

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, July 17, 2023
356 Main Street-Farmington, NH 03835

Board Members Present:

Charlie King, Vice Chairman
Ann Titus
Doug Staples
Penny Morin

Others Present:

Ken Dickie, Town Administrator
Ed Brannan, Highway Dept. Supervisor
Blanche Tanner, resident
Scott Orlando, Police Chief

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:

Resident Blanche Tanner said she was not questioning the board's decision to purchase the land for the well area but her question was about the money factor. She said if she understood correctly, it's \$330,000 and that \$90,000 was coming from the American Rescue Plan Act funds and asked if that \$90,000 was excess money or if other things are being cut back to make that \$90,000.

Mr. Dickie said the \$90,000 was unassigned and there was about \$114,000 unassigned.

Ms. Tanner said then they said there was \$240,000 coming from the water capital fund and asked what water fund that is.

Mr. King said we have a capital reserve fund which is managed by the Trustees of the Trust Funds and we have another capital account that was managed internally. He said the account that was managed internally used to be called the Water Dept. NOW account because it had a money market account back when Dale Sprague was here but that excess money was in a capital account that was managed by the Town. That is the account that the \$240,000 is going to come out of and currently there is \$250,000 in it he said.

Mr. Dickie said there is \$250,000 in the account and they left \$10,000 in it.

Mr. King said the board has talked about dissolving it and potentially putting that \$10,000 in the capital reserve fund that is with the Trustees of the Trust Funds. He said it was separate but for all intense purposes it should have been with those reserve funds managed by the Trustees.

Ms. Tanner said so there was no designation for that money originally it was just there to be used for whatever purposes.

Mr. Dickie said it was meant to be used for the water.

Ms. Tanner said she is on the Town water system so she knows the importance of the water and she is not questioning that she is just trying to understand where the money was coming from. She asked if the money in the capital fund was put in there by the water users.

Mr. King said yes, it is all user money. He said they have applied for a grant that potentially can reimburse that.

Mr. Dickie said it would pay 50% of what we paid to purchase the land that the well resides on.

Mr. King said if we're awarded that grant then the money can go back into the capital reserve account for the water users.

Ms. Tanner asked if the search is still going on for a new well.

Mr. Dickie said yes, the topographical study was done, they are working on the engineering right now and the state hasn't signed off on the paperwork yet and that is supposed to be signed in August. He said in the meantime they have Emery & Garrett Groundwater Investigations and Underwood Engineering doing their engineering portion of it and they have been covering that using some money from the ARPA funds.

He said once we get the ARPA funds from the state which was \$1.44 million to replace what we spent out of what we given so we don't hurt any projects in the town they already had designated for. He said they want to keep that moving forward because they used the water fund to cover the land which they can't use anymore of because they want to keep the \$10,000 in there.

Mr. King said the current location is up by Wells #4 and #5 not to say that couldn't change based on something that comes up through the engineering side. For right now the proposed location is up behind Rite Aid in that area he said.

Ms. Tanner said which would be nice because the water has been a little bit brown lately. She then asked about the Community Power Program Committee that has been formed and if she understood correctly that they are gathering information and something will be presented to the voters in March.

Mr. Dickie said the committee was just put together and they had a kickoff meeting last Tuesday at 5 p.m. and they will be moving them into the public sector so they can have Mr. Hall televise it for them so the community can see it. He said that was just a kickoff meeting to better understand how to get to where we want to be which is presented to the board to get their yea or nay on whether they support the endeavor or not and then if they pass it, it will go on a warrant article for the voters to vote on.

Ms. Tanner said several months ago somebody brought up about information on the various committees in town like the Tax Increment Financing District, the Master Plan and the Capital Improvement Plan and asked if those committees are functioning and working or being formed.

Mr. Dickie said they need to engage them.

Mrs. Morin said they are actively seeking people to join the committees and they have it on our

Cable TV station.

Mr. King said the CIP Committee would have to be revived to do the next CIP. He said the TIF District they have some grant funding to revise that with updated information and that's in the works.

Mr. Dickie said he believes that is in the grant that they just got.

Mr. King said it was originally set up several years ago and money has been set aside and the goal was to bring sewer out to Rt. 11 but the cost estimates need to be revised because of today's costs so that has to be re-looked at and that's funded by a grant.

Ms. Tanner said there was some discussion when the Master Plan was being worked on that it would be good to have a committee following the Master Plan and she was just curious. She said on School St. and Church St. there are people going the wrong way many times and there are One Way signs there and she is not sure what the problem is. She said she knew they could put up 100 signs and people are either going to look at them or they're not.

