

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, November 13, 2023
356 Main Street-Farmington, NH 03835

Board Members Present:

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

Others Present:

Ken Dickie, Town Administrator
Ed Brannan, Highway Dept. Supervisor
Kyle Pimental, Planning Dept. Director
Theresa McDowell, Community Power

1). Call to Order:

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

2). Non-Public Session A:

Motion: (King, 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, Morin, Staples-aye) at 5 p.m.

Motion: (King, second Staples) to come out of non-public session passed 5-0 at 5:32 p.m.

3). 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 5:32 p.m.

Motion: (Morin, second Staples) to come out of non-public session passed 5-0 at 5:58 p.m.

4). Non-Public Session C:

Motion: (King, 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 6 p.m.

Motion: (Vachon, second Staples) to come out of non-public session passed 5-0 at 6:07 p.m.

5). Reconvene Public Session:

Chairman Vachon reconvened the public session at 6:09 p.m.

6). Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

7). Public Input: None

8). Review of Minutes:

October 30, 2023-Public Minutes- No errors or omissions

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

9).Old Business:

Community Power Plan- Mr. Dickie said Ms. McDowell was the rep that worked with them for the whole process and with the committee to generate the plan before the board. He said they sent out 100 pamphlets as a survey and received about 30 responses. He said they took that information and used it to compile this plan to better service how the surveys came back to them. He said they put the surveys at the Town Clerk/Tax Collector's window, at Cameron's and throughout the town trying to get them out to the community as much as they could to try to strategize how to put this plan together to best service the people of this community.

He said they wanted to make clear that this is an opt-out plan so you are automatically in unless you don't want to be in it then you have to notify the company that you don't want to be in. He said here's no cost to the business and/or resident to opt out or opt in. If you are in and you want to opt out you can call them, send them a letter or an e-mail and say you'd rather not be part of that and you're going to stick with the cost of Eversource or a co-op and there is no cost to opt. If you want to come back in because you're finding the rates from your current electric provider are too high and you see in the rate that we've locked in for 30 months is cheaper than what you're currently paying you can come back into the plan and then it takes about a month to process you to come back in. You can opt in and out as much as you want he said.

Mr. Dickie said they would negotiate on behalf of the town and if it's accepted by the board, how that would work, if this plan is accepted by the board then it will go before the voters in March and in between then and now there will be another hearing or some public information as they move further down the path to get them more familiar with it and definitely more info will be flowing back out. We have a spot on the website now for Community Power and they are going to download the plan on there for them to be able to access that. If accepted it will go before the voters as a warrant article he said.

Mr. King asked if they were looking for the board to accept and approve this tonight.

Mr. Dickie said if they have enough information and have studied it.

Mr. King said he looked through it but he didn't read every last word. He asked if somebody already has an energy agreement with Constellation or something like that how that would work with this package.

Community Power rep Theresa McDowell said anyone that's on a third party electric supply would just stay with that party as they're not considered an eligible customer. She said eligible customers are people on Eversource or NHEC supplies. She said if they wanted to Direct Energy has a no cancelation fee but some do so they always say look at rate and if it's better than what we're offering stick with that until the end of and then see if you can get something better or join the program then but they won't be opted in they'll just be on their contracts until then.

Mr. King said on page 7 it shows the Farmington Community Power Product Summary Table and it has the basic, Farmington default, which he assumes is recommended based on some information in here, Farmington 50% and Farmington 100% and that somewhere else in the

document it says we could change those levels and that the 50% and 100% levels could be adjusted based on what we wanted to offer.

Ms. McDowell said that's correct and this is the one they have been going through with the other towns. She said the automatic enrollment is about 5-10 additional renewable energy and the other products are optional so there is no cost to the residents that want to change plans, no cost to them if they want to opt out. She said the reason these are chosen is the default and the basic will always be directly price competitive with Eversource so for this program we will not launch without savings. She said if they are getting a rate back from the market that's higher than what Eversource or NHEC is showing then there is no pressure to launch they can wait and watch the market and when it comes back down launch then.

Mr. King said on page 6 it talks about the Renewable Portfolio Standard required in NH is 23.4% and then it is going to go to 25% in 2025. He asked if somebody has Eversource now does this standard apply to Eversource.

Ms. McDowell said that's right that's the state mandated amount.

Mr. King said looking at the surveys they had one pie chart (page 2) that showed "I would like extra renewables if I can pay about the same as I pay today-(53%)" but there were a couple of other charts that showed 80% of the people surveyed would like cheaper electricity. He asked why they wouldn't have the default rate be the basic which would be the lowest cost and then each person could opt up to a higher renewable level.

Ms. McDowell said there are 2 pieces of it and for this pie chart the other 2 sections are "I would like extra renewables and I am willing to pay (a little) more (than I pay today-7%)" and some people said "I would like 100% renewable energy and I willing to pay more(4%)" so that (the total for the 3 sections) is 64% so the way they cater the plan is usually to the biggest chunk so all these people are saying we're good with more renewables.

She said both that default and the basic will be price competitive so they will still be seeing savings over the default on launch. She said for their programs that have launched such as in Keene their default rate is 11.47 cents, Eversource is at 12.5 cents right now so they actually see their basic, their default and their 50% are all lower than the Eversource default right now. She said the goal for this is resident savings and to a little bit of greenness so it reflects the future market in supporting renewables within NH.

Mr. King asked if this automatic enrollment is set by us and if they have to set that now or can they wait until when the roll out happens say after Town Meeting. He asked if they are going to put this on the ballot do they ask the community if they feel the default should start at the lowest or with some additional renewable in it. If I have to render a decision tonight I've got my own opinion but if we have an opportunity to postpone that to get more public input so when we start that could be adjusted then I would wait he said.

Ms. McDowell said she would say to set it tonight because this will go to the PUC next for their approval so they have to define where all the customers are going to go. She said they have

worked with 28 towns in NH so far and 1 town went with the basic default and they regret it because it locked them in that box of the lowest that's why there's a sliding scale of 5%-10% to allow them to fine tune it to still be a little more green but price competitive wherever that falls. She said the difference in price is about 3/10 of 1 cent so it's very minimal but it allows you to add that greenness and if it is a little more expensive to dial back but you still have the option to be a little greener.

Mr. King said she is saying it's 3/10th of a cent between the lowest rate and the competitive rate and asked if that is currently or if that has been the historical average over a few years.

Ms. McDowell said that has been pretty set and that came to be because the EPA decoupled green attributes from the physical power in 1999 or 2000 and that allowed them to create a private market where they traded the renewable attributes. She said it's a market so the price is pretty set so that doesn't really change too much so the 3/10th of a cent is pretty set.

Mr. Staples asked if this is just for the power supply and PSNH will still be able to do the delivery charge.

Ms. McDowell said yes and the bill for all residents will be completely the same there will just be one line different that will say Farmington Community Power and it will show the rate for Farmington, the charges for delivery and transmission stay the same, quality of service stays the same and the same crews are coming out if lights are going out and doing all the maintenance so it's just the supply charge.

Mr. Staples asked how her company makes money if they are not charging the residents or the Town.

Ms. McDowell said their fee is built into the price per kilowatt hour and it's 1/10th of 1 cent. She said their primary business is focusing on schools and towns and they do more traditional third party supply aimed at businesses and more industrial but this came to be in 2021 and it aligned with what their business is now and is not the biggest money maker but the way Standard Power has always operated is saving people money, increasing renewables in NH and helping communities with energy consulting.

Mrs. Morin asked if she sees the future where PSNH/Eversource goes forward to try to recoup some of the lost wages by going up on delivery and those surcharges.

