

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, February 24, 2020

Board Members Present:

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

Others Present:

Arthur Capello, Town Administrator
James Reinert, Fire Chief
Gary Rogers, DPW Director
Residents Penny Morin, Blanche
Tanner, Gerry Vachon

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). Review of Minutes:

February 10, 2020 – Page 6, 8th, 15th lines from the top and 11th & 15th lines from the bottom and Page 7, 1st line – replace “Rodgers” with “Rogers”

Motion: (Johnson, second Titus) to accept the Feb. 10 public meeting minutes as amended passed 5-0.

4). Public Input:

a). Blanche Tanner said she wished to respond to a comment that was made in jest at the previous meeting that “Blanche will be in here hollering at us”. She said she watched the meeting and that 2 people also relayed the comment to her.

She said she would like the public to know that for as long as she has attended meetings and asked questions and made comments she did not believe that she has ever “hollered”. She asked the public to remember that words can be taken out of context and in this case she doesn’t believe there was any disparaging intent.

Ms. Tanner said the comment was made in jest and she was not offended by the remark. She said she wanted to set things straight and that some people are too sensitive and need to calm down.

b). Penny Morin asked if there is a Town policy on passing out “propaganda” or politicking on municipal property and said that she was told that things were being handed out at the Municipal Office Building last week.

Mr. Capello said he had no idea of what was handed out last week and they have never stopped anyone from doing so other than at the Transfer Station where it was a safety hazard. He said they have never stopped people from putting up signs on public property.

Mrs. Morin clarified that she was told someone was handing out papers at this building.

Mr. Capello said the board has allowed candidates to put up signs in an area at the Transfer Station but not to hand out materials. He said he did not know of anything being handed out at the Municipal Office Building and that he would look into it.

c). Mr. Johnson said during the bridge discussion at last Friday's meeting, SAU Superintendent Ruth Ellen Vaughn and Mrs. Morin (who is the School Board Vice Chair) asked if the Selectmen would co-sign a joint letter with the School Board to be sent to the **Dept. of Transportation (DOT)** regarding the Town's lack of notification about the bridges. He suggested that the Selectmen should send the DOT their own letter as multiple letters would have better impact and there are different issues the two boards want to address.

Mrs. Morin suggested the letters also be sent to the Governor because he is overseeing the dept. She said if the letters were sent to multiple agencies it may get a little recognition and that Farmington is probably not the only town with this issue.

Chairman Proulx said this is due to a change in the way the DOT reviews things and this literally happened overnight. The inspections were done in October and we weren't notified until just the other day she said.

Mr. Johnson thanked the School Board for their offer but he thought it would have more impact if the Selectmen do it separately.

Consensus of the board was to send a separate letter from the Selectmen to everyone involved.

5). Public Hearings for Fire Truck and Plow Truck:

Chairman Proulx said two hearings were scheduled for tonight and the procedure would be to open one hearing, discuss it, close the hearing and then open the second hearing.

The following notice was posted prior to the Public Hearing and read aloud by Chairman Proulx:

The Farmington Board of Selectmen will hold a Public Hearing on Monday, February 24, 2020 in the Selectmen's Chambers, 356 Main Street, Farmington, NH. This lease/purchase of a new fire truck is for a total amount of over \$100,000.00 and will be treated as long term debt according to RSA 33:8-a.

Mr. Capello said when the Public Hearing was initially posted, the board had not decided on the financing for the trucks so they didn't know the terms of the financing and to make sure the Town was covered legally they decided to post a Public Hearing. He said that because the financing for both trucks has an escape clause legally they don't have to hold a Public Hearing but the board thought it was a good idea to still do it because of the size of the purchases. He said if this warrant article passes at Town Meeting the board has secured financing through TD Bank at a 2.42% interest rate for a 10 year lease/purchase which will add 11 cents to the Town tax rate. It will not be a ballot vote and will be a simple majority vote he said.

Mr. Capello said requests for bids for the financing were sent to 6 organizations and there were 5 responses and that TD Bank had the best rate by far.

