

Town of Farmington
Board of Selectmen – Public Meeting Minutes
Monday, April 18, 2016
Selectmen's Chambers
356 Main Street

Board Members Present:

Charlie King, Chairman

Neil Johnson, Vice Chairman

Paula Proulx

Ann Titus

Board Members Absent:

Jim Horgan

Others Present:

Town Administrator Arthur Capello

Director of Public Works Dale Sprague

Residents Elizabeth Johnson, Jay Fortune

1). Call to Order/Pledge of Allegiance:

Chairman King called the meeting to order at 6:10 p.m. All present stood for the Pledge of Allegiance.

2). Public Input: None.

3). Review of Minutes:

April 11, 2016-Public Session- Page 3, top of page, add the board requested to check the sand and gravel sites first and then the bedrock sites.

Page 2, item C, New Subcommittee- add that Vice Chairman Johnson also volunteered to join the committee.

Page 5, Item 14, add after review by the Police Chief there are currently no officers in the dept. on the Laurie List.

Motion: (Johnson, second Titus) to accept the minutes as amended passed 4-0.

April 11, 2016- Non-Public Session A-

Motion: (Johnson, second Titus) to accept the minutes as written passed 4-0.

Motion: (King, second Johnson) to unseal the Non-Public Session A minutes of Apr. 11 passed 4-0. Chairman King said the session was held to consider merit raises for non-union town employees.

4). Next Steps with the TIF District:

Selectmen reviewed an outline of the next steps provided by Interim Planner Liz Durfee. Mr. Capello advised the board to start with the establishment of the Advisory Board. He added that resident Resta Detwiler has volunteered to become

a member of the board. Discussion included qualifications for Advisory Board members, not appointing anyone until the request for members has been publicized, seek volunteers on the community TV channel, by e-mail and on the town website, the number of properties in the district, send a mailing to property owners in the district and draft language citing the responsibilities of board members. Mr. Capello said he will provide the board with copies of the role of Advisory Board members included in the warrant articles approved at town meeting and noted the other steps in the memo are currently being worked on.

5). Waiver of Sewer Hook-up Fee: Tabled until later in the meeting.

6). Treasurer Duties:

Motion: (Johnson, second Titus) to table the matter passed 4-0.

7). Employee Handbook:

Selectmen reviewed the proposed changes recommended by the Town Administrator to the town's employee handbook. Consensus was to make the following changes;

Page 5- Probationary Period- top of the page, change "shall" to "may", add "a" between the words "by" and "temporary".

Page 8- (b) Recording Work Hours- remove "time sheets" and include all employees must punch a time clock except in emergency situations. Mr. Capello will check with the Dept. of Labor and clarify the requirements.

Page 17- change "shall" to "will".

Page 20-(1 l) Return to Work Certification- change "may" to "will" require a Fitness for Duty Certification.

Page 22- #13- Disciplinary Procedures- Levels of Discipline- include a statement that the levels of discipline need not occur in any order and all levels need not be followed depending on repeated/severity of the offense.

Page 24- Administrative Leave with Pay- consult with the Finance Administrator for the best way to handle accrual of wages/benefits, adding language regarding merit wage adjustments, update the section on the Family Medical Leave Act to meet new federal requirements and reduce the dinner reimbursement to \$35.

5). Waiver of Sewer Hook-up Fee:

Dept. of Public Works Director Dale Sprague said the waiver request involves a subdivision on Ian's Way. Four homes were built by the previous owner and five lots remained vacant. The new owner purchased the five vacant lots thinking he had rights to town water/sewer hook-ups. The Dept. of Environmental Services determined the lots can't connect to town water so Sprague suggested using town water to fill a reservoir, hook a booster to the reservoir and pump water to the homes but DES said the use of a booster is not allowed anywhere at a residence. He said the owner will have to install wells on the properties.

Mr. Sprague said the owner could be allowed to use the uncollected water fees for the sewer connection fee or tell the owner it's "buyer beware" as he did not check with the town about town water/sewer rights. Discussion included DES jurisdiction, if the subdivision is grandfathered, not grant a break on the sewer fees as the sewer lines will be used by the development, the town documents related to the subdivision are missing, and see if the previous developer/ DES can provide copies of the documents. Selectmen requested that Sprague further research the matter and then determine the new owner's intentions.

Pothole Complaint- Selectman Titus asked Mr. Sprague about the status of pothole repairs in the Poor Farm/Meaderboro Road area following receipt of a complaint from resident Hiram Watson. Mr. Sprague said the

highway dept. would be working on Poor Farm Road on Tuesday and Meaderboro Road on Wednesday and Thursday depending on the weather.

Chairman King returned to Public Comment with the arrival of resident Jay Fortune.

Farmington Community Gardens- Mr. Fortune came before the board to request permission to keep gardening on the town owned lot as he has a small yard and to continue to grow his own food would mean a lot to him. Discussion included no recent activity there, difficulty recruiting participants, the group was dissolved and the closing announcement was done on Face Book, when planting would begin, allow three other residents to continue gardening there, require a sign-up sheet and rules for use, maintaining the area and payment of the water bill. Mr. Fortune then volunteered to maintain the garden, attempt to recruit more participants and to pay the water bill. Chairman King suggested the other users pay their fair share of the water bill. Mr. Fortune then expressed kudos to the DPW crew for cutting trees at the site and installation of the gate on the property.

Motion: (King, second Proulx) to allow the people who used the garden last year to use it this year if they agree to pay for the water and to sign up at the Municipal Office Building passed 4-0.

Mr. Fortune said he will meet with Mr. Capello to set up the procedures for use.