Ms. McDowell said she has been in this industry for about a year so she is not great for the past but at the office they talk about seeing prices of everything going up right now so it would seem like the utilities may play catch up to meet with the market but they don't know because they will just file with the PUC if they want to change the rate and they'll see it as they file that.

Mr. King asked for their projected Farmington default rate looking forward that they could tell the taxpayers.

Ms. McDowell said she didn't have an exact number but for the rates they see right now it's around 10-12 cents based on the size and the good part about Community Power is they can take Farmington and enter it in on the back end but groups towns together and sends them out

to bid as a package and Farmington would get its own contract and you would follow your own rules you're not locked in with anyone else it's just to get the good rate.

Mr. King said the current Eversource rate is 20 point something.

Ms. McDowell said its 12.5 and it was 20 in August. She said seeing some of the documents it seems like Eversource is giving a little bit of a rebate because the price was so high before it went from 22 to 20 and now it's back to 12 which is a little more normal. She said it has to do a little bit with global and if we have a warm or cold winter but for the 2 launch groups they've done so far it's been right around 11 cents which is a great rate.

She said if the rates don't look good they can wait it out and Eversource is locked into buying twice a year and they have a 3 day window to do it which is why sometimes they get a really awful rate and sometimes it could be the best day of the year.

Mr. King asked how often somebody's rate would be changing.

Ms. McDowell said another piece of this program that they really standby is price stability and they go into the buying process they will be able to give price ranges but what they've been seeing is between 18 and 30 months to try to keep the price stable and allow businesses to budget and homes that might be concerned about the price changing every 6 months will have a little stability. She said Keene was their first launch group and they launched in June and their 11.47 rate is good all the way to December 2025.

She said the plan is to go into pricing at the beginning of 2025 and start looking at the market again so they can plan and have plenty of time to let the residents know the rate is changing. Hopefully it will stay the same or go down but who knows what's going on in 2025. Just making sure the residents know at the end of the contract we don't plan to skyrocket your price we're going to try to keep it consistent or whatever the best deal is at the time and still beat the utilities she said.

Mr. Vachon asked what happens if it does drop back to 6.5.

Ms. McDowell said if that's during the contract period there are a few different avenues they could choose as a community to send a letter letting them know the price is lower and if you want you can opt out for free and even if everyone dropped out it doesn't put the people in the program at risk the price stays the same. She said people can come and go as they feel and it is just that meter read date so they can change up to 12 times a year as the meter gets read on one day so it hits every month at the same time. They could click to opt in or opt out every day and one day it is just going to hit for when their meter gets read she said.

She said also they can shop the market and go with Direct or Constellation at any time and they'll just get moved out of the program. She said the goal is to add more options for residents while maintaining the same as well.

Mr. Dickie said he sent this to Att. Roman and had her go through it and he sent all the changes from her to Ms. McDowell and they made all the changes and validated it and that's what they have in front of them. He said Att. Roman through a power committee in Rye so she was

familiar with the process.

Motion: (Morin, second Staples) to move forward with the Community Power Plan as presented passed 5-0.

Mr. Vachon asked if this needed to be signed by anyone.

Ms. McDowell said the signed minutes from tonight's meeting would be perfect and she would just include them in the plan so the PUC knows.

Transfer Station Budget- Supervisor Pete Spencer had not yet arrived at the meeting so Chairman Vachon moved to the Highway Dept. budget.

Highway Dept. Budget- Mr. Staples said the telephone budget for last year was \$700 and he spent \$1,007 and he wants \$4,000 for next year.

Supervisor Ed Brannan said the budget for 2022 was \$950, last year they cut it by \$250 and the \$4,000 is to cover some upgrades. He said they have had issues with the phone cutting out and they did an upgrade on the phone system in town a few years ago and they never did anything at the highway garage.

Mr. King asked what they have for a phone system and if they just have a land line or 2 lines coming in.

Mr. Brannan said they have 1 line coming in supplied by Breezeline but they did some upgrades town-wide but they never did anything at the highway garage at that time. He said he thought part of the reason was they wanted to keep some cordless phones in the building but the IT tech looked at some of the stuff and he quoted about \$2,700 for upgrades and that includes putting a second phone line in the building. He said there has been a number of times when the mechanic has been on the phone and he wanted to call or vice versa.

Mr. King asked what the upgrades are besides adding a line.

Mr. Brannan said he was not exactly what it is but it's something to do with the hardware that's in the building.

Mr. King asked if it was more computer related than phone related.

Mr. Brannan said it's probably a combination of data and phone as they have had issues with the computer internet at times.

Mr. King asked Mr. Brannan to provide the board with that proposal for next week.

Mr. Brannan said he has the proposal and that it did include putting in a second line. Most of that is probably a one-time expense but why they never put a 2nd line in the building to begin with I don't understand he said.

Mr. Staples said because everybody has a cell phone.

Mrs. Morin said last year the actual expenditure for heating oil was \$6,000 and this year he is requesting \$11,340 still.

Mr. Brannan said they are at \$7,200 and he is guessing that's probably not going to include filling it up at this point plus Nov. and Dec. so he would assume they are probably going to end up...

Mrs. Morin said last year they only used \$6,000.

Mr. Brannan said they are already over that and they still have 2 months to go.

Mr. Morin asked if there was a reason they were over that this.

Mr. Brannan said the cost of fuel.

Mr. Staples asked if they were still burning the waste oil from the Transfer Station.

Mr. Brannan said yes. He said the waste oil furnace is running but the other ones they have to get a service tech in there to do something with the day tank. He said their furnaces are so high they have to pump fuel up to a single tank to feed back to them and they said the pressure switch on it is bad. It's something we have been dealing with for a while he said.

He then said he didn't know how much they could cut out of that line.

Mrs. Morin said she wasn't necessarily looking to cut it she was looking for an explanation as to the difference.

Mr. Brannan said he is guessing it's all to do with the price of fuel because he didn't see why they would be using any more.

Mrs. Morin asked didn't they rent a piece of equipment and it doesn't look like it's reflected under Rental Highway.

Mr. Brannan said that would be in the Highway & Streets part of the budget.

Mr. Vachon asked if he planned on getting the rubber tired grader again this year.

Mr. Brannan said yes.

Mr. Vachon asked if there were no drastic increases in the rental of that and if \$20,000 will cover that because he sees \$17,000 spent so far this year and quite a bit of that was that rubber tired equipment.

Mr. Brannan said it was \$8,000 a month plus \$1,000 to move it. He said he wouldn't mind bringing that up more as it would be nice to rent a shoulder machine. He said he was not sure what the price on it is and he would say its \$2,500 a week for the shoulder machine and a loader to push it-it comes as a package.

Mr. King asked how big the loader is.

Mr. Brannan said it's not a real big one and he thought it was a 2.5 yard loader. He said it would probably struggle pushing a fully loaded truck up a pretty good grade and he would get a price on it this week and come back to the board with the amended amount for that line.

Mr. King said he has some big line items they didn't expend one was Rebuild and Repave and asked if they were going to try to encumber some of that.

Mr. Brannan said they were going to try to encumber that.

Mr. King said for sidewalks they have \$20,000 and haven't spent or logged anything in the last 2 years.

Mr. Vachon said it should show that last year they did Pleasant St.

Mr. Dickie said that 2 years ago they did the section over by the church and that was the last the sidewalk they did. He said he believes they were also supposed to do up around School St.