Chairman Proulx opened the hearing to public comments or questions at 6:10 p.m.

Mr. Capello said the board awarded the contract for the pumper fire truck to Autotronics with an amount not to exceed the bid price as they are looking at all of the ancillary equipment needed to equip the truck and that based on the Fire Chief's research the price will not be exceeded. He said the proposed contract with Autotronics is now undergoing legal review.

Mr. Johnson said the amount of the truck itself is approx. \$485,000 and they estimated about \$30,000 for the ancillary equipment bringing the total to approx. \$515,000.

Ms. Tanner asked when the Town would get the truck after the warrant article passes in March.

Mr. Capello said the Town would receive the truck in about 1 year from then.

Mrs. Morin asked if this is same truck that was asked for at last year's Town Meeting.

Mr. Capello said it is a different truck than the one in the petitioned warrant article last year and the cost for this truck is about \$100,000 less than that truck. It is the same type of truck with similar specs he said.

Chairman Proulx said that by having the time to put the truck out to bid they were able to save some money.

Mrs. Morin asked if the 11 cents tax rate increase was just for the first year of lease/purchase.

Chairman Proulx said it will add 11 cents to what that year's taxes are each year for 10 years.

Gerry Vachon asked if this truck would be a direct replacement for Engine 1 with the same specs, engine and tank size.

Mr. Capello said the new truck would have a bigger tank size.

There were no other questions or comments from the public present.

Chairman Proulx closed the public comment portion of the hearing at 6:15 p.m.

There were no additional comments or questions from the board.

Chairman Proulx then closed the Public Hearing on the fire truck.

The following notice was posted prior to the Public Hearing and read aloud by Chairman Proulx:

The Farmington Board of Selectmen will hold a Public Hearing on Monday, February 24, 2020 in the Selectmen's Chambers, 356 Main Street, Farmington, NH. This lease/purchase of a new highway truck is for a total amount of over \$100,000.00 and will be treated as long term debt according to RSA 33:8-a.

Mr. Capello said they originally figured the cost for the plow truck at about \$165,000 and then put it out to bid and awarded the bid to Freightliner for \$137,867. He said this would be a 7 year lease/purchase with financing through TD Bank with a 2.52% interest rate.

He said the truck will have the wing, the plow, the sander and all of the equipment needed and it would arrive about 12 weeks later if the warrant article passes.

Mr. Connolly asked for the tax impact of this purchase.

Mr. Capello said the tax rate impact would be 4 cents.

Chairman Proulx opened the hearing to public comments or questions at 6:17 p.m.

Mrs. Morin asked if this lease/purchase would have the same terms as the fire truck.

Mr. Capello said the interest rate to finance the plow truck is 2.52%.

Mrs. Morin asked if this lease would also be through TD Bank.

Mr. Capello said that is correct.

Chairman Proulx said that TD Bank's original bid to finance the plow truck was not the lowest but they then matched the lowest bidder.

Mr. Johnson said the difference in the interest rates for the trucks is due to the different lengths of leases (7 years vs. 10 years) and the amount being financed (\$138,000 vs. \$515,000).

Mr. Vachon said he reviewed the specs for all 3 of the trucks that were being considered and noticed that International and the Kenwood both have dual steering which is hydraulically assisted and results in less fatigue for the drivers but the Freightliner doesn't have this feature. He said this upgrade is only \$1,700 over the cost of a \$130,000 truck and saves on shoulders and fatigue and suggested it be included in the new truck.

Mr. Capello said that may be something to look at if the warrant article passes.

There were no other public questions/comments.

Chairman Proulx closed the public portion of the hearing at 6:20 p.m.

There were no further comments or questions from the board.

Chairman Proulx then closed the Public Hearing for the highway truck.

