

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, February 6, 2023
Selectmen's Chambers
356 Main Street-Farmington, NH 03835

Board Members Present:

Gerry Vachon, Chairman
Charlie King, Vice Chairman
Penny Morin
Doug Staples
Ann Titus

Others Present:

Scott Orlando, Police Chief
Chuck Tiffany, Water/Sewer Supervisor

Call to Order:

Chairman Vachon called the meeting to order at 5:02 p.m.

Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

Non-Public Session A:

Motion: (Staples, second Titus) to enter non-public session under RSA 91-A: 3 II (b) Hiring passed 5-0 by a roll call vote (Vachon, King, Titus, Staples, Morin-aye) at 5:03 p.m.

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

Non-Public Session B:

Motion: (Vachon, second Titus) to enter non-public session under RSA 91-A: 3 II (C) Reputation passed 5-0 by a roll call vote (Vachon, King, Titus, Staples, Morin-aye) at 5:40 p.m.

Motion: (Morin, second Staples) to come out of non-public session passed 5-0 at 5:53 p.m.

Non-Public Session C:

Motion: (Morin, second Vachon) 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 (Vachon, King, Titus, Staples, Morin-aye) at 5:55 p.m.

Motion: (Vachon, second Morin) to come out of non-public session passed 5-0 at 5:57 p.m.

Reconvene Public Session:

Chairman Vachon reconvened the public session of the meeting at 6:03 p.m.

Review of Minutes:

January 30, 2023-Non-Public Sessions A, B & C- No errors or omissions

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

Old Business:

Review/Approve Changes to Water Improvement Bond- Mr. Vachon said at their previous discussion on this warrant article the board voted to remove the word "increase" and change it to "improve" to read "to improve water supply and water quality" and then read the article and clarifying notes aloud (see attached). He said that was the only change made to the article. Mr. Staples said this would have to go back in front of the Budget Committee for a re-vote. Mr. Vachon said he believes it is going back to them on Feb. 15.

Motion: (Morin, second Titus) to approve the article passed 5-0.

Mrs. Morin said the Bud Com's public hearing would be on Feb. 15 at 7 p.m.

Review Petition Warrant Articles- Mr. Vachon said the Town received 2 petitioned warrant articles and they have to vote on the petition to reinstitute the recycling program because it has a monetary value.

Mrs. Morin asked why they only had 4 signatures on this petitioned warrant article.

Mr. Vachon said there is another page with more signatures.

Mr. King asked if the required 25 signatures had been verified.

Mr. Staples said there were 60 signatures and they went through a check and as soon as they got to 25 they stopped verifying them.

Mr. Vachon said they do have to vote on this one and asked if the board wanted to vote on the other one (to accept the water/sewer infrastructure on Skyview Dr. and Whippoorwill Ridge Rd.) to give input on where the board stands.

Mr. King said he didn't want to and if they don't have to they shouldn't speak to it because it's by petition.

Mrs. Titus said it's a petition and she didn't think they had to.

Mr. Vachon said because there is a stated amount (in the recycling petition) they have to include a recommendation or non-recommendation for the article on the warrant.

He read the petitioned warrant article to re-institute the recycling program aloud as follows:

"To see if the Town will vote to re-institute a full recycling program for cardboard, metal, paper, glass and plastics and to raise and appropriate the sum of One Hundred Thousand (\$100,000) Dollars to pay for the construction of a building at the Transfer Station to house the material and equipment for the recycling program."

Mrs. Morin asked if this isn't enough money for that purpose if they have to come up with the rest.

Mr. King said it is unlikely that will cover what needs to be done to do that. He said the \$30,000 in ARPA funds that was set aside plus the \$100,000 gets it closer to being covered but it could be a \$150,000 or \$160,000 price tag for the building and to re-institute all of that recycling to go with it even if some of that recycling is just the collection of it.

Mr. Staples said with the way the article is written they would still have to use the ARPA funds to fix the baler, etc. because this clearly states just the building.

Mr. King said the cost of the building was estimated and depending on what it is it may be more than that so if this article is voted for they may not have that same discussion. I'm not opposed to the warrant article by petition but that's not potentially the only monies that are going to be needed including the additional staff time that has not been dedicated to this yet he said.

Mrs. Moring asked if this article would be advisory or a directive to the board.

Mr. King said it says to raise and appropriate \$100,000 and the directive is to reinstate the recycling program.

Mrs. Morin asked but if the dollar amount doesn't fit...

Mr. King said the money would be raised through taxation but they would be directed to put in a recycling plan by the voters so that is what he would do. He said the voters have spoken and if it takes additional money then it takes additional money.