Mr. King said they have \$20,000 in Winter Sand they're not logging something against, for Crushed Gravel they are showing \$0 expended for this year and last year which he didn't believe was true so he was proposing that but he needed to fill in some of that historical stuff to date for the next time he is here.

Mr. Brannan said between the sand and gravel it was \$39,000.

Mr. Staples said in the Removal of Trees line he wants \$10,000 and he only spent \$2,300.

Mrs. Morin said it's the same with Painting of Lines (\$10,000 budgeted, \$372 spent. \$14,000 requested for 2024).

Mr. King asked if they didn't paint any lines this year and that looks like just materials.

Mr. Brannan said they didn't do any painting this year. He said the crushed gravel was \$39,997 and they still need to get the 1 inch minus crushed and would see why he hasn't been in to do it. He said if he is not going to be able to do it he would come back to the board to see about spending that money on crushed gravel that they can use for shoulder gravel.

Mrs. Morin asked about the Removal of Trees and the Painting of Lines.

Mr. Brannan said on the removal of trees hopefully he can get something out there and they can get Northeast Arbor Tech to come in and work at an hourly rate with his truck, rent us his chipper and they can work with the chipper and he will take care of everything up high.

Mrs. Morin asked if they have a vision for what trees need cutting.

Mr. Brannan said if we get an ice storm Meetinghouse Hill Rd. is really bad, Meaderboro Rd. definitely needs to be trimmed and if you drive down that road from Poor Farm Rd. to Rochester you can see where the tractor trailers are cutting through the trees. He said those are probably 2 of the worst areas he has seen.

Mrs. Morin asked if he has reached out to tree removal companies or if he is just talking to one.

Mr. Brannan said he has just spoken to one and he can put it out to bid but he didn't think anyone else is going to give us the deal we can get with Northeast.

Mrs. Morin said it is policy for them to do that so they should follow the policy.

Mr. King said he mentioned using their chipper and asked what is wrong with our chipper.

Mr. Brannan said he hasn't had a chance to look at it but it does need a fair amount of work. He said they have a chipper and an air compressor and he hasn't seen either one of them run.

Mr. King asked for the size of the chipper they have.

Mr. Brannan said it's probably about 10 inches, it's got to be over 8 inches it's a decent size.

Mr. King asked why his memory says this is something they spent money on in recent history.

Mr. Staples said it was fixed up and made so it would work while he was on the board so it's within the last few years.

Mr. Brannan said he believes it was something to do with the hydraulic drive on it.

Mrs. Morin said maybe they should get somebody to take a look at it and see if it's viable.

Mr. King said they have thrown money into it at least a couple of times and now we're talking about renting somebody else's chipper so the question comes up what is wrong with ours and

the answer is there is something wrong with ours.

Mr. Brannan said there are some safety concerns with it.

Mr. King said he has to have that fixed and that's a non-starter.

Mr. Brannan said he hoped to get that in the garage at some point this winter and take a good look at it to see what it's going to take. He said if it's minor they will fix it and if it looks like it's going to be extensive the board will be seeing him. At this point in time I probably wouldn't feel comfortable just taking it out and using it he said.

Mrs. Morin asked if he was talking about doing tree removal this winter as well.

Mr. Brannan said he would like to try to do something if the weather stays half way decent and they're not climbing through too much snow something between now and the end of the year.

Mr. King said to do that they would need somebody with a truck so they would have to bid it out to subcontract the work and this way we'd be applying some labor with their equipment.

Mr. Brannan said we would be supplying the labor from our crew for the chipping and the flagging.

Mr. Vachon asked if they painted any lines this year.

Mr. Brannan said they did not and they had a contractor that was interested in doing the downtown area and when they put it out to bid he was too busy and wasn't going to be able to get to it. He said they got a quote to do the long lines and both of them were in the \$13,500 range so they were both over the \$10,000 that was budgeted and that's the reason for the increase.

He said he spoke with the gentleman who was interested in doing the downtown area and he would be willing to encumber that money for next year which would take care of that.

Mr. King asked who that was.

Mr. Brannan said it's called Spots on Lots and the man's name is Ed Brown. He said that would allow them to do the long lines next year as well.

Mr. Vachon said they wanted to drop this and they only spent \$37 out of the Repaint Trucks line and asked if they are not repainting trucks.

Mr. Brannan said he was not sure why that line was up to \$9,000.

Mr. King asked if they undercoated the trucks to get ready for this winter season yet.

Mr. Brannan said they haven't.

Mr. King asked if they were going to subcontract that out.

Mr. Brannan said they discussed that at a previous meeting.

Mr. Vachon said he had to find the name he was going to give him.

Mr. King said this is something they have to do. He said in past years they fixed the trucks on the outside so they look good but they don't take care of the stuff underneath that's why we got what we got.

Mr. Brannan said they have a barrel of NH oil so hopefully they can find some time. He said they should be able to do it now because they are winding down with the stuff on the roads.

Mr. King said they should be able to get the small pickup trucks on a hoist with no problem but he didn't know how they are going to do the big stuff because we don't have a lift big enough to get them too far off the ground.

Mr. Brannan said no but they should be able to get underneath them. He said most of the big trucks the major part is from the cab back.

Mr. King said they need to do the whole thing especially the radiators, all the brackets, support bars, inside the frame rails. He said they haven't been getting that done and we're just watching our money rust away.

Mr. Vachon asked if he was good with that number for the Highway Salt (\$93,000 requested) where it went up a couple of bucks and they spent almost \$100,000 (\$97,416) last year.

Mr. King asked how much they are starting the season with.

Mr. Brannan said they have a full shed which is about 300 tons.

Mr. King asked if they started with a full shed last year.

Mr. Brannan said no.

Mr. King said so that's why they went over budget. He asked how much 300 tons would cost.

Mr. Brannan said it is \$71 a ton.

Mr. Dickie said it was \$68 a ton last year.

Mr. King said they have \$21,000 in the shed so if we started with an empty shed last year that would explain the overage. He said right now it says we would be able to refill the shed 4 more times and then some.

Mr. Brannan said he didn't think it's going to be a problem and even if they emptied the shed right now there's enough money in that budget that they could fill it without touching that line.

Mr. King said he was okay with their "first blush" of this budget but some of the historical stuff has to get filled in. He said that they spent a lot this year (\$63,138) for Highway Overtime and they only have \$31,000 (requested for 2024).

Mr. Brannan said a big part of that is probably his overtime just trying to keep up with the paperwork and get the office work done. He said he has gotten a pretty good handle on everything in the office providing the winter isn't too bad and he can spend some time there to keep up with it he didn't think it would be as bad. The crew did a little bit of overtime too this summer he said.

Mr. King asked for a breakdown of how much was between him and the shop because they know he has been working extra hours. He said he wanted to see that breakdown so they can get a number where they think that's enough because they should have less overtime or maybe the same from the crew. He said even if they have more guys on the crew they may still have the same amount of overtime they had this year with the same crew.

Mr. Brannan said he will go over anything to do with the personnel, FICA and all those and make sure those are all right with the Finance Admin and get a breakdown of all the overtime that they had between Jan. 1 and March 31 and beyond that is for him.

Mr. King said he is requesting \$4,400 for next year for Highway Uniforms and they don't usually spend that much they only spent about \$2,100 last year and about \$1,300 this year so they haven't even broke \$2,200.

Mr. Brannan said if they had a full crew that's the number they would have to have in there per the contract.

Mr. Vachon said if he remembered correctly they have to buy their own boots, uniforms, jackets and everything out of that.