6). Bridge Issue:

Mr. Capello said at last Friday's meeting the board asked him to come up with possible sources to fund the \$300,000 cost to repair the Hornetown Road Bridge. He gave the board a spreadsheet with a list of potential funding sources as follows:

\$110,000 from the Bridges & Road Design Capital Reserve Fund (CRF);

\$25,000 from the Paving budget line item

\$70,000 from the fund balance (reducing it to 7%);

\$15,000 from the Self Contained Breathing Apparatus CRF warrant article (reducing the proposed funding for the article to \$5,000);

\$1,000 from the Recreation Equipment CRF warrant article (reducing the proposed funding to \$1,000);

\$10,000 from the Town Revaluation CRF warrant article (reducing the proposed funding to \$10,000);

\$25,000 from the Wastewater Treatment Plant CRF warrant article (reducing the proposed Town funding portion to \$0);

\$10,000 from a CRF to be established for HVAC units (reducing the proposed funding to \$5,000);

\$19,000 from the Road Improvement and Paving CRF (current balance \$19,347) and

\$25,400 from the Trust Funds for a total of \$310,400

Mr. Capello said the engineer's estimate for bridge repair was approx. \$286,000 and advised the Town to have \$300,000 available in case something comes up.

He said the current **Capital Improvement Plan** proposed to fund the warrant articles that are on

the Town Meeting Warrant this year and the board had asked him to see if there was a way to partially fund the CIP warrant articles and still cover the cost of the bridge.

Mr. Capello said he spoke with the engineer that day and let him know that they have to wait until after Town Meeting to have the funding available if it's approved by the voters. He said that DPW Director Gary Rogers is setting up a meeting with the engineering firm for the week of March 15 to "get the ball rolling" for a potential construction date this summer.

Mr. Connolly asked if they agreed to start the engineering work for the project.

Mr. Capello said the firm is now drawing up the contract for the entire project and it will be reviewed by the Town Attorney and then provided to the board for review.

Chairman Proulx asked how long it would take to put in the temporary bridge.

Mr. Capello said it would take about 6 weeks.

Chairman Proulx said they need to make sure it gets done without any hitches before school starts again in the fall. She asked if there was anything they need to do before then.

Mr. Capello said there isn't anything else they need to do at this point. He said the process includes putting the bridge work out to bid and there may be ways to save money by having Town staff do some of the work but they will have to wait until the bids come in to find out.

Mr. Johnson asked if he was reading Mr. Capello's proposed funding sources correctly in that it would result in a zero impact to the taxpayers.

Mr. Capello said that is correct.

Mr. Johnson said he should add the \$5,000 they were going to put into the Bridges and Roads Design CRF which would bring the total to \$314,000.

Mr. Capello said he included that \$5,000 in the \$70,000 to be taken from the fund balance.

Mr. Johnson said that all of these funds, if they are not in the Bridges and Roads Design CRF and the Trust Funds, will be coming out of the unassigned fund balance that the Selectmen were planning to use to fund these CRF's.

Mr. Capello said that is correct and it will allow them to put something in those CRF's this year.

Mr. Johnson said he thought the board should prioritize the order of where they draw the money out of first.

Mr. Connolly suggested that would follow the order of the warrant articles.

Mr. Capello said he spoke with the Attorney about this and planned to include it as part of this discussion. He said the list he provided is not in any particular order and that he was just looking for a way to find \$300,000 without any impact to the taxpayers.

Mrs. Morin said she is a little nervous when she hears "temporary" bridge because there have been a couple of temporary bridges in the past and noted the \$300,000 cost versus a full new bridge that would last 75 years. She then asked for the cost of a new bridge.

Mr. Capello said a new bridge would cost \$1.3 million. He said the temporary bridge would last 10-15 years but the board has no intention of doing that. We are going to buy a temporary bridge and then use it at another bridge while we are working on it to keep that bridge open. It

also allows us to get into the state's 80/20 split bridge aid program which may reopen at the end of this year or in 2021 he said.

Mrs. Morin asked if they would have the funds in 2022 if they are depleting the funds now in the Bridges and Roads CRF and where the 80/20 split would come from.

Mr. Capello said they will have a discussion with the engineers about coming up with a plan for what needs to be put away each year and it will be up to the board to fund it from the undesignated fund balance or through taxation.