Mrs. Titus said the voters could raise the amount on the floor (of Town Meeting).

Mr. King said they could but without having a firm estimate he wouldn't be looking to move it because you don't know it might be enough money.

Mr. Staples asked if that was something they wanted to have Mr. Dickie get some quick quotes on to get a rough idea when he gets back from vacation.

Mr. King said they talked about putting some more money into this project and they got an estimate from a project manager but in this case he would lean towards farming it out as a complete project to a contractor and not us trying to manage it. He said they could set a spec for what they need for square feet of space, what we need for electrical and a rough layout and go out to bid on that because you may have somebody come in with a wood, steel or ICF structure at a reasonable price. He said he would be in favor of the ICF structure because it would conserve heat a lot better and if it wasn't intended to be heated you could put in a little bit of heat that would be sufficient so they wouldn't have an ice box to work in. If this goes forward and we have to do it, try to get somebody to do it pretty much complete because we don't have the resources right now to manage it he said.

Motion: (Morin, second Staples) to recommend the article;

Discussion: Mrs. Titus said she is for recycling but there is not enough money here and she hopes it gets brought up that the \$100,000 isn't enough to get recycling going and the taxpayers have to put more money into it.

Mr. King said the Town will have to find some additional funds whether it comes out of the \$30,000 in ARPA funds they set aside or some other place.

Mrs. Titus said she hopes they would bring this up (at Town Meeting) so people know they are for it but they need to have more money to finish the project.

Mr. King said he was inclined to vote for it and this may be the first time the Selectmen have voted in favor of a warrant article by petition.

Vote: The motion passed 5-0.

Mr. Vachon said the other petitioned article has no monetary value so there is no reason to

vote on it.

Mr. King said this issue has been before the town several times and it is up to the people petitioning to make their case at Town Meeting. He said this is not how this project was presented to the Town and approved as such and he understood their grief but it was intended to be private infrastructure and it was approved and sold that way. He said this becomes a management issue and a cause for the homeowners' assoc. just like any other homeowners' assoc. has things they need to deal with no different than the one at Baxter Lake.

Mr. Staples said Mr. King is on the Planning Board so he may know if this risks their permits and everything because they said when they put it in they were going to take care of all this.

Mr. King said no because by warrant article the town could take it over. He said in some towns when the roads are built to spec they can be taken over by the Town Meeting and they thought that would include their infrastructure underground by default but it didn't so this is an attempt to have their infrastructure under and adjacent to the roads accepted by the Town. He added this would be the first lift station in the town.

Mr. Vachon said training and maintenance would go along with it.

Mrs. Morin asked what a lift station is.

Mr. King said it pumps the sewerage up to the main line.

Mr. Vachon said if they are lower than the gravity then they have to pump up to the gravity.

Mr. King said the rest of the Farmington sewer system is all gravity fed to the plant. He said they are common in municipalities we have just never put one in.

Mr. Vachon said we haven't needed to put one in because everything runs downhill.

Police Cruiser Update- Mr. Vachon said it looks like that transmission issue is a little more than they expected.

Police Chief Scott Orlando said he provided a report in their packets to help the board make an informed decision but unfortunately the 2016 Ford Interceptor (car #9) was diagnosed with some significant issues. He said he included the quote because he doesn't really know what some of this stuff is but it needs a new transmission and a **Power Take Off** (transfers power from the engine through the transmission to drive the rear axle).

Mr. King said he did some research on it today and asked if the transmission is really faulty. He said Ford has acknowledged that the PTO's have service issues and should be serviced as often as every 30,000 miles and when the seals in those go, it lets the transmission oil run out through the PTO onto the ground. So one reason the transmission is losing oil is because the PTO is bad he said.

He said in the report it cited 2 symptoms which says its bad-there's metal in the oil and oil is coming out of the overflow. He said the PTO is guaranteed junk and that may be the point where it's been leaking transmission fluid and if the transmission has been acting differently shifting and operational maybe it's okay because the report says its leaking out of the case and asked if that is where the PTO attaches because that is an area where the seals go and it leaks.

He asked if it leaking where the PTO attaches or somewhere else in the case or the transmission. He then asked without this repair what the projected lifespan is of this vehicle and if it was slated to be replaced or put out to pasture.

Chief Orlando said this would be the third car in line to be replaced with the Dodge Charger with 140,000 miles first, the next Dodge Charger and then cruiser #9. He said on the page listing the current fleet as Jan. 31, 2023 he labeled the year, make, model and the current mileage of each vehicle.

Mr. King asked if those 2 Chargers that are in front are 2-wheel drive.

Chief Orlando said that is correct.

