

Town of Farmington  
Board of Selectmen Public Meeting Minutes  
Monday, November 14, 2016

**Board Members Present:**

Charlie King, Chairman  
Neil Johnson, Vice Chairman  
Jim Horgan  
Paula Proulx  
Ann Titus

**Others Present:**

Town Administrator Arthur Capello  
Fire Chief James Reinert  
Randy Tetreault, Norway Plains  
Residents Elizabeth Johnson,  
Bobbie Stormann

**1). Call to Order/Pledge:**

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

**2). Public Input:**

*A). Aube Property/Economic Development*-Resident Bobbie Stormann came forward and asked the board the following questions regarding the Aube property:

When did the Town know the work at the Aube property had been done by the previous owner without the proper permits?

Mr. Capello said the Town found out last May and had started proceedings with the previous owner before it was sold.

Is there a public record of the court case and why isn't the Town continuing to pursue a court case against the sellers? If the case is continued will the fines be collected from the sellers and not the buyers?

Mr. Capello said if the buyer's or seller's realtor had come in and looked at the Town records they would have seen all of the action. He said the Town is pursuing legal action.

Why didn't the Town place a lien on the seller's property immediately?

Mr. Capello said the Town doesn't have the authority to place a lien on the property. Only a judge can put a lien on a property and we are proceeding with legal action he said.

Was action by the Town initiated when it should have been, when it was discovered?

Chairman King said the legal action against the previous owner was started in May. Typically there is 30 day notice period to come into compliance and depending on what happens with that it may go 3 months before even getting a court date he said.

Mr. Capello added it takes about 4 to 6 months for a code enforcement case to come to court once the action has been filed.

Nothing was flagged about the potential lien or legal action in the public record?

Mr. Capello said it is in the Town files but no one came into look at the files.

Ms. Stormann then stated that Farmington is a really great town but doesn't necessarily have a good reputation. She said she was concerned how this matter is being played out and is considering selling her house in the future and wanted someone to be able to "Google" the Town and find some positive interactions with the Town. She added she hoped the issues would be resolved in a positive manner so that the taxpayers would be interested in moving on from Farmington would have the ability to do so.

Mr. Capello noted the only one side of the issue is being portrayed on social media.

Ms. Stormann said she understood that but the Town's actions speak as well.

Ms. Stormann asked if it was true that the Town has given the Aube's 6 business days to correct the issues.

Mr. Capello said there is a deadline on the permit and that an inspection was conducted today but that he was not at liberty to discuss the details due to the potential legal action. She then asked the board if they felt 6 days was a reasonable amount of time to get a contractor to return your call, give you a quote and to do the work.

Mr. King said he would have to consult the records to see if that is correct and added that the board didn't start this issue and that it started as an issue between the buyer and the seller. Only one side is being portrayed and the truth is probably somewhere in the middle he said.

Ms. Stormann said she is looking at 3 to 4 months to get contractors and said 6 days was an unrealistic deadline. She asked if the Town had acted as aggressively against the seller.

Mr. Capello said she was unaware if the Town had or hadn't acted aggressively toward the seller.

Ms. Stormann then moved on to the Town's Economic Development Director's position which she said was approved by voters with a \$40,000 a year salary and that the position is basically a sales position. She asked what this person has been doing from last March to November.

Mr. Capello said she has completed some other projects she was working on and then reached out to various retailers in an attempt to bring their businesses to town, went door-to-door in an attempt to find members for the TIF District Advisory Board and helped the Economic Development Committee with the set up of the TIF District.

Ms. Stormann told the board it is their job to provide customer service and suggested Mr. Capello should run a monthly blog to inform residents about what is going on in Town. She suggested that a community Face Book would be a good place to start.

Mr. Capello said the board needs to approve a Face Book policy first. He added that his door is always open to residents concerns.

Mrs. Titus added that the board returns calls and e-mails.

Mr. King said there are board meetings almost every Monday night in an attempt to stay on top of tasks and to address town issues.

Ms. Stormann then said the board needed to work on the Town's image.

Mrs. Titus said there are openings on several of the Town boards and committees.

B). Fire Station Survey- Randy Tetreault, President of Norway Plains Associates came before the board to discuss the results of the boundary survey he recently conducted on the three parcels making up the current location of the Fire Station on Main and Garfield Streets (Tax Map U6-23, U6-24, U6-25). He gave a brief synopsis of the parcels' "quirks" and some issues that occurred before the Town owned all three parcels.

He pointed out the location of the lots on the map as well as the boundary lines, easements, driveways/access and some existing features such as buildings, retaining walls, culverts, parking and landscaping.

