

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, June 19, 2023
Selectmen's Chambers
356 Main Street-Farmington, NH 03835

Board Members Present:

Charlie King, Vice Chairman
Ann Titus
Penny Morin
Doug Staples

Others Present:

Ken Dickie, Town Administrator
Ed Brannan, Highway Dept. Supervisor

Board Members Absent:

Gerry Vachon, Chairman

1). Call to Order:

Vice Chairman King 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). Public Hearings:

Mr. King said they had a couple of public hearings they need to preside over tonight and then read aloud the following notice:

Public Hearing to consider and possibly vote to accept a funding award from the Invest NH Municipal Planning and Zoning Grant Program in the amount of \$135,740

He said the terms of that will be effective from May 31, 2023 with a completion date set of July 31, 2024. He opened the public hearing on this and said they would keep it open for 30 minutes and then they would close that public hearing.

Mr. King said along with that public hearing they are going to open another public hearing and run them consecutively and then the following notice aloud:

Public Hearing to solicit comments regarding the proposed acceptance of a purchase of land, identified as Lot #1 Parcel A (Tax Map R14, Lot 12 & Lot 13 and R03, Lot 2 for a combination of 94+/- acres)

He opened this public hearing and explained the reason for this public hearing is to seek comments for the Town to be a bidder at an auction that is happening next week regarding some property that was owned by Malcolm Bradsher where the Town Well (#6) and pump station are located on 2 of the lots in Lot #1 and the Town is putting itself in a position to be a viable bidder on those parcels.

Mr. King asked if the board had any questions or comments on either of the public hearings. Hearing none he said they will leave the public hearings open until 6:30 p.m. and if anyone has any comments they are free to come down and ask questions or make comments and they will continue with their other business while the public hearings are open.

5). Review of Minutes:

June 5, 2023-Public Session- No errors or omissions

Motion: (Staples, second Titus) to accept the minutes as written passed 4-0.

June 12, 2023-Non-Public Sessions A-D- No errors or omissions

Motion: (Titus, second Morin) to accept the minutes as written passed 4-0

5).Old Business:

Hornetown Road Bridge Update- Mr. Dickie said they got the survey completed and the test borings were completed last Tuesday. He said he went up at 11:50 a.m. Tues. to talk with the engineer and the drill rig company and he passed the engineer on his way up there so they finished quicker than he thought they would. He said the drill rig co. was sitting at the entrance of River Rd. and they said they struck bedrock at 25 ft. and that the engineers said they were very happy with that.

He said he also brought Tighe & Bond up to the bridge and reviewed with Dana what the intention was for box culverts there and possibly opening up the river abutments 20 ft. and then taking the temporary bridge to River Rd. He said he brought him down to River Rd. and let him take pictures and reviewed what they have to do to redo the abutments at River Rd. and put the temp bridge on the River Rd. abutments once that's complete. He said he is taking that back and he has sent him the information he has gotten so far about the bridge and he is going to look at it and let us know if he thought they were aligned with our current engineering firm. Mr. King said in essence he has asked him for a second opinion on the approach we are taking. Mr. Dickie said that's correct.

Mr. King asked if they said what type of soils they hit before the bedrock.

Mr. Dickie said he didn't mention it but he assumed they will be getting a report pretty quickly.

Mr. King asked if the engineer seemed happy with what they found during the test drilling.

Mr. Dickie said yes.

Mr. King asked when they will be at a point to go out for RFP's for the construction.

Mr. Dickie said the RFP should be coming next they wanted to get the survey and the drilling done and that will get Hoyle & Tanner in line to get the RFP drawn up so he should be getting that soon.

Mr. King said they might want to ask Dana if he has any suggestions for advertising soliciting the contractors for it to make sure that they're doing everything possible with our current engineering firm so we can potentially get a good viable bidder to come to the table.

Mr. Dickie said Dana said our approach of having the construction firm design and put it in

place is probably the best route and the cheapest route.

Mr. King said if we can find a contractor that is within our budget potentially we can at least secure a contractor sooner than later.

