

Town of Farmington  
Board of Selectmen Meeting Minutes  
Monday, November 20, 2017

**Board Members Present:**

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

**Others Present:**

Fire Chief James Reinert  
Farmington Preservation and  
Improvements Organization (FPIO)  
Tim Bernier, President, TF Bernier, Inc.  
Police Chief Jay Drury

**1). Call to Order:**

Chairman Proulx called the meeting to order at 6 p.m.

**2). Pledge of Allegiance:**

All present stood for the Pledge of Allegiance.

**3). Public Input:** None

**4). Review of Minutes:**

November 6, 2017 – No errors or omissions.

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

Motion: (Johnson, second Titus) to accept Non-Public Session A as written passed 5-0.

Motion: (Johnson, second Titus) to unseal Non-Public Session A passed 5-0.

**5). FPIO:**

Lee Warburton, FPIO Interim President, read a statement to the board concerning the passing of President Tom DeJulio who worked for many years on the Christmas lights and spearheaded the drive to keep the lights going after Eversource decided not to let the Town hang the light strings on their poles.

Mr. Warburton said that he and Mr. DeJulio decided to form a non-profit organization for the purpose of saving the tradition of the Christmas lights. The main objective of the organization was fundraising to generate the money and the manpower to update the lights at no cost to the taxpayers he said.

Following Mr. DeJulio's death the group held an emergency meeting to determine their next steps. The date to hang the lights had already been scheduled so the group decided to carry on just as they had been doing over the last few as the group was structured so if anything happened to one of them they could continue on.

Mr. Warburton extended his thanks and appreciation to the FPIO Executive Board and the volunteers for their hard work and many hours spent helping with installation of the lights and banners, use and operation of the bucket truck, maintenance of the light strings, traffic control

and the creation of ornaments using the original light bulbs from the light strings.

Ms. Proulx said Mr. DeJulio would be proud to see things continuing as planned and how good the ornaments and trees look. She said she has heard nothing but good comments about how everything looks and that the town appreciates what they have been doing. She encouraged the group to come forward and make a request whenever they need something from the Town.

Mr. Warbuton said he would provide a contact list to Mr. Capello. He noted that most of the members work out of Town so most communications will be by e-mail to Mr. Capello.

Mrs. Titus said Mr. DeJulio was like the heart of Christmas and that she was glad they are continuing his work. She recalled how he got up at Town Meeting to ask the town for money for the Christmas lights poles and talked from the heart. These lights are a beautiful thing and thank you for all you have done she said.

Mr. King commended the group members on their fortitude and how they stuck to their goals through bumpy times and have been successful and it shows he said.

Mr. Warbuton said the Christmas tree lighting will take place on Friday, Dec. 1 at 6:30 p.m. at the TD bank. There will also be a memoriam to Mr. DeJulio by his daughters he said.

#### **6). New Website Review:**

Mr. Capello was not present at the meeting due to a personal matter.

Motion: (King, second Horgan) to postpone review of the new website passed 5-0.

#### **7). Taxi cab Ordinance:**

In a memo to the board, Mr. Capello proposed that the board eliminate the existing taxicab ordinance as he felt that it is unenforceable especially with companies such as Uber and Lyft. Selectmen expressed concerns about eliminating the policy as certain requirements are needed and decided to request input from the Police Chief and Mr. Capello. No action was taken.

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

**Class VI Road Acknowledgement-** Mr. Bernier came before the board to discuss a proposed subdivision for the property that fronts Main Street and Cocheco Road in the Commercial Business District(Map R19, Lot 15). He said his client, Christopher Knight, plans to subdivide off the existing house that fronts Main Street and create two lots that front on Cocheco Road to be used to generate solar power through the use of solar arrays.

Mr. Bernier said the property has been used as a gravel pit for many years and the only access to the pit was over a Class IV road. He said Mr. Knight planned to continue using the access road known as Old Main Street following the relocation of Main Street to its current location. He said the Town has not performed any maintenance to road in several years resulting in a reclassification of the road from Class IV to Class VI per state law. He added that the road will have a low intensity of use as the only expected use would be when someone shows up once a month to mow.

