

**Town of Farmington**  
*Board of Selectmen – Public Meeting Minutes*  
**Monday, May 9, 2016**  
**Selectmen’s Chambers**  
**356 Main Street**

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Board Members Present:

Charlie King, Chairman

Neil Johnson, Vice Chairman

Paula Proulx

Ann Titus

Others Present:

Town Administrator Arthur Capello

Coast Bus Company Executive Director Rad Nichols

Decorating Committee members Tom DeJulio and Karen Warburton

Women’s Club member Kathy King

1). Non-Public Session A :

Motion: (King, second Johnson) to enter non-public session under RSA 91-A:3 II (a) Hiring passed 4-0 by a roll call vote (King, Johnson, Proulx, Titus- yes) at 5:30 p.m.

Motion: (King, second Titus) to come out of non-public session passed 4-0 at 6:15 p.m.

Motion: (King, second Johnson) to seal the minutes until the offer is awarded passed 4-0.

2). Call to Order/Pledge of Allegiance:

Chairman King called the meeting to order at 6:20 p.m. All present stood for the Pledge of Allegiance.

3). Public Input:

A). Town Signs-Women’s Club member Kathy King came forward to update the progress on fundraising for the replacement of the two “Welcome to Farmington” signs. She said the group hopes to raise \$6,000 for two painted wood signs and four granite poles and has raised approx. \$1,700 so far. Donors include the Women’s Club (\$1,000), the Farmington Police Dept. (\$200), the Economic Development Committee (\$200), the Community Garden (\$100) and resident donations she said. Mrs. King then invited everyone to take part in the Vendor Bingo fundraising event on Wednesday, May 11 at the Farmington House of Pizza. She added that the sign company requires a six week lead time so the club hopes to raise the funds needed by the end of summer.

B). Decorating Committee- Member Karen Warburton read a letter to the board outlining Article 20 which was approved at Town Meeting authorizing the expenditure of \$6,500 for poles and decorations. Chairman Tom DeJulio said they received three quotes for banners and recommended purchasing them from Riley’s Outdoor Decorations because he was the low bidder, the banners are made of heavier materials, the town will receive a discount and would

have 30 days to pay. Chairman King said the board would take Mr. DeJulio's recommendation under advisement and make a decision at the next meeting.

Chairman King also advised them that even though they are an "ad hoc" committee not appointed by Selectmen, they are spending taxpayers' money, must seek Selectmen's approval to enter into contracts and expend funds so they must conduct business according to RSA 91-A. Meetings must be open to the public, notice of the meetings must be posted 24 hours in advance, minutes must be taken at each meeting and made available to the public. Ms. Warburton said she has been taking minutes and will submit them to the Selectmen's Secretary and make arrangements for the meetings to be posted.

#### 4). Review of Minutes:

May 2, 2016- Public Session: P. 3, item 8- Change the 2nd sentence to read "Discussion included waiving the building permit fees up to \$6,000, the attorneys for both sides..." . Page 3, item 9B- add "cable for" between "rated" and "data" in the first sentence. Remove "dry" from last sentence.

Motion: (Johnson, second Titus) to approve the minutes as amended passed 3-0-1 (King abstained).

May 2, 2016 –Non-Public Session: "willingness" is misspelled.

Motion: (Titus, second Johnson) to approve the minutes as amended passed 3-0-1 (King abstained).

#### 5). Coast:

Selectmen reviewed the ad revenues for Rochester and Somersworth and the bus company's policy and guidelines for advertisements with Coast Bus Executive Director Rad Nichols.

Selectman Proulx asked for a cost breakdown for advertising at the bus shelters including information on the formula used to calculate the price for each shelter "face" at each location.

Mr. Nichols said the formula includes what the market will bear, how long the ad will be displayed, discounts are given for longer agreements, some locations are more desirable and some advertisers purchase packages covering shelters/bus space across the area/transit modes. He said prices are negotiated by the advertising firm ATA and are set by them based on demand. He added that there is no experience with the Farmington locations and revenue estimates are based on conservative projections.

Selectman Titus said Route 11 is very busy during the summer and the shelter there should bring in more revenue than projected by the company.

Mr. Nichols said the shelter does not face Route 11 so two faces of the ad box would not be seen by drivers. If the shelter were flipped around so the ads could be seen better there would also be additional site work needed at a cost to the town. He suggested end caps be placed on the shelter and that it not be completely covered by ads so Police can take notice of the inside of the shelter.