Lease Agreement for Town Well #6- Mr. Dickie said to carry on where they off they have the affidavit already filed and the auction is going to be on June 27 and prior to the auction they have some public showings if the board is available. He said they had one on the 16th, the next one is on 6/22/23 and the third one is on 6/26/23 and it is open from 8 a.m. to 3 or 4 p.m. He said they unlocked the gate at Well #6 to allow the public to go down in there with Paul McInnis as they show off the properties. He said the auction is online as well as in-person. Mr. King asked if they are going to be moving from lot to lot or if it's going to be on one lot. Mr. Dickie said he would have to find out. He said the other thing he needed board approval on is he put in for the packet for the online bidding but they also require a \$20,000 reimbursement to allow them to participate in the bidding.

Motion: (King, second Staples) to authorize Ken Dickie to place a deposit as required to become a viable bidder at the auction passed 4-0.

Mr. Dickie said the \$20,000 requirement is in the second piece the board received (Bradsher Real Estate Auction Terms, page 2, Bidder Deposit).

Mr. King said they should try to schedule something on the 22nd even if it's just a couple of board members to ask questions and then tentatively also on the 26th which is the day before like where the auction is going to be held and what is the auction process. He said he would be available that day of showing and asked if somebody else from the board wants to go.

Mr. Staples said he would be available as he can rearrange his schedule as needed.

Mr. King said he would also ask Mr. Vachon to see if he wants to go. He asked if they have to schedule an appointment with the auctioneer.

Mr. Dickie said he didn't say about scheduling an appointment and he will ask him tomorrow.

Mr. King said they should at least say this is the time they're going to be so he knows to expect them. He said they should ask as many questions as they can so they are informed about the location and format of the auction.

Mrs. Morin said the paperwork says it's by appointment.

Mr. King said he would talk to Mr. Vachon to see if he wants to go and give Mr. Dickie a time and a date.

Mr. Dickie said he would contact the auctioneer and get some available appointment times.

Mr. King said so they could be prepared and he wasn't sure how it was going to go with the online bidding and how they balance online bidding with in-person bidding. He said the \$20,000 doesn't get them to be a combined bidder that requires a security of \$100,000 so he didn't know if anybody is going to do that but he didn't think we are in a position to buy all the properties anyway as it may go over \$1 million and they only have interest in the ones that have Town infrastructure on Lot #1 which is 3 parcels.

Mrs. Morin said the \$20,000 deposit is per \$100,000.

Mr. King said its \$20,000 per parcel or \$100,000 for the entire for the entirety.

Mr. Dickie said the 3 lots are in one parcel and they are only bidding on that one parcel.

Mr. King asked Mr. Dickie to see if he could set something for the 22nd.

Mrs. Morin said they have to register as well.

Mr. King said to register you have to have a deposit and he assumed that he would have to work with the Finance Administrator to transfer that.

Mr. Dickie said he would check on the payment method and he may be able to use his Town credit card which he thinks has a limit of \$40,000 and it would be reimbursed back to his card.

Mr. King said the terms say a cashier's check but there may be other ones he will accept.

Mr. Dickie said he would ask the Finance Administrator. He said they also got some news back today from Att. Roman saying that she has worked with the NH Dept. of Revenue Administration and we are able to expend from the water capital reserve.

Mr. King asked if there were other accounts they felt they could expend from also.

Mr. Dickie said he had to ask Conservation Commission Chair Bill Fisher if the Con Com is willing to put some of their money into it. They have well over \$100,000 in their account he said.

Mr. King asked if there was also \$100,000 allotted to land acquisition in our \$7.2 million grant. He asked if it would take a vote of the Con Com to allow them to use those funds even if it's just temporary.

Mr. Dickie said yes and they'd have to have a special meeting to vote to allow them to use it.

Mrs. Morin asked if there are any American Rescue Plan Act funds that aren't earmarked for anything and are left over that they use.

Mr. Dickie said we have about \$349,000 unexpended and out of that we have \$112,000- \$115,000 that has not been assigned to any projects. He said he just received a text message from Mr. Vachon saying Mr. Fisher and the Con Com are okay with using their funds if needed.

Mr. King asked if they made a formal vote.

Mr. Dickie said he would make sure they had a formal vote.

Frisbie Meeting on Ambulance Intercepts Cost- Mr. Dickie said last Wednesday they had a meeting with the Frisbie Hospital VP, their Finance Director and the hospital's Director and there was him, Fire Chief James Reinert and Deputy Chief Rowley for Farmington. He said they started off about the history and got into ambulance agreements and it sounded like they were looking at being in compliance with their insurance and they were looking at charging because it looked like when they send an ambulance out and automatically bring them to Frisbie that they're just drumming up their own business.