Chairman King said the board is considering selling the property and may decide to merge the lots into one lot with a voluntary lot merger. He added the board wished to resolve any issues in "black and white" to facilitate the sale of the property.

Mr. Tetreault said the board has the option to merge the lots, sell them separately, to seek a lot line adjustment without a merger and to redefine any easements or parking agreements through

discussions with the abutters.

Chairman King said that with the sale of the property the board wishes to retain Town parking and space for Coast bus shelter.

He then asked the board if they were ready to put the property on the market.

Mr. Capello asked if the board wished to sell the lots individually.

Ms. Proulx said the board has not discussed the individual sale of the lots.

Additional discussion included the total existing parking spaces, how many spaces to reserve for town use, single and multi-use developments, what a potential developer or buyer would look for and the existing site plan is valid and recordable.

Mr. Capello suggested the board was not ready to make a decision on the sale of the lots and suggested they plan to revisit the issue at a future meeting.

Mr. Horgan suggested the Town file the documents, notice the abutters and give the property owners the first opportunity to share their thoughts.

Motion: (King, second Horgan) to authorize Mr. Tetreault finish up and record the survey passed 5-0.

**3). Review of Minutes:** Tabled until later in the meeting.

**4). Fire Chief – Alarm System & Pumper:**

A). Pump Repair - Chief Reinert requested to come before the board to discuss the pump repair for Tanker 3 which failed its pump test. In a memo to the board he said the pump would need to be completely rebuilt or replaced to make it comply with NFPA standards. He wrote that he received a preliminary quote from Eastern fire Apparatus (approx. \$6,200) and is awaiting 2 other quotes from Dover Motor Mart and Lakes Region Fire Apparatus. He stated the tanker is still in mechanically sound condition and the repair could be paid for from the apparatus maintenance/fire equipment lines in the Fire Dept. operating budget.

Discussion included the current age of the tanker (30 years), the expected remaining life of the tanker (5 years) and the pump in Engine 1 is incompatible to the tanker.

Chief Reinert told the board that he still has yet to receive any other quotes for the repairs.

Selectmen tabled the discussion until the Chief receives another quote for the work.

B). Radio Antenna - Chief Reinert also requested to discuss replacing the current radio antenna when the dept. moves into the new Public Safety Building. In a memo to the board he stated that a representative from Ossipee Mountain Electronics toured the new building and gave a preliminary quote of approx. \$1,000 to replace the antenna, mounting bracket, cable and installation.

The Chief told the board he inspected the current antenna and found it to be in poor condition.

He explained that the new antenna would be installed on the back of the new building on the highest roof peak. He said he has since received a quote of \$1,547 to purchase and install the new antenna which could be paid for from the radio maintenance line (\$3,402 remaining) of the Fire Dept. operating budget.

Motion: (Horgan, second Johnson) to approve the purchase and installation of the radio antenna not to exceed \$1,600 passed 5-0.

C). Alerting System – Chief Reinert also requested the board approve the purchase and installation of an alerting system for the new station and noted that there is a time constraint on the decision as it would ease installation if the system were installed prior to finishing the interior

walls in the new building. He explained that the system would be used to notify personnel of emergency situations through voice and tone notifications from desk top/wall mounted speakers within the station and by paging. Equipment for the system would include a control box, speakers and a radio based paging system which Ossipee Mountain Electronics estimated to cost about \$3,000 he said. He added that he received an estimate from another vendor for more than \$28,000 which is far more than the Town could afford.

Discussion included if this item was included on the list of items requested by the depts. for the new building, how this system would differ from intercom systems and the compatibility/capability of the voice and data systems being installed by Howard Systems. Vice Chairman Johnson asked why the dept. needs this system if they already have pagers. Chief Reinert said the dept. has gotten away from using pagers and now uses 2-way radios. Mr. Capello added the alerting system could save on radio batteries.

Consensus of the board was to request Mr. Capello contact Howard Systems and inquire about compatibility and capability to add an alerting system to their voice, video and data systems being installed at the Public Safety Building.

D).Additional Discussion with the Chief included:

Two new employees, Chris Waite and Frank Bruneau, have been added to the Fire Dept. roster bringing the total number of staff to 29. He said that ideally he would like to have 30 to 33 staff members.

The Chief said he has re-applied for the grants for replacement of the air packs and a new pumper tanker. The application deadline is Friday, Nov. 18 and the grants will be awarded early next year he said.

He added that he is also working with Homeland Security to apply for a grant for the emergency generator for the new Public Safety Building.