Additional discussion included the five ad faces in town would include two faces on the new shelter at Main/Civic Streets, one face on the back of the existing shelter at the fire station and two faces at the shelter at Tappan/High Streets/Route 11, the local match request must be fully funded to receive the 50/50 revenue sharing credit toward next year's funding request, to not fully fund the request and see how much revenue is raised by the end of the company's fiscal year (Sept. 30), setting a time period for permission to advertise at the shelters and when the new shelter will be received. Consensus of the Board was to allow a total of nine faces for advertising (two faces on the back on each of three shelters). Mr. Nichols agreed to put advertising on as many faces as possible.

Motion: (Johnson, second Titus) to fully fund the Coast request with an additional \$2,350 over the initial payment and allow advertising on as many faces as possible passed 4-0.

Mr. Nichols then asked if the board had appointed a representative to the Coast board. Chairman King said a volunteer has not yet come forward.

6). Grace Contract:

Selectmen received the revised Facilities Rental Agreement between the town and Grace Community Church for use of the Recreation Building. Mr. Capello said the requested changes were made and the church is ready to sign the agreement. Selectmen suggested Page 1, Section 2, Term be amended to include a 90 day notice be given to “bump” the renter except in case of emergency as approved by the board and that the renewal rate will be negotiated with the board at the time of renewal. Selectmen also asked Mr. Capello to inquire about the town’s liability during the planned renovations and if separate insurance binders are needed from any contractors employed by the church.

Motion: (Johnson, second Proulx) to approve the Facilities Rental Agreement with the mentioned changes conditional on the appropriate insurance coverage and to authorize the Town Administrator to sign the agreement passed 4-0.

7). Set Up Union Teams:

Mr. Capello told the board that the current contract with the Police union states negotiations for the new contract must begin by July and suggested the board chose their negotiating team. The Teamsters Union/DPW contract does not have a similar clause to begin negotiations but both contracts must be ready to be placed on the warrant for the 2017 Town Meeting he said. Chairman King and Vice Chairman Johnson will negotiate the Police union contract and Vice Chairman Johnson and Selectman Proulx will negotiate the DPW agreement.

8). Review/Re-Adopt Policies:

A). Complaint Procedure- Mr. Capello said he redid the previous complaint policy and it was reviewed by the Building Inspector/Code Enforcement Officer resulting in a more detailed procedure. Discussion included if this much detail is needed, residents must read through two pages of procedures to file a complaint, do all eight steps need to be followed for all comments/complaints, it doesn’t address the timeframe for response to safety issues required by state law, safety issues are handled differently from other types of complaints and add phone call complaints to the written procedure. Selectmen asked Mr. Capello to make the suggested changes and to condense it to one page if possible.

B). Vehicle Policy- This policy was last adopted in 2009 and no changes were made by the Town Administrator. Chairman King suggested language be included to allow town vehicle use for job related reasons such as professional development courses that do not take place on personal time. Consensus was to add “or when sanctioned by the Board of Selectmen or the Town Administrator” following “official Town business” in the first sentence of the third paragraph from the bottom of the page.

C). Right to Know Response Procedure- Mr. Capello said the procedure is meant to assist town staff in responding to requests for information. Discussion included town procedures can’t supersede state law, redacting confidential information and re-scanning documents, define a “large” number of copies, what is a “reasonable” amount to charge for copies, no charge for electronic copies if available, charging enough to cover the cost of supplies and the time spent researching, preparing and copying documents, what other towns charge for copies, the town budget and policies are public documents and ask the NH Local Government Center for information about copying fees and what requests require a fee. Consensus of the board was to not charge a fee for copies of policy and procedures and to revisit the issue at the next meeting.

D). Town Sponsored Facebook Page Policy- Selectmen reviewed a draft of a new policy related to a proposed official Town of Farmington Facebook page. Discussion included the page will be for informational purposes and comments

will not be allowed, if the page will be added to an employee's duties and will the employee receive a stipend or hourly wage to manage the page. Consensus of the board was to table the matter to a future meeting when the full board is present.

9). Trump Bill:

Mr. Capello said he requested a copy of the minutes of the last School Board meeting to review their discussion on payment for town services provided at the Trump campaign event but has not received it. Chairman King suggested the town reach out to the School board and try to reach an understanding about how to handle events in the future so that costs incurred by the town will be paid. He suggested a policy may be needed which includes collection of fees "up front" of the event.

Discussion included it appears the School Board has not instituted a policy for major events, how to minimize/recoup expenses from events, who attended the pre-visit preparation meeting, lack of contact from the school district to the town, lack of response from the Trump campaign is disrespectful to the town, the potential for a similar situation for events at the Town Hall, individual personal conversations with campaign staff/sponsors are not official and need to come back to the board. Consensus of the board was to ask Mr. Capello to invite the School Board to start discussions regarding this issue.