Mr. King said hypothetically if we were replacing one cruiser a year that would be 3 more years on this vehicle and if not it would be at least 2 more years if we were able to replace 2 cruisers in 1 year and we would have to find some funding for that. He asked if they should pose the question to them (ACE Transmission) and he could go up and look at it. They may say its junk because they're experienced but they may say you could get 2-3 years out of it and 3 years is the magic number and on that bill that's \$3,800 (install remanufactured transmission) and that's half the bill he said.

He said he was sure the PTO is no good and if they just replaced that they could probably reduce the bill to less than \$4,000. He said they only thing they said about the transmission is its leaking between the case halves and his question would be where and that the fluid condition is dark and it smells burnt and that was because it's been running low and has been leaking. He said they said the gear oil coming out of the vent in the PTO is filled with metal and chances are that's never been serviced.

Chief Orlando said not to his recollection.

Mr. King said they have had issues with them and that's why he suggested to him today that they get the other PTO serviced and checked.

Chief Orlando said he spoke to the cruiser maintenance officer so their 2019 Ford SUV will be getting looked at.

Mr. King suggested they see how that one is and if it's good to put it on annual service and have it changed every year because they are probably putting 20,000 miles on it every year. He said it's either going to be \$7,200 or maybe the transmission is still usable for a few years but at this point we can't lose this vehicle unless we're going to replace it.

Mrs. Morin asked Mr. King if the plan was he was going to go and look at it.

Chief Orlando said his assistance would help.

Mr. King said it would take about 15 minutes to look at it and ask them what they think and he didn't see any other way of keeping this cruiser in the fleet and they don't have any other vehicles they can replace it with. He said they could make a motion for up to the entire amount and maybe they can get away with less based on their recommendations on getting a couple of years' service. He said that's a quote and the problem is on vehicle repairs they might find

something else that needs repair like a line or a fitting. He said they could make a motion to proceed with the repair.

Mr. Vachon said 10% would make it \$8,120 for a contingency.

Motion: (King, second Vachon) to repair the Ford Interceptor transmission and PTO not to exceed \$8,120;

Discussion: Mr. Staples asked the 2019 Ford SUV is the identical vehicle to the one they have the issue with right now.

Chief Orlando said it is the same vehicle different year.

Mr. Staples asked if Corbett's was going to look at replacing that part on this one before it blows the transmission.

Chief Orlando said yes and that he got some information on these issues from Mr. King.

Mr. King said it's like a transfer case but it's directly adjacent to the catalytic converter and it only contains 1 quart of oil and there is too much heat so it breaks down the oil and there is no cooling on it especially if they have a lot of idling time on hot days so it's just cooking that oil. He said they need to change that and stay on top of it because it could take the transmission out just by leaking fluid.

Mrs. Morin noted that in the last 2 years they have put about \$9,000 into this car.

Chief Orlando said he thought it was important to include that.

Mrs. Morin said and we're going to put another \$8,000 in.

Mr. King said he didn't see another alternative. He asked what "bio-hazard remediation" is (2022 maintenance log for car #9- approx. \$1,100-2 entries).

Chief Orlando said that was for when the fire extinguisher went off due to a broken pin going down Rt. 16 and it filled the entire vehicle.

Mr. King asked if that was caused by a bounce or highway speed.

Chief Orlando said he was driving with Sgt. Frye and it just went off.

Mrs. Morin asked if that was covered under the Town's vehicle insurance.

Mr. King said they only have a \$1,000 deductible. He said it is listed 2 different times.

Chief Orlando said the other one was for blood.

Mr. King said so some of this repair is not the vehicle's fault and some of this is annual maintenance.

Mrs. Morin said it seems like a lot of money...

Mr. Vachon asked if they replaced the front control arm assemblies twice in a year and a half.

Chief Orlando said yes and he thought it was actually less than a year and a half.

Mr. Vachon read the details of this repair and said that in 16,000 miles they had to replace the lower control arms again and something doesn't add up there. He said the parts should have been under warranty but at \$1,100 it looks like we got charged for the parts again.

Mr. King said he was once told these cars were well built and right in line to be a front line cruiser but it seems like they are junk and asked what else is falling apart on these cars and if it

was the same as usual. Mechanically they seem to lack some durability he said.

Chief Orlando said yes.

Vote: The motion passed 4-1 (Vachon, King, Staples, Titus-aye; Morin-opposed).

Chief Orlando asked if the board had any other business with him tonight.

Mr. King asked if the Police handle vehicles parked in the old fire station parking lot without permission from the Town.

Chief Orlando said yes and that he was probably asking about the 2 vehicles parked there that aren't registered.