She said there is that big sign right at the beginning of School St. right at Memorial Drive that says Do Not Enter and people are going up there all the time to go to the school and if that is supposed to be a 2 way there then that sign should be taken down. She said at the top of the hill past the school there is another sign on a pole that says One Way-Do Not Enter but people are going all the way up and they're not always stopping at the school. My concern is I live there and there is going to be an accident there at some point.

She said the same thing for Church St. but she didn't know if people are coming from one of the side streets to do half way on Church St. or if they live there and are coming up that way because it's more convenient but there are a lot of kids around there and she was concerned about that. I don't know if there's anything we can do about that but I would put it on the list of things to think about when you look at the Town roads she said.

Mrs. Titus asked if there is a certain time that this is happening.

Ms. Tanner said it could be anytime.

Mrs. Titus said she was going to suggest having the School Resource Officer there at 2:30 p.m. Police Chief Scott Orlando was in the audience and said it is not happening during school drop-offs and pick-ups but he concurred that people are distracted, looking and the dirt, the washouts and the markings on the tar have faded and the sign needs to be updated to something larger and brighter to get the people's attention.

Mr. King asked if that is something that he and Mr. Dickie can review to see if we need to add, change or make some signage improvements out there to prevent this before we start going out there and try enforcement actions. He asked if this is something they could review and say this is deficient or its okay and it's now going to be an enforcement issue.

Chief Orlando said yes.

Ms. Tanner said it's not always during the school time and she wasn't blaming the school as there are different times of the day when it happens but there are kids playing up and down

the street and her concern is somebody is going to get hit there. Sometimes they come fast down thru there she said. She thanked the board for their time and returned to the audience.

4). Review of Minutes:

July 10, 2023-Non-Public Sessions A, B, C & D:

Motion: (Titus, second Morin) to accept the minutes as written;

Amendment to Non-Public Session A: by Mrs. Morin to have "Jr." put after the name of the employee that they hired because they already hired his father.

Mr. King said he agreed and that should be changed.

Vote: the motion passed 4-0 as amended.

Motion: (Morin, second Titus) to seal Non-Public Session D for 3 years under (C) Reputation passed 4-0.

June 26, 2023- Public Session & June 26, 2023- Non-Public Session A-moved to public- the board did not receive these minutes

Motion: (King, second Morin) to table these minutes to the next meeting passed 4-0.

5). Old Business:

Kodiak Group- Mr. King asked if they were going to discuss this matter in non-public session.

Mr. Dickie said they have a proposal to the Town that they should discuss in non-public session to protect their reputation.

Motion: (Morin, second Titus) to table this to non-public session passed 4-0.

Walden Renewables PILOT Agreement- Mr. Dickie said he went back to his computer after they came in last week and checked his e-mails and the latest one, they sent in was back in March so he contacted Dale Knapp to make sure that was the latest PILOT agreement they had put forth to the board and it was so he sent it to Attorney Keriann Roman. He said she sent back some amendments that he forwarded to Mr. Knapp and he is entertaining those changes and then he will send it back to him so he can compare it to what Att. Roman wants. As soon as I have that I will bring that to the board he said.

Community Power Update- Mr. Dickie said they had their first kickoff meeting and the Community Power Group was there to explain that it is an opt-out program not an opt-in so everybody is in unless they want to opt out. He said there are ways to opt-out through e-mail, phone calls, etc. but it does cover Eversource and the Electric Co-op so it's not just exclusive to Eversource and it also includes the businesses it's the whole community. He said in that meeting there was talk about reaching out to other communities and he said the board has already talked about that and authorized him to go out and talk which he has done. He said he talked to Milton and New Durham and they are interested but need more information so he invited them to their next meeting which is on Aug. 1 so they can gather more information. I reached out to Rochester and they are already pursuing their own endeavor and I reached out to Alton and I haven't heard back from them yet he said.

He said he had an interesting request from New Castle and a former board member Mr. Scruton is the acting Town Administrator for them so he asked if he could participate in that. He said Mr. Scruton is going to put a meeting together and he will probably attend that to get a flavor of where they are at but the more population, we get the better rate we're going to get. Mr. Dickie said they are entertaining going up to a 5-to-7-member committee and right now they have 4 members.

Mrs. Morin asked if these other communities want to take part in this if they're going to be part of the committee as well.

Mr. Dickie said they will come to the meetings we have but they will also have their committee meetings to develop what their towns are looking at for the needs of their town because there are different requirements. He said for instance, Keene wanted 100% clean energy and some other towns might not want to be that stringent and maybe they say 50/50 or maybe they say just give me the lowest price it doesn't matter. That is something the communities need to develop on their own to determine what rate they would get but the overall rate would still be determined by the overall population of the total committee.