Chairman Proulx recused herself from the discussion as her brother and sister-in-law are considering purchasing the residential lot that fronts Main Street and asked Vice Chairman Johnson to take over the meeting.

Mr. King asked what Mr. Bernier was requesting from the board.

Mr. Bernier said he was asking the board's permission on behalf of Mr. Knight to continue using the access road and approval of the Class VI classification as requested by the Planning Board. Discussion included the subdivision application is currently before the Planning Board, current condition of the road, possible discontinuance of the road, there is no public purpose for the road, obtaining a permanent easement to allow maintenance of the water main under Old Main Street, potential purchase of the small portion of land between the old and new Main Street currently owned by the Town.

Mr. King noted that DPW Director Jason Gagnon stated in a letter to Mr. Capello that he had no concerns about the use of Old Main Street providing Mr. Knight signs the waivers for Town maintenance of the road and provides an easement to access the water main should the parcel of land between his property and Main Street be sold to him.

Mr. Bernier also asked the board if they would have any problem with the Planning Board including their approval for use of the road as a Condition of Approval as part of the Site Plan Review and to consider reducing the portion of the application fees based on the square footage of land use.

Mr. Johnson said the board would take Mr. Bernier's requests under advisement until they have an opportunity to discuss the matter with Mr. Capello and planned to revisit the issue at their next meeting on Dec. 4.

Chairman Proulx then took back control of the meeting from Vice Chairman Johnson.

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

**Sale of Town Property-** Mrs. Titus said she discussed the sale of the 11 acre Town owned property on Route 11 with the Economic Development Committee at their last meeting. She reported that the committee suggested that a commercial realtor be used to sell the lot.

Mr. Johnson said their discussion "went off track somewhere" as the board had asked the EDC to provide a list of companies to market the property. He said they got tired of waiting for a response and posted the Request for Proposals (RFP) which has now expired.

Mrs. Titus said the EDC discussion did include suggestions for what types of businesses the members would like to see there.

Mr. Johnson said telling the board what they would like to see there does them no good as they are looking for specific companies that may be interested in looking at the RFP.

Ms. Proulx said the process isn't over yet as there is a rumor that there was no response to the RFP and they may post the RFP again in the spring.

Mrs. Titus asked about the zoning classification of the lot.

Mr. King recused himself from the board as he is an abutter to the property. He then briefly

described the area and said the lot is zoned Commercial Business as all of the lots south of the industrial park are zoned for commercial use.

Ms. Proulx asked Mrs. Titus to request that the EDC formalize a list of companies and give it to Mr. Capello.

**10). Non-Public Session A:**

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (a) Dismissal, Promotion or Compensation passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus-yes) at 6:35 p.m.

Motion: (Johnson, second Titus) to come out of non-public session passed 5-0 at 7:45 p.m.

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

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (d) Acquisition, Sale or Lease of Property passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus-yes) at 7:45 p.m.

Police Chief Jay Drury arrived and asked to speak with the board.

Motion: (Johnson, second Horgan) to come out of non-public session passed 5-0 at 7:46 p.m.

**12). COPS Grant:**

Chief Drury told the board that the Farmington Police Dept. has been awarded a COPS Grant for 2018. He briefly described some of the potential uses for funding and then asked Selectmen to authorize Mr. Capello to sign for the receipt of the grant funds.

Motion: (King, second Titus) to authorize the Town Administrator to sign for the COPS Grant passed 5-0.

**13). Re-enter Non-Public Session B:**

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (d) Acquisition, Sale or Lease of Property passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus-yes) at 7:48 p.m.

Motion: (Horgan, second King) to come out of non-public session passed 5-0 at 8:35 p.m.

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

**14). Next Meeting:** Monday, December 4

**15). Adjournment:**

Motion: (Johnson, second Titus) to adjourn the meeting passed 5-0 at 8:35 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

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Paula Proulx, Chairman

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Neil Johnson, Vice Chairman

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Jim Horgan

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Charlie King

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Ann Titus