The Chief then took the opportunity to thank Butch Barron of Barron Bros. Development for his assistance in unloading the 5,000 lb. fill station which arrived by freight delivery with no means to unload it from the truck. The fill station is now in the fire station and secured thanks to Mr. Barron he said.

#### **5). Public Safety Building Update:**

Mr. Capello thanked Mr. Johnson for taking and submitting notes during his absence at the Nov.8 construction meeting.

He said things continue to move along wonderfully and gave the board the following updates: The oil separator tanks will be installed within the next 3 to 4 weeks.

Howard Systems was on site to conduct a walk through and verify the location of the electrical drops.

The electricians are on site and have begun their work.

Mr. Horgan asked if there is anything else that needs to be installed behind the walls.

Mr. Capello said they have walked through the building on a regular basis and that he did not think there was anything else that needed to go behind the walls.

Mr. Johnson asked if the town has received a second quote on the bullet resistant windows for the reception area. He added that plans were made to install the window for the Police Dept. reception window but the plans did not include a bullet resistant window for the Fire Dept. reception window which will be located directly across from the Police Dept.

Mr. Capello said the town has not yet received a second quote for the windows.

Mr. Capello said the “fantastic” overhead bay doors have been installed.

The attic sprinkler is being installed and the spray foam insulation should be in place by the end of the week.

Mr. Horgan asked if the foam will hinder rodent control.

Mr. Capello said the insulation may help keep the rodents out and at least would show a trail to where they are as they would have to eat or dig their way into the building.

## **6). Policies Update:**

**A). Complaint Procedure** – Mr. Capello said he revised the policy down to one and one-half pages and asked the board if there were any further revisions needed.

Mr. Johnson suggested the following changes:

Page 1, Written Complaint/Phone in Complaints-

Move “Anonymous complaints will not be accepted” from last on the list to the top of the list

Page 1, Once the Complaint is Received by the Dept. Head-

Bullet 2 – add “legitimate” after “potential”

Bullet 3 – add “if needed” after “site visit”

Bullets 7 and 9 – “Complainant” is spelled wrong

Ms. Proulx said the policy does not include a statement regarding a follow up to Selectmen which was included in the past procedure.

Mr. Capello said he will add a note that Selectmen will be notified about complaints and their outcome/resolution.

Ms. Proulx noted that some types of complaints have response time limits as per state law.

Mr. Capello said complaints are prioritized and reference to state law is included regarding road issues.

Mr. Johnson suggested the 2 bullets regarding phone in complaints be combined and reworded to state the Selectmen’s Secretary will fill out, date stamp and log in the complaint form.

Ms. Proulx suggested the form include a place for the dept. to initial/comment and that the follow up is dated. She asked that the complaint procedure be attached to the complaint form to create a packet for users.

Mr. Capello agreed to the request.

Mr. Johnson asked if staff would return a call to the complainant to report how the matter was resolved.

Mr. Capello said that this could take up a lot of staff time returning calls.

Mr. Johnson then suggested a note be placed on the form asking if the complainant wishes to be called back to report on the outcome of their complaint.

Ms. Proulx also suggested the form be given a name and number to match the complaint procedure so that they go together.

Mr. Capello agreed to make the suggested revisions and return the policy to board for review.

**B). Raffles/Tagging Policy** – Mr. Capello asked Selectmen if any changes/revisions are needed to this policy.

Page 1, #4 - Mr. Johnson suggested “out in the open” be struck and add “and clearly visible at the site” between “displayed” and “where”; strike “that raffle activity is being conducted”

#7 – Consensus of the board was to strike the whole line.

Mr. Capello said he will make the changes and return the policy to the board for further review.

C). Official Town Face Book Page Policy – Selectmen expressed concerns about having an official town Face Book page and suggested some changes to the proposed policy.

Mr. Horgan asked if users would be allowed to respond to town postings.

Mr. Capello said the purpose of the page would be to provide accurate information to the public and no responses would be allowed.

Mrs. Titus asked if the information posted on the page would be the same as the information sent out by public notices from the Town website.

Mr. Capello said some of the information would not be the same as is sent out by e-mail “blast”.

Mr. Johnson said he had 2 concerns- he did not want to see any countering with other posts and that whoever does the posting must be able to spell and use correct grammar.

Mr. Capello said he would give the final approval for postings and that dept. heads or their assigned personnel must forward content to him for possible posting on the Town page.

Mrs. Titus said she favored getting correct information out to the public but suggested the board review the content before it is posted.