Mr. Connolly asked Mrs. Morin if when she heard the word temporary before if she was referring to the River Road Bridge repairs.

Mrs. Morin said that Hornetown Road Bridge was supposed to be a temporary fix back 2006 and that it has been repaired a couple of times.

Mr. Connolly said that after the Mother's Day floods the bridges were repaired where they are looking to put in another bridge which is called a temporary bridge because of its life span. There is a difference between the two he said.

Mr. Johnson said this is the only way to get it done this year and there is nothing they can add to this year's warrant to raise a million dollars in order to replace the bridge on Hornetown Road. This way we can do it with \$300,000, put the temporary bridge in place which will give us another year if we need warrant articles or a bond he said.

Chairman Proulx said it will give the board more time to plan which state did not do by sitting on their report for 4 or 5 months.

Mr. Capello added the Town still has not received the full report on the bridges.

Mrs. Morin said she saw Officer McNulty patrolling the bridge area that day and it was nice to have a Police Officer there looking it over and taking care of business. She said when she saw a tractor trailer going over the bridge she always called to report it and that we need more patrols to protect our bridges.

Mr. Connolly said more patrol is needed there when the roads are posted in general.

Mr. Capello said he also spoke with someone from NH DOT and asked him if there are any more surprises coming and he couldn't answer because he hasn't had a chance to speak with the bridge inspector and that he would check to see where the Town's full report is.

Chairman Proulx asked if the River Road Bridge has been closed.

Mr. Capello said the bridge was closed today and that the Jersey barriers went up just beyond Dubois Road and at the River Rd./Hornetown Rd. end far enough in so that cars could park and people can walk to the conservation lands. There is a space wide enough for snowmobiles to get through but not for the groomer that weighs over 3 tons and can't use the bridge he said.

Mrs. Titus asked if any signage was put up.

Mr. Capello said they don't keep bridge closed signs in stock and new signs have been ordered.

Mr. Rogers said temporary signs have been installed at both ends of the road.

Mr. Capello said the engineer has been to bridge and will have a report to the board next week.

He said he spoke with Mr. Rogers and the engineer to set up a meeting to look at the broader picture of the bridges in general and not just at these individual bridges. We may want to consider doing a different red listed bridge because it has more of an impact so I want to make sure we look at it from a broad view as we have time to plan he said.

Mr. Johnson said that last week the board asked if they decide to go with the temporary bridge and remove the decking on the Hornetown Road Bridge if that would eliminate the Town's eligibility for some of the potential state funding. He said the response from the DOT states that by placing the temporary bridge they would still rate the original bridge and not the temporary bridge and the Town would still be eligible for funding. That will move us up on the eligibility list for funding if any (state) money becomes available and we can start moving on any potential FEMA funds available he said.

Mr. Capello said the engineer will help the Town with this as well. He said he will keep this as a standing issue on the meeting agenda so we can keep the public updated and that he sent a copy of the report on the River Road Bridge to the SAU and will continue to keep them updated as well.

Chairman Proulx asked if all of the changes to the warrant articles will have to be done from the floor at Town Meeting.

Mr. Capello said the changes will have to be made from the floor. He said that the Town Attorney has suggested that the article regarding the Bridges and Roads Design CRF be moved to directly follow the operating budget article and then to work their way down the articles. If the board wants to change the order of the articles we should have that planned for the Town Moderator before we go into the meeting so that he knows we want to make some changes. He said he would have the plan to board at their next meeting.

Mr. Capello then asked if the board was okay with his funding suggestions.

Chairman Proulx said she liked these suggestions better and thanked him for coming up with the list.

Mr. Connolly said that while he has full confidence in the DPW crew but River Road has been used quite extensively as a way around the hill on Hornetown Road so he would like them to take extra special care of the hill during any storms.

Mrs. Titus added so that the school busses could get up and down the hill safely too.

Mr. Johnson said they did not forget about the hill and discussed it at Friday's meeting which Mr. Connolly was unable to attend.