Mr. Brannan said he thinks the only thing they bought that wasn't part of that would be rain jackets, gloves, hard hats and reflective vests. He said the boots are on them, their own jackets and clothes to get through the winter but just basically rain gear. He said in the past they have pooled their money together and gone to some type of shirt company that will do some lettering for them so that may be something that they want to do this coming year.

Mr. Vachon moved to Bridges/Railings and said there is nothing on that one.

Mr. Brannan said he missed that one.

Mr. Vachon asked what that number should be because there was nothing expended out of it for the last 2 years. He asked if that was for guardrails.

Mr. Brannan said he would like to keep it and use it for guardrails because they don't have anything in the highway budget for guardrails.

Mr. Staples said that's because they had all that money sitting in ARPA that they were supposed to use.

Mr. Vachon said that was for repairs to the bridges to try and get them somewhat fixed up but they never talked about guardrails. He said they did Meetinghouse Hill Rd. 2-3 years ago on the corner at that sharp curve they had to replace a section of that and that was \$4,000 or \$5,000.

Mr. King said that's because they had to have somebody put in a new post.

Mr. Brannan said in 2022 it was \$5,000 and he thought they should bring it back to that.

Mr. King said he was okay with that for now. He said his next question is about Street Lights because right now they have zero.

Mr. Brannan said there were a couple of them that he missed that included Bridges/Railings, Street Lighting and Repair Street Lights. He said for street lighting last year they spent \$18,200 and he didn't think they would reach that.

Mr. King said that is a set fee from Eversource so with the rate drop that just happened...

Mr. Dickie said they are locked into 16.5 cents through the end of next year.

Mr. King asked if the \$18,700 number would stay the same.

Mr. Dickie he believes it was when they looked at the total kilowatts because they had to break it down.

Mr. Vachon asked if they wanted to level fund that or bring it down some because for either year we haven't spent \$14,000 though we still have a couple of months left.

Mr. King suggested that Mr. Brannan meet with the Finance Admin on that and she should be

able to tell him what that will be knowing how many bills have been paid.

Mr. Brannan said for repairing the street lights they have one in the parking lot here that has been out, it wasn't going off, Eversource took a look at it and it's not one of their lights it's the Town's light. He said he found that in 2017-2018 the Town hired a company Infinity LED Lighting to change out about 190 lights.

Mr. King asked if that is one of their lights.

Mr. Vachon said no that's an old high pressure sodium light.

Mr. Brannan said he was not sure which one faces here and it looks like an LED that shines into this parking lot.

Mr. Dickie said it was the one that was always on and it's off now but it's not working and they need to get it fixed. He said Eversource came in and took off the unit that was causing it to stay on but they need to get a company in to get the right one on there so it will turn on and off properly.

Mr. Vachon asked if it was a LED or high pressure sodium light.

Mr. Dickie said it is a LED light.

Mr. King asked if he needed a contact or if he has one.

Mr. Brannan said he finally got in contact with somebody there and they sent him a list of all the lights they upgraded and it's pretty extensive.

Mrs. Morin asked if this is one of them.

Mr. Brannan said he hasn't gotten to that point yet but there are 192 chances. He said there are a lot of lights that need to be looked at to see what has to be fixed and try to move forward from there.

Mr. Vachon said they have been having a lot of problems with the photo cells in those lights and the lights last but the photo cells are not so they are getting day burners.

Mr. Brannan said one good thing about this is the lights that Infinity put up have a 10 year warranty so if it's one of theirs it will get fixed at no charge. He said he got this list last week so it's only been a couple of weeks that he has actually been communicating with them and it took awhile to figure out what was going on here.

He said Eversource looked at this light and it was probably 3 or 4 weeks later that one of the field service techs came in and dropped off a card and he said who did the lights in this town and he found a copy of the contract and got contact information and it's still moving forward so hopefully we'll make some progress on it.

Mr. Vachon asked if they wanted to level fund the Repairs Street Lights line at \$500 or if they don't need anything for that with it all under warranty for a few more years.

Mrs. Morin said only the ones that need repair are under warranty.

Mr. Vachon said he would refrain from commenting on the warranty service on those direct lights. I would suggest putting something in that line he said.

Mr. Brannan agreed and that there are some lights in town that need to be worked on that are

not LED's and he would guess that Infinity put their hands on is now LED. He said he was not sure what the price is when they start replacing some of these.

Consensus of the board was to level fund the Street Lighting (at \$18,200) and the Repair Street Lights (at \$500) lines for 2024.

Mr. Brannan asked about the government buildings budget.

Selectmen said they didn't receive copies of that section of the budget.

Mr. Vachon asked if there were any large increases on that one.

Mr. Brannan said custodial services, the lighting and fuel for the Municipal Office Building and the Town Hall/Rec. Center went up a little bit. He said the repairs were level funded at \$43,000 and they were at \$30,580 expended right now and there are a couple of lines that he will have to check on. He said looking at this he guessed that the custodian was by 1099 because of the FICA, Medicare, Unemployment and Workers' Comp costs shown there and he would check with the Finance Admin on that.

Mr. Brannan said they got some complaints in the spring that the time didn't change on the Town Clock so he got in touch with the people at the church and they gave him a lot of information and offered him a tour but he hasn't been up there. He said he will look at it before he goes up there.

Mr. King said the last time the clock was repaired and updated the Town paid for it and it is the Town's responsibility.

Mr. Brannan said it is the Town's clock and the box it came in was there and the Town of Farmington is on the box. He said when the time changes the date that they change it is now earlier in the year and the system that runs that clock did not adjust and it is not capable of being readjusted and it would need some type of upgrade to make it do that. He said it changes automatically no one goes in there to change it.

Mrs. Morin said but eventually it catches up.

Mr. Vachon asked if they have the cost of said upgrade.

Mr. Brannan said he could get one as he has contact information for the person that has done the repair work to it.

Mr. Vachon asked if he has discussed the possibility of getting the mechanism to adjust with that individual.

Mr. Brannan said yes and that the unit that controls it is not capable of being adjusted and it would need an upgraded unit.

Mr. King asked if the new unit is adjustable so if they change the date again they would be able to adjust it or is it a hard wired change unit.

Mr. Brannan said they didn't get that far into it.

Mrs. Morin asked him to get some details and bring it back to the board so they can make an educated decision.

Mr. King said he forwarded him the e-mail to the owner of Infinity Lighting.

Mr. Brannan said he spoke to him originally on the phone and a man named Jeff contacted him and gave him the list of lights so at this point they need to figure out where they all are and which ones need to be serviced.

Mr. King said they are a decent crew but sometimes they need a little nudge. He said he has used them for lighting at his business and they have been to the schools a couple of times and they have worked for the Town. He is a nice enough guy and I have no problem calling him and nudging him into movement he said.

Mr. Vachon said the government buildings budget requested is down \$7,000 but they may need to repair the Town Clock and asked if there were any more questions on this budget.

Mr. King said he is also missing a requested amount for Property & Liability insurance and then said that is not his line it's under Insurance but it's missing on this page.

Mr. Dickie said he would get that in there.

Mr. Vachon said they know for a fact that it went up because the Finance Admin has already briefed them on it.

Mr. Staples said the fuel for the Town buildings is down by about \$7,000.

Mr. King said when he was at the Town Hall on Sunday for an event he was asked to turn the heat down because it was pretty warm in there and the thermostat was set for 70 degrees. He asked if those thermostats were programmable where they were dialing it back on the weekends or if that is set at 70 degrees the whole time.

Mr. Brannan said the thermostat in the main hall controls the units right on the wall.

Mr. Dickie said there is a thermostat on the back wall.