Selectmen said that would become cumbersome to the board and that they should have faith in the staff to handle the matter correctly.

Discussion also included this could be just another way for Town officials to be attacked, the Town website is not mobile friendly, potential legal liability, making more factual information available to the public may lessen the amount of misinformation/misunderstandings between the Town and residents.

Page 1, Section 2.0 - Mr. Johnson suggested “Departments Affected” be changed to “Groups Affected” as the definition includes both Town employees and board/committee members. He asked if board members appointed by Selectmen are obligated to follow the policy.

Mr. Capello said they can’t force members to not to do something, but they can encourage them not to do something.

Ms. Proulx noted that boards/committees could have something posted on the page by submitting the content to Mr. Capello.

Mr. Capello said if he were to deny posting something he would provide a copy of the submittal and reason why it was denied to the board.

Mrs. Titus asked if the page would only contain Town business.

Mr. Capello said it would only be used for Town business.

Chairman King noted the Police, Town Clerk and Recreation Depts. all have their own Face Book pages.

Mr. Johnson suggested the Town page could provide links to the other dept. pages. He added that he would like to see a requirement that any dept. that has its own Face Book page must regularly update it or it must be deleted.

Chairman King said not all of the pages were approved by the Town and seemed to have “just happened”.

Ms. Proulx asked if the Town could tell the Town Clerk that she can’t have a Face Book page.

Mr. Capello said they could not prohibit it.

Mr. Capello will revise the draft policy and return it to the board for additional review.

D). Procedure to Respond to a Request for Information per RSA 91-A-

Mr. Capello provided the board with copies of a proposed policy to help the Town comply with

the state's Right To Know law.

Ms. Proulx asked why a Town policy is needed if there is a state statute that governs requests for information.

Mr. Capello said the law doesn't govern charges for copies of documents without a specified fee, requiring a deposit for large numbers of copies or the modification or conversion of documents as included in item 6 of the draft policy.

Discussion included the RSA is specific in timing responses to requests, the Right to Know law is applicable only to NH residents, it should not be confused with the Freedom of Information Act which is a federal law, whether to reduce the number of pages requiring a deposit and requested copies that were made and never picked up resulting in a waste of time and money.

Mr. Johnson suggested that "non-refundable" be added to the requirement for a 50% deposit for copy requests totaling 25 or more pages in item 6.

Mr. Capello will review and make suggested revisions and return it to the board for additional review.

E). Memorandum of Understanding for Special Events- Tabled.

## **7).Review of Minutes:**

November 7, 2016- Public Meeting Minutes-

Page 2, item #4- breakout the Asset Management Plan discussion following the motion into a separate item with its own heading and item number 5, renumber the remaining items (item #5 becomes item #6, etc.)

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

November 7, 2016- Non-Public Session A – No errors or omissions found.

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

## **8). Town Administrator's Business:**

Mr. Capello reported the following to the board:

Interviews with candidates for the Transfer Station positions are being scheduled.

NH Solar Garden has begun the paperwork process and has requested documents for the Dept. of Environmental Services permit.

The proposed 2017 Town budget will be provided to Selectmen next week.

He said if the board decides to level fund all outside agencies the budget will be reduced by about \$7,000 including the CIP requests and the first payment on the bond for the Public Safety Building. The potential exists for no impact to the taxpayers the first year due to the new building he said.

## **9). Additional Board Business:**

A).Town Christmas Tree- Mr. Horgan asked if the tree in front of the Municipal Building was mentioned as a possible location for the Town Christmas tree and lighting ceremony.

Mr. Capello said the board has ruled out that location and the tree will be located downtown on the Central Street traffic island as was done in previous years.

B). Senior Thanksgiving Dinner- Chairman King said he had not seen any advertising for the event and asked on what day and time the meal will be held.

Mr. Capello texted Recreation Director Rick Conway for information on the event and he replied that the meal will be served on Wednesday, November 23 beginning at 11:30 a.m.

**10). Next Meeting:**

Chairman King informed the board that he will not be available for a meeting next week as he will be out of state on business.

Consensus of the board was to not schedule a meeting for next week due to the Chairman's absence and the Thanksgiving holiday.

**11). Adjournment:**

Motion: (King, second Titus) to adjourn the meeting passed 5-0 at 8:05 p.m.

The board then held a non-meeting to discuss contract negotiation strategy.

Respectively submitted  
Kathleen Magoon  
Recording Secretary

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Charlie King, Chairman

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Neil Johnson, Vice Chairman

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Jim Horgan

\_\_\_\_\_  
Paula Proulx

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Ann Titus