He said we listened and then we got into our agreement with Rochester which made them take a step back. He said they are going back to look at Rochester's contract with them to see if does cover mutual aid. He said the Rochester Fire Chief was also there and he clarified to them that there's a section of that contract that stipulates about mutual aid going out and helping towns

such as Farmington. He said not all of their calls are intercepts there are mutual calls as well and we don't control who they man that ambulance with. Just because you put a highly qualified medic on there doesn't mean we're asking for an intercept he said.

Mr. Dickie said the other thing is we don't charge Rochester to go on a mutual aid call in Rochester and their Fire Chief said no they don't and they're a huge asset to our town. He said they took that as homework to go back and review this thing.

Mr. King said he hoped they stated that our mutual aid calls is similar in number to their mutual aid calls-almost 200.

Mr. Dickie said yes. He said the Chief put the numbers on the table of what they all were so they understood the volume. They're going back to study it and we'll see what they come back with he said.

Mr. King asked if they weren't aware of some of the agreements, the amount of calls for service, what we do for them and what they're doing for us.

Mr. Dickie said that's right. He said they were looking to be the same across all communities and we said we could understand them looking to do that with the ones that don't provide Rochester with mutual aid but where we provide a service to Rochester and we're not charging them currently then they ought to make an exception for us and handle us differently so they are going back to look at it.

Mrs. Titus if they said when they would be coming back to talk to us.

Mr. Dickie said they haven't set a meeting yet and he would let the board know when it is set in case any or all of the board wants to attend the meeting.

Mr. King said it sounds like they were asking the right questions and he thinks there is some commitment on Rochester's part and if Frisbie is providing that service to Rochester then Frisbie is committed to provide that service to us and maybe it is just their understanding some of that. Glad that we got the support of the Fire Chief and the Fire Dept. in Rochester he said.

Meaderboro Road- Mrs. Morin said she and Mrs. Titus had an opportunity to meet with one of the residents on Meaderboro Rd., Mr. Watson and he has a pretty big agricultural meeting coming up where there are a lot of growers coming to his farm and his road is atrocious. She said she reached out to Mr. Brannan and let him know that's coming up. She asked if they got any work done or if any work is planned up there. She added that she was very clear that we are understaffed right now with just 3 people and that they are definitely working hard.

Mr. Brannan said one way or another they will get up there this week and if he has to shut the excavator down and go do it himself he will.

Mr. King asked if it needs grading.

Mr. Brannan said yes.

Mrs. Morin said and probably some fill brought in some places where there are washouts.

Mr. Brannan said there should be enough dirt there but if they need to haul a couple of loads in they will.

Mr. King asked if Mr. Watson gave her the date of the event and if she passed that on to Mr. Brannan.

Mrs. Morin said she did and it's on the 27th. She said as she went from one end of that road to the other she could definitely agree that it's pretty awful.

6). New Business:

Juneteenth Holiday for Farmington Town Employees- Mr. Dickie said there was massive confusion and as the week progressed last week he started hearing more rumblings in the office about having Monday off and he started looking at meeting minutes and he couldn't find anything. He said he had just come onto the board when this was approved by Pres. Biden as a federal holiday and he didn't remember that board voting on it and then we changed and he didn't remember this board voting on it.

He said he met with the Finance Administrator and asked her what led us to believe that we had this day off. He said she pulled out the 2022 Town Report and on the inside cover of the Town Report the Juneteenth holiday was added. He said he then went to the Selectmen's Secretary and asked her how she came to this and she said she asked one of the board members if they approved Juneteenth and was told they approved it. He said the member may have been thinking that it was approved through the union contract and they added that holiday and it was ratified and approved by the board and approved by the town voters. So yes the union people do have the Juneteenth off he said.

He said he spent pretty much all of Thurs. morning on the phone with Mr. Vachon and Mr. King and based on the confusion that led to it they gave the employees that day this year and it doesn't mean it would be the same next year depending on how the board votes tonight. He asked the board to vote on it to make it official whether its yea or nay and then they know going forward.

Mr. King asked if he couldn't find any official record of either board voting to make it a holiday for all Town employees and if it's just in the Teamsters' contract.