Mr. King said he thought the temperature was pretty high in there and he shut it off and when the event was over he turned it on again but he didn't adjust it. He said it is a big building so they couldn't dial it way down because it would take forever to come back up and asked if it was going full blast at 70 the whole weekend.

Mr. Dickie said he believes Mr. King is right and he didn't think it comes down and goes back up. He said he would have to have someone look into it he doesn't know enough about it.

Mr. Brannan asked if that one had part of a lock box cover on it.

Mr. King said it looked not to be new and like it might have been messed with over the years.

Mr. Brannan said there are a number of thermostats in the building but most of them don't work and he didn't believe the building has separate zones anyway.

Mr. King asked if they don't have separate zones why they have more than one thermostat.

Mr. Brannan said that's a good question.

Mr. King said they might want to look at which controls what and if the mini-splits are on a separate zone and asked if those are heat and AC.

Mr. Brannan said yes and those are on the sides and there is one just as you go in the door.

Mr. King said they need to get a programmable unit and make sure it is set so they can conserve some fuel. We could be spending a lot of money every weekend to heat that to 70

degrees with nobody in it he said.

Mr. Staples said last year \$54,000 was budgeted for fuel for the Town buildings and he requested \$48,000 for 2024.

Mr. Brannan said last year they actually used \$45,600 and this year's budget was \$54,600 and they're at \$40,000 now and he budgeted for \$48,000 and they just got an oil bill that was about \$2,000.

Mr. Staples asked if they are at the Rec. Dept. every week.

Mr. Brannan said yes and if they go 2 weeks they're right on the edge and if it's a really cold week they're not going to make it 2 weeks. That place can use 1,000 gallons a week pretty easily if it's down around zero he said.

Mr. King asked if the truck got up to DiPrizio's yet.

Mr. Brannan said he talked to them today and they were putting the front end together on the 2005 and it should be done. He said they are struggling with help and hopefully that one is done and they're swapping them out and they can get those 2 taken care of this week.

He said they have been working on the dirt roads and hopefully it will warm up a little bit and they can get back out there and if not they'll just have to spread some gravel on the rough spots. He said he didn't think there was any way around it because of the weather trend we're in and they'll be babysitting the roads no matter what.

Transfer Station Budget- Mr. Vachon asked where Supervisor Pete Spencer was.

Mr. Dickie said he had to apologize because today he went over his budget with him and told him there were a few lines he wasn't comfortable with the numbers and he wanted to know what the tonnage was and that he needed more details and he didn't have that information. He said for example for Solid Waste Hauling he had \$109,000 in there so he sent him back with homework and said for tonight he would have to say "To Be Determined" and he thought he meant they would have to schedule him for TBD.

Mr. King said he saw the same basic trend of at least 5% and asked if he was saying the tipping number or the hauling number was too high.

Mr. Dickie said both the hauling and tipping numbers are incorrect. He said he would like to table this until their next meeting and on Wed. he has a meeting with the bridge company and he would put that on the agenda but he would like to keep next week's agenda light and try to button up who hasn't presented the first round of their budget and mainly focus more on the budget but if there is anything critical he would put that on the agenda.

Motion: (Morin, second King) to table the Transfer Station budget to the Nov. 20 meeting passed 5-0.

Construction Management Contract for Recycling Building- Mr. Dickie said the board received copies of the contract agreement and he also gave them the conceptual design that hasn't come back to the board formally yet but this is what Jeff Greenhalgh sent him so he sent them the latest.

Mr. Vachon asked if anyone had any questions, comments or concerns. He asked if they are utilizing the concrete wall that is currently there.

Mr. Dickie said up where the first compactor is that headwall will stay and will be extended out another 10 ft. and then that jogs down and comes out where the second compactor is and that section on the first level is where the bathroom and office is going to be. He said that wall that is there where the second compactor is up against it will stay and they are utilizing that cement wall. He said they are trying to utilize as many of the walls that are there.

Mr. King said if they look at the schedule he has concrete going in the ground the 2nd week of Dec. and the completion is April 29 so looking at this and the price he asked how they would work the funding for this in the time between now and Town Meeting. He said Town Meeting is on March 13 so we're up to line 11 and asked if he is going to be able to figure out what the estimated expenditures are going to be up to that point. Then we can back track to that point to make sure we have the funds set aside and plan for it he said.

He said based on what the tale of the tape is and what we've set aside so far we have to know if what we've set aside is going to get us that far or if we have to allocate more resources.

Mrs. Morin asked for the difference between what they have saved and what the cost is.

Mr. Dickie said they have \$200,000 set aside-they had \$30,000 in ARPA, the town authorized \$100,000 from the undesignated fund balance and they elected to take \$70,000 out of the repair of bridges and move that over to give us the \$200,000 to go towards the recycling. He said that leaves us \$138,000 (proposed total cost: \$338,365).

Mrs. Morin questioned that they took it out of bridges.

Mr. Dickie said they took \$70,000 out of the repair of the bridges because they had over and they had \$140,000 in the second payment of last year sitting in an account so they were going to take the \$35,000 they had left over from the bridges add it to the \$140,000 and that would still give them \$175,000 for the repair of bridges.

Mrs. Morin said so they need to go to the taxpayers with a \$138,000 warrant article.

Mr. Vachon said just with site work, demo, foundation slab and the metal building we're at \$212,000 and they only have \$200,000 so they can't get the building up with the \$200,000.

Mr. Dickie said there is still \$23,000 that is unassigned in the ARPA funds so they could take \$12,000 of that.

Mr. King said not that the Chair is wrong, but it would be better to have him say what their money outlay is going to be before this date and have him give us a number. It's probably over the \$200,000 he said.

Mr. Vachon said looking at the schedule they have site prep, the foundation and erect building starts Feb. 12 to March 8.

Mr. King said some of those line items like say the site work that may not be fully completed until the end of the site.

Mrs. Morin said it looks like they are already behind because they haven't finalized the

agreement.

Mr. King said he has a week to do that if you look at his timeline (start 11/6/23, finish 11/17/23). He said he will know what the payout is going to be to the subs and some of that may be partials at that point as far as the site work and whatever. If he can give you a number and then you have to work to that number but it could be over \$200,000 he said.

Mr. Vachon asked if they were looking for a motion to accept the construction management contract agreement so they can get the ball rolling on everything they need.

Mr. Dickie said yes.

Mrs. Morin asked if they need to know what those hard numbers are.

Mr. King said no and then made the following motion:

Motion: (King, second Morin) to authorize Ken Dickie to sign on behalf of the Town to enter into the construction management contract agreement with Ryan Construction Management, Inc. passed 5-0.

Mr. Dickie said he would be here on Wed.

Mr. Vachon asked him to get those numbers for them and find out how far \$200,000 will get us up until Town Meeting.

Fire Dept. Non-Emergency Inspections-Mrs. Morin said they were supposed to have the Fire Dept. policy on inspections today.

Mr. Dickie said the Fire Chief has not heard back from Att. Roman yet. He said he would contact her tomorrow and make sure she gets that back to him and if he gets it back he will put it on next week's agenda.

Town-wide Cleanup- Mr. Vachon said the cleanup would take place on Nov. 18 from 8 a.m. to 2:30 p.m. He said Conservation Commission Chair Bill Fisher would be here in the parking lot at 8 a.m. handing out materials and the final collection will be at 2:30 p.m. so he can get the trash to the Transfer Station before they close.

Mr. Staples said if he needs help his truck and trailer will be available.

Fernald Park Gazebo-Mr. King said a resident asked him about the wiring to the gazebo for them to connect to so they can put up the lights.

