

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

Board Members Present:

Charlie King, Chairman

Neil Johnson, Vice Chairman

Jim Horgan

Paula Proulx

Ann Titus

Others Present:

Town Administrator Arthur Capello

Police Chief Jay Drury

Lt. Scott Orlando

DPW Director Dale Sprague

Kathy King

Elizabeth Johnson

1). Call to Order/Pledge of Allegiance:

Chairman King called the meeting to order at 6:03 p.m. All present stood for the Pledge of Allegiance.

2). Public Input:

Woman's Club member Kathy King discussed the proofs for the proposed "Welcome to Farmington" signs with Selectmen. Discussion included style and color choices, who will approve the final style and color, how far off the ground the sign will be, when the decision must be made and who will do the site prep and installation. Consensus of the board was to request illustrations of the signs in green/gold and burgundy/gold with all lettering in capital letters and the town seal at the bottom of the sign for review at the next meeting. Mrs. King said the group voted to spend the money for two signs and will pay the \$3,000 deposit for the order.

Mrs. King will provide the new proofs to the board as soon as possible.

Mr. Capello requested the sign company give the town a one week notice prior to installation to give the highway dept. time to prepare the sites.

3). Review of Minutes:

July 11, 2016, Public Session- Page 2, third paragraph, add "Chairman King closed the public hearing at 6:50 p.m." following the second sentence.

Page 3, item 6, Hay Day Update, change the motion from "permission form" to "Hold Harmless and Indemnification Agreement".

Page 3, second sentence (correction to June 27, 2016 minutes, Page 3, item 12a) change the fourth sentence to read "Mr. Capello said they used some savings to pre-purchase heating oil and to cover the increased teacher health costs."

Motion: (Titus, second Horgan) to approve the minutes as amended passed 5-0.

July 11, 2016- Non-Public Sessions A, B and C:

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

4). Lancelot Shores:

Selectman Proulx suggested Mr. Capello consult the town attorney to see if the board should refrain from talking about this matter in public session as the association attorney stated one option for the association board would be to take the town to court for non-payment of dues and this could be considered potential litigation in writing.

Mr. Capello said the town was invited to attend the two association board meetings scheduled for July 30 and August 29 but no proxy vote was received.

Chairman King then questioned whether the town is being treated consistently with the other owners and asked if counsel should attend the meetings with a representative from the town.

Selectman Proulx said Mr. Capello should also ask the attorney if anyone from the town should even go to the meetings.

Selectman Horgan noted he previously asked for the town attorney to review all documents received from the association.

Vice Chairman Johnson questioned how payment of association dues by a previous landowner makes it incumbent on a new landowner to pay the dues.

Chairman King said he has been led to believe that some owners of multiple properties are paying the \$350 fee only once but he did not know if this is factual.

Mr. Capello said he received financial documentation going back seven years from the association and has asked the Assessing Clerk to review them and submit a summary of the information. He said he will request the association provide any missing documents and forward the documents and the board's questions/concerns to town counsel. He then asked the board to meet in a brief non-public session at the end of the public meeting to continue the discussion on the matter. Selectmen agreed to the request.

5).Sewer Fee:

DPW Director Dale Sprague said the budget for the wastewater dept. is in deficit spending and that the account continues to decline. Despite some additional income from the town of Alton the dept. spent \$13,000 more than was taken in.

On the plus side, the Capital Reserve Fund has increased by \$22,540 due to the construction of seven new homes that each paid \$3,220 in sewer taxes and fees he said.

Mr. Sprague said Selectmen have refused to raise rates in the past but now must do something and suggested the board "do a little now and a little later" by raising the wastewater rate 5% in 2016 to \$10.09 per 1,000 gallons, a 5% increase in 2017 to \$10.59 per 1,000 gallons and a 5% increase in 2018 to \$11.12 per 1,000 gallons.

The board discussed whether to eliminate or reduce the amount of depreciation funds to be placed in the Capital Reserve fund, the last sewer rate increase was in April 2013, increasing the revenue stream by accepting septage from other towns, waiting until year end to review the budget and see where it stands, dept. costs continue to increase and not wanting to increase taxes/fees unless there is an absolute need to.

Motion: (King, second Horgan) to increase the wastewater rate to \$10.09 per 1,000 gallons effective October 1, 2016 passed 3-2 (King, Johnson, Horgan- in favor, Proulx, Titus-opposed).

