change because we took the solar payments out as we didn't have a commitment to receive any money from them. We usually receive the ambulance billing as one lump sum at the end of the year which will add more revenue to the budget he said.

Chairman Proulx asked if there is another piece of Town owned property they could sell.

Mr. Connolly said we have also not yet received the revenue from Coast Bus.

Mr. Johnson said that Mr. Capello had made a typo in his e-mail to the board reporting there was a \$448,000 shortfall in income instead of the actual \$48,000 revenue shortfall and joked that he wondered why Chairman Proulx had not gone through the roof over a half million dollar short fall and asked if she was okay because no one had heard from her.

She advised that she has not yet checked her e-mail.

Mr. Johnson said the short fall has already been reduced to \$35,000 and it is not a significant shortage at this point in the year.

11). Additional Board Business:

High Street Drainage- Mrs. Titus said the woman who had a drainage issue involving a culvert on High Street was unable to attend the meeting due to an personal emergency. She described the location of the culvert and said she forgot to mention it to Mr. Rogers while he was present at the meeting.

Chairman Proulx asked if this was a dry culvert or if it was full due to the amount of rain in the area recently.

Mr. Capello said he did not know and would find out.

Next Meeting? – Mrs. Titus said the next Monday Sept. 2 is Labor Day and asked if the board would be meeting the night or if the next meeting would be on Sept. 9.

Mr. Capello said he was not planning on meeting on Labor Day.

Hay Day Fireworks – Mrs. Titus said she attended the display and there was a good turn out from the Town staff including the Police, Fire and Rec. Dept. and everyone did a nice job.

Mr. Capello said the display was on an off night and asked about the turnout for the show.

Mrs. Titus said she left around 7:45 p.m. and at that time people were coming in and she saw a lot of people walking to the display area.

Mr. Capello said he hoped no one paid \$5 to park in someone's yard as advertised on the community forum Face book page.

Chairman Proulx asked Ms. Tanner if that was her trying to come up with a way to pay her water/sewer bill.

Ms. Tanner said she had considered doing that.

12). Non-Public Session A:

Motion: (Johnson, second Connolly) 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 9:20 p.m.

Motion: (Johnson, second Titus) to come out of non-public session passed 5-0 at 9:40 p.m.

Motion: (Johnson, second Titus) to seal the minutes as disclosure would render the proposed action ineffective passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place, Titus-yes).

13). Non-Public Session B:

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 9:40 p.m.

Motion: (Johnson, second Place) to come out of non-public session passed 5-0 at 9:50 p.m.

14). Non-Public Session C:

Motion: (Johnson, second Place) to enter non-public session under RSA 91-A: 3 II (a) Compensation of a Public Employee passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place, Titus-yes) at 9:50 p.m.

Motion: (Johnson, second Place) to come out of non-public session passed 5-0 at 9:55 p.m.

15). Non-Public Session D:

Motion: (Johnson, second Connolly) 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 9:55 p.m.

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

Motion: (Johnson, second Titus) to seal the minutes as disclosure would adversely affect the reputation of a person other than a member of the board passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place, Titus-yes).

16). Next Meeting: Monday, September 9, 2019 at 6 p.m.

17). Adjournment:

Motion: (Place, second Connolly) 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

Dave Connolly

TJ Place

Ann Titus