Mr. Dickie said they had to take the entrance down when they put the new shed in and the electrician that they used at the Town Hall they are going to put him down there, redo the entrance and then Eversource can hook up. He said they changed their codes and where the building is now on blocks they want a pole to put the entrance on because it's a new shed and they're not going to be grandfathered. He said he has to have the Town crew go over there and drill a hole and put either a telephone pole or pressure treated beam in there so they can mount the entrance on it. Once we get that we can get it inside the building to the box and then they will have power out to that gazebo he said.

Mr. King said there are some poles at the highway garage on the right side by the tree line. He asked when they think that will be done.

Mr. Dickie said he hopes they will get it done some time this week while it's warm out as far as the pole goes and he will get with the electrician as soon as they get in there and then he get out there and get that done. We gave him a timeline of a week he said.

10). New Business:

Municipal Office Building Boiler Update- Mr. Dickie said he took the board's advice and contacted Jeff Greenhalgh and he sent an invitation to Vachon Heating, East Coast HVAC and Pro HVAC. He said East Coast HVAC will be here at 11:30 a.m. on Wed. to see the building, see what we have and what we have for room above the ceilings and provide what they think might be a viable heating option for us. He said he was waiting for the other 2 to schedule appointments.

He said in the mean time they thought they might have to rent a portable heater to heat downstairs but Mr. Greenhalgh suggested if one these heating companies doesn't have a spare one sitting around to get a forced hot air furnace, don't put any duct work on it and hook it up to the oil they already have sitting down there and let that heat the cellar so they don't have to worry about the pipes freezing. He said he thought that was a good solution and they would have to pay over \$1,000 a month to rent a heater from Sunbelt so they might as well purchase a furnace and set it down there and then it's ours and if they have any other building with a heating issue at least they have something they could temporarily move into that building. There were no other comments/questions on the boiler and Mr. Vachon said he was sure they would be getting updates as they come in.

Investment Policy Signatures- Mr. Dickie said the board previously approved the policy but he needed the signatures of all the board members listed on the investment policy.

Selectmen signed the policy and returned it to Mr. Dickie.

Consultant Contract-Mrs. Morin said they had a motion they needed to come back to from non-public session.

Motion: (Morin, second Staples) to accept the contract with Brian Fogg for abatements and evaluations as presented and to authorize Ken Dickie to sign it passed 5-0.

Spelling Errors-Mrs. Morin said she noticed that on all of the budget sheets Farmington is spelled wrong at the top of the page and is spelled "Falmington".

Mr. Dickie said he'd have to talk to the Finance Admin because that's coming off her system.

Bunker Street-Mr. King asked Mr. Dickie if he had a chance to talk to NH DES about the culvert on Bunker St.

Mr. Dickie said he has called them 4 times and left a message each time and they have yet to call him back.

Mr. Vachon said it sounds like he needs to take a ride to Concord.

Mr. Dickie said he would set up an appointment and if Mr. Vachon wants to come he is more than welcome.

First Responder Counseling-Mrs. Morin said there was a pretty bad accident in Farmington last

week and asked what kind of care our first responders get after an accident like that and what kind of counseling or mental health care they get offered to them after seeing a horrific accident. She said a lot of agencies have a counselor that will be available to their first responders and asked if we offer that here.

Mr. Dickie said we offer that through our insurance and we have counselors that will come in to help them if they're struggling with any of those issues. He said he didn't know if they have ever utilized it and he will check on it.

Mrs. Morin said and if everyone knows it's available to them.

Mrs. Titus said she was sure the Chief gets together with his crew and has a conversation with them and if somebody needs it they probably reach out.

Town Well #6 Signage-Mr. Staples said to try to keep the Town property open behind Well #6 he didn't know if they wanted to look into having Mr. Brannan place some boulders on the snow machine trail to prevent vehicles from coming down through because he was deer hunting in that area on Sunday and one of his friends was hunting down by Well #6 and he called to tell him that there were pickup trucks down there. He said seeing the Town did their job and closed the gates and Pike has their area cut off the only way he saw them coming in and out was the snow machine trail between PIP and the car dealership.

Mr. King asked if they have it posted.

Mr. Staples said the snow machine trail is posted no wheeled vehicles.

Mr. Dickie said they have signs coming in and they will be posting them shortly.

Mr. King asked if they have it posted saying Town property no trespassing.

Mr. Staples said no trespassing means nobody could use it at all which is what they chose to stay away from.

Mr. King said they could revise it when the snow comes.

Mr. Staples said if they posted it there would be no hiking, no fishing, no hunting and no nothing out there.

Mr. King said he didn't know what they have coming for signs.

Mr. Dickie said he asked Mr. Brannan to put up No Trespassing signs.

Mr. King said if they need to they could put a rope across there with some signs hanging on it temporarily until snow mobile season.

Mr. Staples said he contacted Mr. Dickie when he was told on the phone call and he said to ask them to leave and if there's a problem to call the Police. He said he made contact with the parties that were out there and they were less than happy to take their trucks out of there. He said he was as nice as he could be with their attitude he was getting back and he explained to them that they could hunt but you need to park up by the road like everybody else has. They decided to leave when I told them I'll call Farmington PD and they can explain it to you and they're probably going to get a hold of the game warden seeing as how you're driving on the state trail and that's when they decided they were going to blow out of there he said.

Mr. King asked if they were from around here.
Mr. Staples said he didn't recognize any of them.

11). Town Administrator's Business:

Cartwright Property Deeds- Mr. Vachon asked Mr. Pimental if there were any changes from the draft they received a while ago.

Mr. Pimental said he made some suggested revisions at the end of Oct. so they should have had some tract changes associated with them and some comments. He said a large portion of the suggested changes that he was looking at was through the lens of the use limitations.

Mr. Vachon said the draft deeds were sent to them on Sept. 26.

Mr. Pimental said there is a newer version than that and that was the version from the Town's attorney but he didn't look at it until Oct. He then e-mailed the new version to Mrs. Morin who then forwarded it to the rest of the board for review.

Mr. Vachon asked if there were any major changes from the draft.

Mr. Pimental said there were some and it had to do with the agricultural uses. He said the use limitations would be the same for all of them except for the house lots they would not have any use restrictions. He said the underlined text is new text and the crossed out is the deleted text. He said he participated on Southeast Land Trust's Stewardship Committee which looked at issues that arose on their properties and how to address them. He said agriculture came up as it was potentially problematic at times and if there was a lot that was going to go into conservation that already had agricultural uses you want to ensure that those agricultural uses can be maintained.

He said but if there were no agricultural uses on the property allowing for agriculture as it was defined here you could open it up for large commercial agriculture that may not be in the spirit of what this was intended to be in terms of low impact recreation. He said small scale agriculture in terms of what they decided or how he is recommending that they determine that with community gardens, small scale is totally fine but the way this was written regarding animal husbandry, plant products, animal products, domestic and commercial purposes was a little large for what he thinks makes more sense for this property.

Mr. King asked who drafted this statement.

Mr. Pimental said the Town's attorney drafted the original one. He said his original guidance when they had gone back and forth was including things like agriculture and forestry as types of uses but after thinking about it he thinks that large commercial activities don't make sense because they don't exist on the property today. He said the first change is clarifying that small scale agriculture is allowed and then moved to the more substantive changes in the use limitations on page 3, #2.

He read not allowing for commercial, industrial or residential activities except for small scale agricultural and that he added "other low intensity commercial uses" and the reason he did that is because with some other land that has been protected you get into some issues when

you charge a fee for something. He said for example if the Town wanted to have a trail race there or some sort of camping or educational opportunity for children and they charged a fee for that that's technically considered commercial so if you ban all commercial activities it doesn't allow for those types of uses. He said if you state in here that low intensity commercial uses are allowed and you describe what that is it allows the Town to have some additional flexibility.