6). Water Abatement:

Mr. Sprague told Selectmen a Maple Street resident complained about a water bill higher than historic use for the 3/31/16 billing period and requested an abatement. He said the meter was changed in Feb. 2016 and an additional 1202 feet of water usage was found on the meter that was not billed so it was added on to a later bill. He said the amount was clearly shown on the meter and they were billed properly. He did not recommend Selectmen grant the abatement.

Discussion included why the additional usage was not picked up earlier, possible reasons for the increased usage, usage history, estimated and actual meter readings and why the meter was replaced.

Motion: (Horgan, second Johnson) to support Mr. Sprague's recommendation passed 5-0

Truck Engine- Mr. Sprague contacted Dover Motor Mart and DiPrizio GMC Trucks to see if either facility would rebuild the engine in the 2005 International dump truck at the \$15,500 amount the board previously approved for the repairs. Mr. Sprague said Dover Motor Mart reduced their estimate by approx. \$1,000 to \$16,500 and DiPrizio estimated a maximum price of \$16,595.

Chairman King asked him which facility he would recommend using.

Mr. Sprague said he had no experience with Dover Motor Mart but said DiPrizio has been good to the town in past dealings with them.

Motion: (King, second Johnson) to amend the previous motion not to exceed \$16,600 and to authorize Mr. Sprague to choose who to use passed 5-0.

Paving Schedule- Chairman King asked when Meetinghouse Hill Road was scheduled to be paved.

Mr. Sprague said he told R & D Paving the road will tentatively be available for paving by Aug. 1 as there is some erosion that needs repair. He said plans call for a one and one-half inch shim layer to be placed on the road and if there is any remaining balance of funds another road may be included this year.

Mr. Capello then expressed his thanks to Mr. Sprague and the DPW crew for their work performed around town. Things look clean and good he said.

Mr. Sprague then told the board he is looking into what work will be needed at the CAP Office (Old Courthouse Building) for next year. He said it appears there may be some sill work needed but the extent of the work needed is not yet known or whether it will be necessary to relocate the CAP Office while the work is being conducted. He added that there is also some finish work to be completed at the Municipal Office Building.

7). Pub Safety Building Update:

Mr. Capello said he attended the first construction meeting and the discussion included picking out the interior colors and exterior siding, the footings are dug, the cement pouring is set for Friday and the walls are scheduled to be set on Monday.

Chairman King added the location of the transformer will be moved out of sight from the road and there may be an additional charge from PSNH for setting the transformer pad. Mr. Johnson suggested they may want to set aside \$15,000 for the transformer installation.

Mr. King said the project is shown as under budget by approx. \$17,000 and questioned why the savings amount isn't higher following the removal of the need for a performance bond.

Mr. Capello said the additional \$96,000 savings can be found in a new line in the budget. There is a potential for \$115,000 in savings at this point he said.

Mr. Capello said they also discussed possibly scaling back the \$11,000 irrigation system at the site. He said a proposal to run just the main trunk lines to the irrigation system for the back lawn areas and to only water the front and side lawns will come before the board at the next meeting. The system can be expanded to water the back areas at a later date if the board chose to do so he said. The next construction meeting will be held next Tuesday.

Mr. Capello then asked the board to authorize payment for the bond insurance and legal expenses related to the project.

Motion: (Horgan, second Johnson) to authorize the withdrawal of \$18,494 from the Public Safety Building Construction and Outfitting Capital Reserve Fund passed 5-0.

Mr. Capello said the town has received the money from the project bond and the first draw down will take place tomorrow. He said he will need to get clarity if reimbursement can be made to the Capital Reserve Fund without a town vote.

He said the project is on schedule and a grand opening is tentatively scheduled for Feb.

8). Awarding of Land Survey:

Mr. Capello reviewed the bids for land surveying of the current Fire Station property (Map U6, Lots 23,24,25) received from Richard Bartlett & Associates (\$8,700), Norway Plains Associates (\$6,800) and GM2 Associates (\$17,000). He recommended the board award the contract to Norway Plains.

Motion: (Johnson, second Horgan) to award the contract to Norway Plains and authorize the Town Administrator to sign the contract passed 4-0-1 (King abstained).

9). Additional Board Business:

A). Firefighter Resignations – Mr. Capello told the board that Firefighters Duane Marsh and Brian Jenckes recently submitted their resignations to Chief Reinert.