Mr. Dickie said just the Teamsters.

Mr. King said at this point the board has to consider making a motion to make it for all the rest of the Town employees. He said it's a federal holiday and we recognize every federal holiday.

Mr. Dickie said yes.

Motion: (Morin, second Titus) that we recognize Juneteenth as a federal holiday for our employees thus giving them the day off;

Discussion: Mrs. Titus said she wished they had more notice saying they had Monday off and the Rec. Dept. and other depts. have community members coming in and at the Rec. Dept. a few people were struggling to find day care. She said if they approve this next year the Rec. Dept. should put something out there saying they have June 19 off.

Mr. Dickie said he had Mrs. Dickie-Yelle post it at the beginning of last week on the Town website.

Mr. King asked if all of the employees thought they had it off.

Mr. Dickie said yes.

Mr. King said that notice should have already been given because the employees were under the impression that it was approved and they had the day off.

Mr. Dickie said Mrs. Dickie-Yelle said she posted it on Face book and on the Town website back at the beginning of the week.

Mr. King said part of the problem was the staff was operating under that it was approved so when it was found out that it wasn't approved late last week Mr. Dickie called him and he said they can't go back on what they had been led to believe and they would have to take the day off and then take a vote to clarify it. He said there may have been some discussion with no vote and asked Mr. Dickie if he found a discussion with vote in the meeting minutes.

Mr. Staples said he went back and looked at the notes that he writes and when they accepted the Teamsters' contract they talked about having to change the Town policy to make it fair but apparently they never made a vote to make it (consistent).

Vote: the motion passed 4-0.

Mr. Dickie said just to make it clear to the board as this gets more traction it gets harder for the Town to make transactions especially in the Town Clerk's office because she has to deal with the state and once this gets traction they may have come in on a day to catch up because you couldn't register your vehicles and the bank is not open and you can't deposit anything.

Public Hearings-Mr. King closed the public hearing regarding the Municipal Planning and Zoning Grant Program for the amount of \$135,740 at 6:32 p.m. He said at this point the board should make a motion to accept this grant and then made the following motion:

Motion: (King, second Staples) to accept this InvestNH Municipal Planning and Zoning Grant for \$135,740 passed 4-0.

Mr. King then closed the public hearing regarding us considering the purchase of a piece of land regarding Lot #1 Parcel A at the Malcolm Bradsher's auction next week at 6:33 p.m. He said not hearing any comment from the public he would make the following motion:

Motion: (King, second Staples) to authorize the Town to be a bidder at that auction;

Discussion: Mr. Dickie asked everyone to understand that they have a second public hearing coming 10 days from today which is a follow-up 2 days after the auction.

Mr. King said at this point they would be a bidder at the auction and have met the public notice requirement to close on the property because they will not have closed on the property at that second hearing.

Vote: the motion passed 4-0.

Mr. King said at this point both public hearings are concluded and completed.

Age Friendly Action Plan for Farmington- Mr. Dickie said he e-mailed a copy of this plan to the board. He said it is a plan they are working on through the Strafford Regional Planning Commission to see what the Town can do in addition to what they're already doing for people

age 55 and above and for the younger children. He said they were looking for input from the Select Board, Public Works, Con Com, EDC and he sat in on a meeting on Thurs. with Planning Director Kyle Pimental and SRPC Senior Regional Planner Angie Cleveland and she went down through where they were at and it sounds like it was worked on predominantly by Mr. Pimental and Ms. Cleveland with a little bit of input from the Rec. Dept. Director and they'd like to get it finalized so he sent a copy to them by e-mail for review.

Selectmen said they didn't receive it and Mr. Dickie said he would send it out again tomorrow. He asked the board to review it and send their comments or feedback to him. He said he asked Mrs. Rogers to put a questionnaire out at their Bingo sessions which are predominantly attended by seniors and what better place to get feedback from them on things they would like to see done differently and what things they would like to see the Town do for them and how we can better service the seniors. He said he is waiting for those comments to come back and then he will feed them to this committee as well.

Mr. King asked if it was going to be submitted for a potential grant.

Mr. Dickie said yes but she didn't clarify what grant she is going after to get some money for the Town to help improve things for the seniors.

Mr. King said the board needs to look at that and see if they can add some good content to that if its going for a grant.