Mr. King said it says low intensity commercial uses and asked where those are defined.

Mr. Pimental said on page 5 there is a new section #4 describing what those low intensity commercial uses are-summer camps, trail races, educational events on the property that charge a fee and thus considered commercial uses are allowed given that such activity shall not be detrimental to the purpose of these restrictions and covenants nor a material impairment to the public benefits of the property including but not limited to preserving fish and wildlife habitat, natural and scenic qualities and recreational opportunities. He said the Town will get to determine if a small, low intensity commercial use is appropriate and used the summer camp, trail races and education as an example. He said that is a suggestion but the way that's written now as no commercial they may have those types of things come up on this property that they would not be able to allow.

Mr. Pimental said the next 2 deal with the agriculture and getting rid of the animal husbandry, floricultural, horticultural activities, the production of plant and animal products for domestic or commercial purposes and then say small scale agriculture that still allows for the growing, stalking, cutting and sale of forest trees of any size and forest products, the construction of access ways (instead of roads) for the purpose of removing forest products and the rest stayed the same.

Mr. King asked if a group comes to us and says they have a bunch of goats and sheep and they would like to free range them on a section of the property and we have areas that we want to keep cut down and open or there is an open area that someone wants to fence in and keep their sheep there for the summer if they would be able to do that. He asked if that falls under small scale agriculture.

Mr. Pimental said if that's what the board wants. He said that's not spelled out right now but they could add something to that if it's temporary and he was trying to avoid large scale commercial activities with the way that it is currently described. He said the way he described that he wouldn't consider it that but they may want to tighten up the language so it that it's clearer.

Mr. King said they could say they're allowing this when it serves the intent of this being a publically used open space.

Mr. Pimental asked if he would consider that as part of the overall land management strategy to use animals to keep an area clean.

Mr. King said yes or allowing somebody to do something that's not negative to the land like an

open field they don't plan to do anything with where they allow somebody to have animals there that they take care of on a small scale.

Mr. Pimental said if they want to allow for animal husbandry to follow in the spirit and intent of what this property is intended to serve as well as the long term land management strategies they could add that back in this and then that gives the Town a little more to go on to decide if this small scale or above and beyond that. He said he would add that back in there and clarify that section.

He said the next piece is getting rid of the agricultural for industrial or commercial purposes and he would be very concerned about that for this property because it doesn't already exist. He said the reason why this was initially suggested was because he told the Town's attorney that agricultural activities tend to be a passive use but it's really more towards if it was already an existing use. That section is recommended to be deleted he said.

He said on page 5 is an attempt to add a definition of what low intensity commercial uses are and what he has seen on other Town owned properties or conservation easements that allow for these types of activities to take place.

Mr. Pimental said the next round of edits is on page 6 that talks about clarifying no permanent outdoor advertising structures so if there was an event and someone wanted to put something up as part of that event they would be able to. He said it also makes clear that any of those low intensity commercial users want to display temporary signage for the direct use of their event should be allowed to do that so long as they get taken down within a reasonable amount of time.

Mr. King said it says no permanent structures and implies they can't have a permanent kiosk.

Mr. Pimental said it says except that signs and kiosks may be displayed as desired or necessary. He said it's really more for other advertising structures that are permanent that go beyond signs and kiosks so those would be allowed. He said like for a trail race if people wanted to display temporary signage for that or something else they should be allowed to do that so long as they are taken down.

He said the next edit is more for the Town's legal counsel to look at. He said they had a couple of SELT staff members take a look at this and give us their feedback on what they typically see and he was looking for some suggested language in making sure this was appropriate and consistent with other easements. He said for this particular one they had a long comment about public access provisions and he didn't know if the Town's legal counsel decided it wasn't appropriate and didn't include it or what. He said that was more of a question for them and he could find it but it gets complicated with the public access piece.

Mr. King moved to (i) and read it says signage at all points of entry shall be installed to inform the public that there's no hunting on this property. He said he didn't remember that being in the proposed deeds and asked wasn't it at the wishes of the applicant to allow that.

Mr. Staples said he believes the idea was to allow it because the late owner of the property was

an avid hunter and fisherman.

Mr. Pimental said that came from comments they received from the Conservation Commission whose recommendation was no hunting.

Mr. King said that's a recommendation and it doesn't mean they have to move forward with it. He said originally part of the gift was we could continue with the uses that were allowed and it has always been allowed for hunting. He said that might be a recommendation of the Con Com but if this 200+ acres has been allowed for hunting and unless the donor is asking for this he didn't know why they put it in. He said he has not been made aware that the donor has requested that when they give it to us that we restrict hunting.

Mr. Pimental said he would follow up with Cheryl (the donor) and asked if it is her desire that there is no hunting if the board wants it to stay.

Mr. King said from everything that he has seen today that was not intended to be a restriction.

Mr. Vachon said he would hate to see it be put on there.

Mr. King said the Con Com could have that recommendation but it's going to the Town initially and the Town has a say in the game unless the grantor wants that as part of her gift.

Mrs. Morin said she just pulled up the first warranty deed and it is allowed in that deed and read aloud "Such uses including agriculture, timber harvesting, hiking, hunting and/or fishing and other low impact non-motorized..."

Mr. Vachon said if you scroll a little further it says shall not be posted against. He said Mr. Pimental didn't get all the comments from the Con Com when that was added.

Mr. Pimental said he would follow up with the donor and ask her.

Mrs. Morin then read aloud "The property shall not be posted against and the guarantee shall keep access and use of the property open to the public for non-commercial use, passive outdoor recreational outdoor educational purposes such as but not limited to hiking, wildlife observation, cross country skiing, fishing and hunting". But not camping she said.

Mr. Pimental said that was in the original one and it got taken out based on the comments from the Con Com and he said he didn't want it to get lost so it should be its own thing or it should be included back into (h).

Mr. King said the Town's attorney drafted the initial deeds and asked if she put this in there from conversations with the grantor.

Mr. Pimental said he didn't know. He said they should get clarification and he would find out what the grantor wants to do. He said as the Town is taking this land on it is ultimately their decision.

Mr. King said if she is not going to put the restriction on he would not be inclined to put the restriction on but she is giving the land and asked if she wants to add that restriction.

Mr. Pimental said he would get clarification and that he didn't have any other comments other than those. He said if the board wants to "bless" this outside of the hunting issue and making some of the changes to the agriculture section he hoped to get this back in front of them this

month.

Mr. King said there may be some areas that are posted that's close to anything that's going to be a lot of people.

Mr. Staples said there are laws written into hunting that you have to be so far from a hiking trail in order to discharge a firearm.

Mr. King said they may want to add that signage to alert people that within so many feet of this, this and this there are restrictions. He gave the example of his plans to put signage in the woods at his new building alerting people they are now within 300 ft. of a building because they may not know that.

Mr. Pimental said as part of the Town's long term management of the property and determining where the trails are going to go will determine where those signs need to go. He said it would be hard to put them up now because there isn't a trail system there now but eventually there will be. He said he would make those 2 changes and get this back to the board. He said there are a couple of final loose ends they were hoping to wrap up to get through the donation and have the acquisition complete. He said because there are a lot of property ownership issues to figure out they are still waiting for Mr. Alcorn to give the Cartwright Trust 2 pieces of his properties as part of the New Dam ownership so all of that could be transferred over to the Town including the 7 or so residential lots one of which that is being removed because there is a buyer that's interested in buying it. He said she and her husband live on Bay Rd. and want to purchase one of the lots. The remaining lots will come to the Town and the Town can sell those and use the generated funding for doing a lot of the activities that need to be done on the property he said.