Motion: (Johnson, second Titus) to accept both resignations passed 5-0.

B). Public Hearing- Mr. Capello said a public hearing needs to be held to discuss the terms of the proposed cable franchise agreement between TDS/Union Tel. Co. and the town. Consensus was to schedule the hearing for Mon. Aug. 1 at 6:30 p.m.

C). Chief Says Thanks- Mr. Capello received a memo from Police Chief Jay Drury thanking the highway dept. and in particular Sumner Scott, for their efforts in keeping the cruisers on the road. A copy of the Chief's comments will be placed in Mr. Scott's personnel file.

D). Site Assessment for Farmington Childcare Center- Selectmen received copies of the Phase I Environmental Site Assessment that was prepared for the Community Action Program in connection with the HUD grant application submitted for the site.

E). Union Contract Negotiations- Negotiations begin next Wednesday at 3 p.m. Mr. King and Mr. Johnson will attend.

F). Fire Apparatus Maintenance Issues- In the monthly dept. report, Fire Chief James Reinert stated the rims and tires for Engine 1 are in bad condition and stated the replacement cost would be approx. \$4500. Chairman King said this is the same truck that was previously out of service and questioned how much use is left in the vehicle after the town gets through "pouring" money into it. He asked for a review by the town mechanic to see if any of the tires are still usable. Mr. Capello said the town spent \$10,000 for repairs and still can't put the truck back in service because all of its supply hoses failed recent testing which is expected to cost about \$10,000 to replace them

Selectman Proulx noted this is the truck that will be taken out of service if the town is awarded a grant for a new engine.

Mr. Capello said Chief Reinert will attend the next meeting with updates on Engine 1, a fill station for the Scott pacs and the community heart program.

G).Fence Repair- Mr. Johnson asked if the offer to pay for damages done to a Main Street resident's fence while a town employee was trimming brush was accepted. Mr. Capello said there has been no response yet from the owner.

H). Solar Power- Mr. Johnson asked for an update on the proposal to generate solar power at the landfill site. Mr. Capello said attorneys are reviewing the contract and are still in communication. Mr. Johnson added there are other solar companies are offering similar proposals in NH and questioned if the town is getting the best deal available.

Mr. Capello said that agreements to buy solar power are not in the town attorney's area of expertise so she has offered to find an attorney whose specialty is in this area and obtain a set price to conduct the contract review.

I). Fowler Insurance Claim- Mr. Capello said the claim has been kicked up to the management level at Primex and he is waiting for a response. He added the representative would not tell him how much the town will be receiving from the claim.

10). Next Meeting: Monday, July 27, 2016 at 5:30 p.m.

11). Non-Public Session A:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A:3 II (a and c) Dismissal and Reputation passed 5-0 by a roll call vote (King, Johnson, Horgan, Proulx, Titus-yes) at 7:22 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 8:22 p.m.

Motion: (King, second Horgan) to seal the minutes passed 5-0.

12). Non-Public Session B:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A:3 II (b) Hiring passed 5-0 by a roll call vote (King, Johnson, Horgan, Proulx, Titus- yes) at 8:23 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 8:28 p.m.

Motion: (King, second Titus) to seal the minutes until the matter is completed passed 5-0.

13). Non-Public Session C:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A:3 II (c) Reputation passed 5-0 by a roll call vote(King, Johnson, Horgan, Proulx, Titus- yes) at 8:28 p.m.

Motion: (Johnson, second Horgan) to come out of non-public session passed 5-0 at 8:30 p.m.

14). Non-Public Session D:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A: 3 II (e) Litigation passed 5-0 by a roll call vote (King, Johnson, Horgan, Proulx, Titus- yes) at 8:30 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 8:38 p.m.

Motion: (King, second Horgan) to seal the minutes until the matter is resolved passed 5-0.

15). Non-Public Session E:

Motion: (King, second Johnson) to enter non-public session under RSA 91-A: 3 II (C) Reputation passed 5-0 by a roll call vote (King, Johnson, Proulx, Horgan, Titus-yes) at 8:38 p.m.

Motion: (King, second Titus) to seal the minutes passed 5-0.

16). Adjournment:

Motion: (Horgan, second Johnson) to adjourn the meeting passed 5-0 at 8:47 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

Charlie King

Paula Proulx

Neil Johnson

James Horgan

Ann Titus