10). Additional Board Business:

A). SAU New Addition- A memo from Building Inspector Dennis Roseberry stated he met with Facilities Supervisor Larry Gordon to discuss the School Board's intent to relocate the SAU Office to school property. The potential new location is the white building near the tennis courts and would involve construction of a 30' x 40' one-story addition to the building. Vice Chairman Johnson said he is a member of the SAU Committee but missed the last meeting and had no knowledge of this plan. He questioned where the money for this project will come from and said he planned to attend the next committee meeting to obtain more information on the proposal.

B). Last of the Poles- An e-mail from nextGen Telecom Services Group stated the placement of the last six poles scheduled for installment downtown have been marked. Dig Safe is scheduled to visit the sites next week. Mr. Capello will notify the property owners as soon as a date is scheduled.

C). Masons' Tax Exemption Extension- The board reviewed a letter sent to the Mason's Secretary Richard Smith regarding the group's request for a six month extension to their tax exemption. The letter explained the building no longer qualifies for a tax exemption so Selectmen could not grant the request. The letter also stated the assessed value of the property has been reduced due to fire damage reducing their tax liability and explained the process of filing for hardship abatement.

D).Public Safety Building Permit Fees- Mr. Capello asked the board for a motion to waive the fees.

Motion: (Johnson, second King) to waive the building permit fees for the Public Safety Building passed 4-0.

E). Resolution to Authorize the Bond Bank Loan Agreement- Mr. Capello told advised the board to make a motion to approve the Resolution that authorizes town officials to execute a loan agreement and other documents related to the construction of and equipping the Public Safety Building.

Motion: Charlie King moved that the Resolution entitled, "Resolution to Authorize \$2,363,000 Bond Bank Loan Agreement, Issuance of Bonds, and Related Documentation to Construct and Equip a New Public Safety Building," be approved in form presented to this meeting, and that an attested copy of said Resolution be included with the minutes of this meeting; 2nd by Paula Proulx. The motion passed unanimously.

F). General Obligation Form of Bond- This form obligates the town to make principal and interest payments on the Public Safety Building bond to the NH Municipal Bond Bank. Discussion included the interest rate column has been left blank, the bond has not been sold, the most recent estimated interest rate is 2.43 % and the board will get the actual figures when the bond is sold.

Motion: (Johnson, second King) to sign the General Obligation Bond for \$2.363 million with the NH Municipal Bond Bank not to exceed a 3.25 % interest rate passed unanimously.

G). Loan Agreement- Selectmen reviewed a letter from the NH Municipal Bond Bank stating that the loan application for the 15 year bond has been approved. The letter said the town's portion of the issuance costs will be \$15,000 and the actual interest rate is expected to be much lower than the maximum 3.25 % set in the loan agreement.

Motion: (Johnson, second Titus) to authorize the Chairman to sign the loan agreement for \$2.363 million passed 4-0.

Motion: (Proulx, second King) to authorize the Vice Chairman to sign the loan agreement in the event the Chairman is unavailable passed 4-0.

H). Groen Construction Contract- Mr. Capello said that he and the Building Inspector reviewed the Standard Form of Agreement between the town and Groen Construction. Discussion included to designate the Building Inspector, Fire Chief, Police Chief, Selectmen and Public Works Director as persons required to review submissions by the builder, the town will not retain any separate consultants or contractors, Selectmen or their designee will have express authority in matters requiring approval or authorization, the markup rates on change orders, saving on material costs by prompt payment or by paying cash, the \$63,170 contingency fee is to be used at the builder's sole discretion, the 80%/20% split between the town and the builder of any cost savings, unused contingency fees should not be considered a savings and possible savings by having the town remove/dispose of debris from the work site. The contract will now go to legal review.

I). Status of EOC Grant- A memo from Fire Chief James Reinert stated he had received notice that the application for an emergency Management Performance Grant for the Emergency Operations Center equipment has been reviewed and it has been determined that the proposed use falls within the guidelines of the EMPG program. The next step is to properly execute a grant agreement which will be reviewed by the Dept. of Safety and the town will then be notified of the final decision he said.

#### 11). Non-Public Session B:

Motion: (King, second Johnson) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 4-0 by a roll call vote (King, Johnson, Proulx, Titus- yes) at 8:45 p.m.

Motion: (King, second Titus) to come out of non-public session passed 4-0 at 9:20 p.m.

Motion: (King, second Johnson) to seal the minutes indefinitely passed 4-0.

#### 12). Next Meeting: Monday, May 16, 2016.

#### 13). Adjournment:

Motion: (King, second Johnson) to adjourn the meeting passed 4-0 at 9:22 p.m.

Respectively submitted

Kathleen Magoon,

Recording Secretary

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Charlie King

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Paula Proulx

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Neil Johnson

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James Horgan

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Ann Titus