7). Town Voting Schedule:

Mr. Capello said the Town elections are on Tuesday, March 10 and the Annual Town Meeting is on Wednesday, March 11 and there must be at least a quorum of the board members present on Tuesday during the voting period.

Mr. Connolly said he would arrive at polls just before noon, Ms. Proulx and Mr. Johnson said

they would be there in the morning and Mr. Place said he is “weather dependent” but plans to be there.

8). Town Administrator’s Business:

a). No Meeting Next Week – Mr. Capello said he will be on vacation next week so they will go over in more detail the plan to rearrange the warrant articles at their next meeting on March 9 and the board would receive any related information in their meeting packets before then.

b). EDC Appointment – Mr. Capello said the applicant was on the Steering Committee and was very involved and had a lot of good ideas. He said she showed up to all of the meetings and that he would recommend her appointment to the Economic Development Committee.

Motion: (Titus, second Johnson) for Danielle Harris to be on the EDC for one year;

Discussion: Chairman Proulx asked if Ms. Harris was interested in being a regular member and if there were seats available on the committee.

Mr. Capello said that is correct and the committee can have up to 11 members.

Vote: The motion passed 5-0.

Chairman Proulx asked how many seats on the EDC are still vacant.

Mr. Connolly said he thought that there are still 5 or 6 seats available.

c). EMS/Fire Dept. CRF – Mr. Capello said that last year there was a warrant article to put \$40,000 in the Fire Vehicles and Equipment CRF to pay for the Zoll medical monitors but the board never made a motion to take money out of the CRF. The Auditor has asked the board to make a motion to withdraw \$25,000 from the CRF to clean up the books from last year he said.

Motion: (Johnson, second Place) to authorize the withdrawal of \$25,000 from the Fire Vehicles and Equipment Capital Reserve Fund for the purchase of Zoll monitoring equipment;

Discussion: Chairman Proulx asked if the reason the balance of the amount owed (\$3,487) was taken from a budget line was because it came out to be more than was expected.

Mr. Capello the money from the line item was for additional equipment for the unit and the \$25,000 was supposed to come from the CRF and one purchase order was used for both transactions.

Vote: The motion passed 5-0.

d). Fee Waiver Request – Mr. Capello said he received a memo from Rec. Dept. Director Rick Conway regarding a request from the Farmington Woman’s Club to waive the building rental fee for the old Town Hall auditorium on March 8 for a “Meet the Candidates Night”.

So moved by Mr. Connolly and seconded by Mr. Johnson.

Vote: The motion passed 4-0-1 (Mrs. Titus abstained).

e). Award Line Striping Bid – Mr. Capello said Requests for Proposals (RFP) were sent to 7 companies but only 1 proposal was received from the same company that did it last year.

Mr. Johnson said the bid from Industrial Traffic Lines shows an approx. \$600 increase over last year’s cost to \$15,346 for 86,600 linear feet of line striping.

Mr. Capello suggested if the board chooses to award the bid that they go by the e-mail from the

DPW Assistant which includes the exact amount budgeted for line striping and the DPW would adjust to meet that amount.

Motion: (Johnson, second Titus) to award the line striping to Industrial Traffic Lines, Inc. of Londonderry, NH in an amount not to exceed \$14,875 passed 5-0.

f). Metro Plan – Mr. Capello said at a previous meeting the board had asked him to get more information about the plan (a list of potential future Town projects and possible funding sources developed in conjunction with **Strafford Regional Planning Commission**) and asked if they needed any additional information. He said this is not a priority and asked if they wished to table the matter to a future meeting.

Consensus of the board was to meet with SRPC, the Police and Fire Chiefs and the DPW Director to discuss potential additions/subtractions and to prioritize the projects at a future meeting.

9). Additional Board Business:

a). Cardinal Landfill – Mr. Johnson said they received the news that NH DES approved the installation of the solar arrays at the former Cardinal Landfill site after about 2 years. He asked if it is known when Blue Planet Funding plans to start construction.