He said he also wanted to mention that they received a \$7,000 grant to help cover some of the legal costs that they got from the Great Bay Protection so it's all reimbursable. He said he would work with the Finance Admin once this is all over so that all of the time that the attorney has worked on this will be covered with the grant. He said they have up to \$7,000 from the grant and the Con Com has also dedicated some money to it and they have used some but not all of those funds.

He said the only other update was that Western & Sampson went out with drones and did a Phase I environmental analysis and it came back negative. He said a lot of it had to do with the liability plan and you have to have that plan in place to do the transfer and you only have that for 90 days and that lapsed in Sept. He said as part of the existing brown fields grant they had them go back out and they are flying the drones this week. He said it's really more of a desktop analysis but they need that plan to be in effect at the time of the transfer for the Town to be eligible for that so that should be wrapped up.

Mr. King asked what they would be eligible for.

Mr. Pimental said it is his understanding that there is nothing hazardous out there and if someone gets hurt or if there is some sort of issue that the Town can't be held liable for it so

that's why they did the initial environmental assessment. He said it was recommended to us that we do it so he didn't see any issue arising from them redoing it because it's just a desktop analysis and they didn't find anything the first time.

Mr. King asked for the cost of that analysis.

Mr. Pimental said he thought it was \$2,500 the first time and he guessed it would be less than that the second time because they're just repeating the work they did the first time. He then read that it's called the Comprehensive Environmental Response Compensation and Liability Act. It helps to intervene in managing land contaminated with high levels of hazardous material so it reduces risk to a community he said.

Mr. King said he was sure there was a clause in the person's contract that is doing this that they are not responsible for anything they don't find.

Mr. Pimental said he was sure that there is but he was happy to send that over once they get it. He said this has been a very long process but I think that we are close. He then asked if the board had any other questions for him.

Old Fire Station Update- Mr. King asked if there was any new update on the old fire station. He said they did some testing and asked if they got the results yet.

Mr. Pimental said he hasn't seen anything since the last update that said that when they dug those 5 trenches they did not find any tanks.

Mr. King asked if they did or did not take any soil samples.

Mr. Pimental said they are awaiting the results of the groundwater samples.

Mr. Dickie said he was told they did not take any soil samples.

Mr. Pimental said he thought they did but he may have confused it with the water samples.

Mr. Dickie said where they didn't find any tanks they didn't take any soil samples.

Mr. King said if there is any amount of contamination they will find that in the water. He asked based upon coming out with a reasonably clean bill of health what would be the next step. He said they put out a Request for Proposals for the property and we didn't get any submissions.

Mr. Pimental said we did not get any submissions but we did have an interested party say they were actively working on a response but because of the timeline and several other projects one of which is in the town they put that forward first and then they were going to revisit this. He asked if tomorrow he gets a response in his inbox its well past the date and if they would accept that or does this board want to re-release the RFP with the groundwater results.

Mr. King said somebody may have not had an interest because they don't know what's there. He said he thought they could do one of 2 things-put a For Sale sign on it with no restrictions and no intentions or they update the RFP and send it out. He said they could update the RFP first and if we don't get any takers for what we would like to see happen there he would be inclined to say we've brought this forward 3 times and it's time to put it on the tax rolls. I'm not opposed to coming out with the information but if that doesn't work going into the spring and we don't have anything that's viable I would be inclined to give it to the auctioneer firm and let

them move it along with the other properties we're going to be moving along. We've done the investigation so now we have a better package he said.

Mr. Pimental agreed and recommended that they give it one more shot to update the RFP once the Phase II final report is issued with whatever timeframe the board decides. He said if the Town receives nothing after that we could say we made a good faith effort to follow what the citizens said they wanted in the 2019-2020 charette however the market said that is not going to go there and let the market drive what may go there next.

Mr. King said they may find with this report that there may be some required testing every year and they may have to put in 2 test wells that have to be tested for a period of time. He said hopefully there are no requirements but it's not unreasonable to expect there may be some test wells based on what they find that need to be put in and it would have to be put on notice to the buyer about any state requirements.

Mr. Pimental said in talking to a few developers about the property it is complicated with the cost of construction so the type of mixed use to go there it would be a lot of residential units to make it viable so it's likely there would have to be some relief from the Town in terms of the ZBA to allow for the project to move forward because of those costs.

Mr. King asked if meant relief as far as the density.

Mr. Pimental said it could be density or building height.

Mr. King said we've made a lot of changes to the density.

Mr. Pimental said he is hearing that with Farmington's market rate for rental units and the cost of construction they would have to have a lot of units. He said he didn't know what a lot is but it would have to be a decent amount.

Mr. King said that's a little bit of a shell game because our rates are as high as those in Rochester and Dover because of the lack of housing. He said if you look at the statistics they just got and he heard this before it came out and he wouldn't assume that but based upon the demand and location are rents are pretty high.

Mr. Pimental agreed and that he was just passing along what he heard from that side.

Mrs. Titus said she would like to see a commercial business go in there that would bring more money and jobs into town. She said it's not a big space and it's a unique area but she didn't want just residential there because we have other residential properties in this town.

Mr. Pimental said the proposal was mixed use so it was commercial on the bottom with residential on the top not entirely residential.

Mr. Vachon said at least now most of the store fronts downtown are full but at one point it was pretty bare down there. He said it's hard to get somebody to put commercial buildings down there when there are already open store fronts. At least now most of them are filled up so they would say maybe there is an opportunity he said.

Mr. Pimental said we have this new 2023 market analysis that was given to the Planning Board that they could include as an appendix as part of this release.

Mr. King said they should because it showed commercial rentals being at \$13.24 a sq. ft. and office space being \$12.50 a sq. ft. and he was surprised it was that high.

Mr. Pimental then pointed out the poster for an event they are having on Nov. 29 from 5 to 8 p.m. at the Town Hall to talk about Rt. 11 and the ongoing corridor study. He said they will present the results from the survey, the market analysis, some transportation related projects that they're recommending to NH DOT on Rt. 11 for the Rt.153/Rt. 11 and Tappan St./Central St. intersections, a few projects that they are hoping to get into the state's Ten Year Plan, a few other updates and feedback from residents on what they'd like to see for future land use and commercial activity on Rt. 11. He asked the board if they are interested to please attend and to spread the word about it over the next few weeks so they have a good turnout.

Mr. King said the poster will be on display at the Friends of Farmington building.

Main St. Bridge Dedication- Mrs. Morin said she wanted to give Mr. Dickie kudos because she went to the bridge/sign dedication on Friday for Colonel John W. Lawrence. She said it was very nicely done and Mr. Dickie gave a great speech, the family was very happy and the sign is beautiful and thanked him for that.

Mrs. Titus said she missed it by about 5 minutes but she went to the Town Hall and that was beautifully done as well.

12). Next Meeting: Monday, November 20, 2023

13). Non-Public Session D:

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 8:31 p.m.

Motion: (Morin, second Staples) to come out of non-public session passed 5-0 at 8:48 p.m.

14). Adjournment:

Motion: (Vachon, second Morin) to adjourn the meeting passed 5-0 at 8:49 p.m.

Kathleen Magoon, Recording Secretary



Gerry Vachon, Chairman

Charlie King, Vice Chairman



Ann Titus

Penny Morin



Douglas Staples