Mr. King said he was talking about a piece of construction equipment parked at the back of that lot and it is probably someone doing some re-development on the other side of those barriers. He said he didn't recall giving anybody permission to do that and asked the Chief to speak with the Code Enforcement Officer about it. He then asked the Chief about the other 2 vehicles.

Chief Orlando said he was working on 2 vehicles right now and they are trying to make contact with the owners before they tow them. He said they are unregistered but they haven't moved so the snow is building up around them from when they're doing the snow removal. He said they made contact with the owner of the mini-Cooper and they said they'd move it by the 5th but it has not been moved. He said the other one is a Hyundai and they have not been able to contact anyone regarding that vehicle. We are trying to work with them to let them know this is not allowed before we tow it but they're not cooperating. These are spare, extra vehicles of people who live in the area and one of them lives on Main St. he said.

Mr. King said the construction equipment may belong to the Kodiak Group and they should be contacted and told this is not parking for your construction equipment and this is not allowed. He said if they were given permission the CEO may know something about it but they can't allow it to continue because if something happened to it such as if someone set it on fire they would fault the Town for not policing the parking lot properly.

Mr. Staples slid a page over to the Chief and said this looks a little high and asked what the average oil change costs them.

Chief Orlando said it's about \$100 and something dollars. He said this one also included the transmission fluid in addition to the oil change and he also cleaned everything too.

Mr. Staples said that wasn't in there and jokingly said to tell him that the Selectmen would try to cheat him if he doesn't include everything in the description.

New Business:

Sewer Abatement- Chuck Tiffany said he came for a sewer abatement requested by Roger Neihart on 11 Bittersweet Lane which is the building in back of the old Police Station behind the 2 white apartment buildings. He said they noticed he had a really high sewer bill of \$515 and Jason went out and pulled the profile on it and he could hear water leaking and he saw water leaking out of the foundation. He said they notified Mr. Neihart and shut his water off and he promptly came down and fixed it.

Mr. Tiffany said he did an average of his sewer bills and his average came out to \$181 so he is looking for an abatement of \$334.

Mr. Staples asked if this was a commercial, apartment or residential building.

Mr. Tiffany said it is a residential building and he lives in Florida and rents it out.

Mrs. Titus said it's a rental.

Mr. Staples said that is the cost of doing business.

Mr. King disagreed and said they would just be abating the sewer charge because if he had a leak all that water didn't go in the sewer so he isn't looking to abate anything we had to treat.

Mr. Tiffany said he wasn't looking to abate the water charge at all just the sewer.

Mr. Vachon said the water went past the meter but never went into the sewer.

Mr. Staples said okay.

Mr. Tiffany said he will be paying his normal average \$181 for the sewer portion of his bill if the board approves the abatement.

Mr. Vachon said they have done this in the past if the water went past the meter but doesn't go in the sewer and called for a motion.

Motion: (Morin, second King) to abate \$334 to Roger Neihart on 11 Bittersweet Lane passed 5-0. Mr. Vachon then checked off that the abatement was allowed and added the date and the board signed the application form and returned it to Mr. Tiffany.

Mrs. Titus said someone told her that on Button Road (off Meetinghouse Hill Road) there is a big wide hole and a ditch and they don't know if the culvert is gone or what caused that.

Mr. Tiffany asked if Button Road is a Town road.

Mrs. Titus said she was not sure but she assumed that it was because a school bus goes down that road.

Mrs. Morin asked if Button was off of Ten Rod Road.

Mrs. Titus said yes but she was not sure which end it is but it's big and people have to go around it.

Mr. Staples looked it up on his phone and said it is off of Ten Rod Road but it's not a Town road.

Selectmen thanked Mr. Tiffany for coming in and he left the meeting.

Next Meeting: February 13, 2023

Non-Public Session D:

Motion: (Vachon, second Staples) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 5-0 by a roll call vote (Vachon, King, Staples, Morin, Titus-aye) at 6:42 p.m.

Motion: (Vachon, second Staples) to come out of non-public session passed 5-0 at 6:52 p.m.

Non-Public Session E:

Motion: (Vachon, second Titus) to enter non-public session under RSA 91-A: 3 II (L)

Consideration of Legal Advice passed 5-0 by a roll call vote (Vachon, King, Staples, Titus, Morin-

aye) at 6:52 p.m.

Motion: (Vachon, second Staples) to come out of non-public session passed 5-0 at 6:55 p.m.

Adjournment:

Motion: (Vachon, second Staples) to adjourn the meeting passed 5-0 at 6:55 p.m.

Kathleen Magoon
Recording Secretary


Gerry Vachon, Chairman
Charlie King, Vice Chairman
Penny Morin
Ann Titus
Douglas Staples