8). Ambulance Billing Write-off:

Write-off Fire Inspections- Mr. Capello told the board that some of the inspection charges date back to 2007 and that the town does not currently charge for fire inspections. Discussion included the charges should not be waived as they occurred when there was a charge for inspections, send the invoices to collections, give the debtor one more chance to pay and if any of the persons listed have moved or died.

Motion: (Proulx, second Johnson) to send one more bill with a letter stating they must pay the bill or their license/permit may not be renewed or the debt will be sent to collection passed 4-0.

Ambulance Billing Write-offs- Mr. Capello said that he and Fire Chief James Reinert went through the list of unpaid patient accounts prior to 2012 and recommended that \$149,530.50 of the total \$515,286.99 due is written off. Discussion included if any of the debtors are on welfare/disability, past collection efforts and amounts can't be sent to collection due to lack of Social Security numbers/bad addresses, Frisbie Hospital is able to obtain Social Security numbers for billing and best collection efforts were made by the dept. and ComStar.

Motion: (King, second Johnson) to write off \$149,530.50 in uncollected ambulance billing fees as recommended by the Fire Chief and the Town Administrator passed 4-0.

9). Update on Christmas Poles, Army Trucks:

A). Christmas Poles- Mr. Capello gave a status update on the easement deeds needed for the installation of poles for the Christmas lights/decorations on private property. He said that of the remaining five deeds to be received, three have been returned to the town for filing and two are still outstanding.

B). Army Trucks- Mr. Capello said the person awarded the bid for the surplus trucks never picked them up and has not returned phone calls made to him. He suggested the sale of the trucks be put out to bid again and to post the same RFP.

Motion: (King, second Titus) to re-list the RFP for the Army trucks passed 4-0.

10.) Additional Board Business:

A). HumVee Update- Vice Chairman Johnson asked for an update on the HumVee currently used as a forestry vehicle by the Fire Dept. Mr. Capello said there has been no change from the earlier determination that the vehicle is not being

used for purposes set by the federal government and may have to be returned. He commended the Fire Chief for creating a “buzz” at the state and federal level in an attempt to find a work around to the decision.

B). Local Computer Backup- Selectmen reviewed a quote for network attached storage and backup software from Tech Soup2Nuts LLC of Rochester, NH for \$965. Discussion included the need to backup data in case of fire or damage to the Municipal Building, automatic backup of data, putting an external hard drive in a fire proof safe, possible damage to hard drives while being transferred, RAID storage, Cloud storage, wireless systems, backup would be provided for four users and a one - time fee versus yearly fees for backup systems. Consensus was to request the Town Administrator obtain an estimate for a multi-drive, solid-state system to be installed in a safe and return his findings to the board.

C). Waste Management Contract- Selectmen reviewed the revised service agreement and noted that the amount for the extra trash pickup at the highway dept. previously listed at \$200 per additional lift was corrected to \$100 per lift as requested and the administrative charge was dropped..

Motion: (Johnson, second Titus) to approve the contract as corrected and to authorize the Town Administrator to sign it passed 4-0.

D). Sarah Greenfield Business Park- Mr. Capello told the board that one of the parcels located in the business park contains a monitoring well as part of the agreement between the EPA and the town to monitor the extent of possible groundwater contamination related to the former Collins and & Aikman plant. He said the existing well and current/future access agreements must be disclosed to potential buyers of the lot. He suggested the RFP be amended to include notice of the well and to state testing results are available on request. Consensus was to request Mr. Capello make the suggested changes to the RFP and to re-post it.

E). Prosecution Rate- Selectmen and Mr. Capello congratulated the Farmington Police Dept. on a very successful prosecution rate of 94%.

F). Coast Bus Company- The board received a bus shelter advertising proposal and the company’s advertising policy and guidelines. Discussion included they did not receive a written agreement to upgrade the Route 11 shelter, a breakdown of revenues for area shelters or the formula used to calculate revenues, estimated revenue potential in Farmington, why revenues collected in Somersworth would be higher than those for Route 11, who owns the shelters, ad revenues are credited toward the yearly total amount of funding requested, the revenues will close the gap between what was requested by Coast and what was paid by the town if not fully funded, five ad spaces will be available in Farmington and to include an option to withdraw permission to place ads in Farmington bus shelters. Consensus was to seek additional information from the bus company.

G). Campaign Visit- Chairman King revisited the discussion about the campaign event held by Donald Trump in February. He said the campaign was billed \$9,800 for police services with no response. Discussion included the Secret Service requested the coverage, taxpayers should not bear the cost of the event, the School District was paid to host the event, state law allows the town to bill for Police services, send the bill to the School District and let them seek repayment.

Motion: (Johnson, second King) to forward the bill to the School District to seek payment of \$9,800 passed 4-0.

Additional discussion included if there are any other ways to approach the issue, develop a policy and to meet with the School Board to discuss the matter.

H). Hardship Guidelines- Selectman Proulx asked if guidelines have been established regarding the non-payment of debts owed to the town based on hardship circumstances. Mr. Capello said there is no policy now but he plans to develop one with the Welfare Director when she returns from maternity leave.

12). Non-Public Session A:

Motion: (King, second Johnson) to enter non-public session under RSA 91-A: 3 II (c) compensation passed 4-0 by a roll call vote (King, Johnson, Proulx, Titus-yes) at 8:35 p.m.

Motion: (King, second Johnson) to come out of non-public session passed 4-0 at 9:45 p.m.

13). Adjournment:

Motion: (King, second Titus) to adjourn the meeting passed 4-0 at 9:45 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

Charlie King

Paula Proulx

Neil Johnson

James Horgan

Ann Titus