Municipal Offices/Town Hall Grants-Mr. Dickie said he attended another meeting on funding and they are going at it in a couple of different directions. He said for this building and for the Town Hall for the grant monies they would be working with the Town of Milton because they have 3 buildings and they would have a grant if they have 5 or more buildings so we are going to piggyback with Milton to go after that pool of money. He said they are also going to go after monies for the Town Hall separately and see which one comes first. He said they would be applying for \$25,000 for an energy study for both buildings so that kind of grounds us as to what improvements need to be made to make us more energy efficient and then we progress up the path to then go after up to \$1 million per building for refurbishments.

Mrs. Morin asked if we haven't done an energy audit for our buildings.

Mr. King said we did one here back when the outside heat pumps were put in and to pull that out if he can find it and maybe they can use it to come up with a better estimate. He said he couldn't recall one being done at the Town Hall.

Mr. Dickie said he has a form he needs to fill out that asks about the heating system and what we have and he will look for that study and put that in there as well.

Mr. King said this was supposed to take care of the heat and air conditioning all year long and our boiler which was in need of repair was just going to be the emergency backup and through the winters we've been running on it to supplement this. That wasn't the design intent and it made us stay reliant on our old boiler which was at the end of its life so we never got rid of that infrastructure that we're still maintaining. So whether this can be revamped to a higher level or

we need to put in a new system he said.

Mr. Dickie said he is continuing down that path trying to get some monies to get these things refurbished and get them back to where they need to be.

The TA Will Be Out of the Office- Mr. Dickie said he will be up in North Conway from Wed., June 21st through Fri., June 23rd and he will have his phone and if they need something to text him and he will be monitoring his e-mails. He said he would be in tomorrow and Wed. morning and he would set the agenda for next week's meeting so if they have any thoughts or ideas to send them to Mrs. Dickie-Yelle at the front desk to help set up the agenda and he will get with her Thurs. afternoon and Fri. morning to make sure its solid and then he will have her post it.

7). Next Meeting: Monday, June 26, 2023

8). Non-Public Session A:

Motion: (King, second Titus) to enter non-public session under RSA 91-A: 3 II (c)Reputation passed 4-0 by a roll call vote (King, Titus, Staples, Morin-aye) at 6:41 p.m.

Motion: (Morin, second Titus) to come out of non-public session passed 4-0 at 7:12 p.m.

9). Non-Public Session B:

Motion: (King, second Titus) to enter non-public session under RSA 91-A: 3 II (d) Acquisition, Sale or Lease of Property passed 4-0 by a roll call vote (King, Staples, Morin, Titus-aye) at 7:12 p.m.

Motion: (Morin, second King) to come out of non-public session passed 4-0 at 7:26 p. m.

10). Non-Public Session C:

Motion: (Morin, second Staples) to enter non-public session under RSA 91-A: 3 II (c)Reputation passed 4-0 by a roll call vote (King, Staples, Morin, Titus-aye) at 7:26 p.m.

Motion: (Morin, second Staples) to come out of non-public session passed 4-0 at 7:35 p.m.

11). Non-Public Session D:

Motion: (King, second Titus) to enter non-public session under RSA 91-A: 3 II (c)Reputation passed 4-0 by a roll call vote (King, Staples, Morin, Titus-aye) at 7:35 p.m.

Motion: (Morin, second King) to come out of non-public session passed 4-0 at 7:42 p.m.

12). Non-Public Session E:

Motion: (King, second Titus) to enter non-public session under RSA 91-A: 3 II (c)Reputation passed 4-0 by a roll call vote (King, Morin, Titus, Staples-aye) at 7:42 p.m.

Motion: (King, second Titus) to come out of non-public session passed 4-0 at 7:47 p.m.

13). Non-Public Session F:

Motion: (King, second Morin) to enter non-public session under RSA 91-A: 3 II (I) Consideration

of Legal Advice passed 4-0 by a roll call vote (King, Morin, Titus, Staples-aye) at 7:42 p.m.

Motion: (Morin, second Titus) to come out of non-public session passed 4-0 at 7:53 p.m.

14). Adjournment:

Motion: (King, second Morin) to adjourn the meeting passed 4-0 at 7:53 p.m.

Kathleen Magoon
Recording secretary



Charlie King, Vice Chairman

Penny Morin

Ann Titus

Douglas Staples