Mr. Capello said they plan to start construction in May weather permitting.

Mr. Johnson asked if all 3 solar arrays projects have been approved by DES.

Mr. Capello said the former Town landfill site and the former Cardinal Landfill site have been approved but he did not know the status of the Knight property (at the corner of Main Street and Cocheco Road).

b). Levee Inspection Results – Mr. Capello said the Town received a report on the inspection of the Cocheco River Levee (approx. 6 months after it was completed in Sept. 2019) and it is still approved and certified through the U. S. Army Corps of Engineers.

Mr. Johnson said there is still some work that has to be done and the Town is still pursuing it.

Mr. Capello said that is correct and that some of the things on the to-do list they provided have been done and the Town sent them photos of the completed work but it didn't make the list of completed tasks due to timing.

Mr. Johnson said some of those tasks included clearing the right-of-way, clearing the levee of any encroachments, shrubbery removal and they are planning to complete some erosion work on the left bank of the river itself. He said the Town is now eligible for federal funding for some of the repairs.

Mr. Capello corrected that they would not be eligible for funding for the repairs but if the levee was to breach they would be eligible for federal funding.

Chairman Proulx said it is a big deal to get it to where it is supposed to be and to maintain it because of the seasons where the town saw 100 year floods.

Mr. Johnson said he would re-read the documents from the Army Corps and try to find the statement regarding the Town's eligibility for repair funds.

c). Can't Encumber List – Mr. Connolly asked about a list of items (SRPC, forestry equipment,

Police training, dump stickers, etc.) included in their meeting packets.

Mr. Capello said the new Auditors have a different philosophy on what can and can't be encumbered so some of the funds they encumbered from 2019 had to be unencumbered.

Mr. Connolly asked what happens to the money that is unencumbered.

Mr. Capello said it goes into back into the unassigned fund balance for 2019.

d). Monthly Remittance Report – Chairman Proulx read the hand written note at the bottom of the first page of the report which states “Not all revenues go through the Town Clerk’s Office (i.e. ACH from state agencies) therefore this is no longer a complete picture of revenues”.

Mr. Capello said there should be a second report from the Finance Administrator because some of the revenue gets directly deposited into the Town’s accounts.

Chairman Proulx suggested the Budget Committee be made aware of this.

Mr. Johnson said that note is always there and that the Budget Committee has been getting this for about a year. He said at one time the Town Clerk handled all of the income and then the automatic deposits started and the Finance Administrator gets those reports. She wanted to make it clear that the Remittance Report is the money that came in through her office and there is other revenue that comes in through the Finance Administrator which is a change from the way it was done a couple of years ago he said.

Chairman Proulx said with some of the changes from the new Auditors she wanted to make sure that nothing else had popped up.

e). Public Complaint – Mrs. Titus asked if the complaint from resident Heather Hotchkiss had been addressed.

Mr. Capello said it was taken care of.

f). Take Care of Those Roads – Mrs. Titus said Mr. Capello would be out of town on vacation next week and if we do get a snow storm to take care of those roads and the hills for the safety of people as the board discussed earlier in the meeting.

Mr. Capello said they always do.

10). Non-Public Session A:

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (I, c) Legal Advice, Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place, Titus-yes) at 6:55 p.m.

Motion: (Titus, second Place) to come out of non-public session passed 5-0 at 7:20 p.m.

Motion: (Johnson, second Place) 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).

11). Non-Public Session B:

Motion: (Johnson, second Place) to enter non-public session under RSA 91-A: 3 II (I) Legal Advice passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place, Titus-yes) at 7:20 p.m.

Motion: (Place, second Johnson) to come out of non-public session passed 5-0 at 7:30 p.m.

12). Next Meeting: Monday, March 9, 2020

13). Adjournment:

Motion: (Place, second Connolly) to adjourn the meeting passed 5-0 at 7:30 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

Paula Proulx, Chairman

Neil Johnson, Vice Chairman

Dave Connolly

TJ Place

Ann Titus