Mrs. Morin asked if our community members already participate in an energy program like Direct Energy if they would get both or if they could only have one.

Mr. Dickie said if you're locked into your contract you may have to serve out your contract.

Mrs. Morin said those folks would automatically have to opt-out and then opt-in later.

Mr. Dickie said that's right but they would have to notify them that they are already in a contract and they can't opt-out of that contract so they are going to have to wait. He said the other thing they learned is anybody that does opt-out they can come back in and there is no fee and you can opt-in and opt-out any time you want and there are no fees associated with that. He repeated that their next meeting is on Tues., Aug. 1 at 5 p.m. and they are looking for 3 more committee members.

Brownfields Assessment Former Fire Station- Mr. Dickie said for the second round of evaluating of the former fire station property we were awarded \$80,000 and they wanted to do the presentation at old fire station. He said at a previous meeting he said they were going to do it earlier but the federal government hadn't signed off on the debt ceiling so now that's been signed and they are now coming Wed. at 10 a.m. to do the presentation to award the Town \$80,000 to assess the property for hazardous materials.

Mr. King asked if that is a Level II site assessment.

Mr. Dickie said yes.

Mr. King said they already completed the Level I which is a surveillance audit not a physical audit and this will be a physical audit with test borings and diggings.

Mr. Dickie said that's correct. He said any of the board members that are available are invited to attend the presentation at 10 a.m. Wednesday at the old fire station.

6). New Business:

Planning Services Agreement- Mr. Dickie said he got this Planning Services Agreement from the Strafford Regional Planning Commission and that is the contract with the Town to expend the grant agreement that we approved which he signed and sent back to them. He said the dollar values line up as \$135,740.

Mr. King said that has an attachment which shows what monies are going to be spent for what items.

Mr. Dickie said yes.

Mr. King gave a copy of the agreement to Ms. Tanner because it talks about some of her questions.

Mr. Dickie asked if the board approves it and if so to authorize him to sign it.

Motion: (King, second Morin) to approve the budgetary agreement with the Strafford Regional Planning Commission for the grant of \$135,740 and approve Ken Dickie to sign it on behalf of the Town passed 4-0.

Conflict Waiver Farmington and Strafford- Mr. Dickie said Att. Roman is representing Strafford as well as Farmington and Strafford notified Farmington and he put it in their packets that their intent is to put a couple of cell towers up on Blue Job mountain that could be visible to residents in some areas of Farmington. He said Att. Roman would see that he signs this so if it comes down to a conflict she will step away and get someone else to represent.

Mr. King asked if this was saying we don't feel that she is conflicted or saying that we feel she's conflicted and needs to put somebody else in place.

Mr. Dickie said it's saying that if it comes down to a conflict between Farmington and Strafford that she would have to step away.

Mr. King said if there's a conflict and then made the following motion:

Motion: (King, second Titus) to authorize Ken Dickie to sign on behalf of the Town regarding the Conflict of Interest Waiver for Keriann Roman who is working at Drummond Woodsum;

Discussion: Mrs. Titus asked if the abutters know this is going on.

Mr. King said yes and it's going through the Planning Board this week there's a public hearing and he is sure the abutters have been notified.

Mrs. Titus said it could reflect on the price of their property if they have any kind of scenic views around there.

Mr. Dickie said Kyle Pimental said someone from his office (SRPC) is working with Strafford so he was going to get information from them to present to the Farmington Planning Board.

Mr. King said that is on their agenda for Wednesday.

Vote: the motion passed 4-0.

Eastern Propane Contract 09/23-05/24- Mr. Dickie said one day he showed this to Mr. King and he asked how do you know this is a good deal which got him thinking that his gut feeling was that it is. He said at the Community Power Committee meeting one of the member's said

Milton is entertaining putting together a larger group for oil and propane so he gave him a name to contact which was the Superintendent of the Milton School District. He said he contacted him and asked if we can piggyback on their oil quotes to see if they can get a better price knowing the situation going on up at Memorial Drive and he said they would entertain that. He said he gave him our information and he would send him our oil usage to try to get a better quote from a multi-community process rather than just from Farmington.

He said he also told him that we got a quote for propane that came in at \$1.809 per gallon and he asked who we dealt with and they have been dealing with Eastern Propane and they didn't get anything like that. He said he gave him the name of the person he deals with and she replied back to Milton and the other community with them that if they lock in they will get the same price as they are offering Farmington. It is a good price he said.

Mr. King asked for our total usage of propane.

Mr. Dickie said it's not quite to 10,000 gallons but its real close. He said the biggest user is the Public Safety Building because that is heated with propane.

Mr. King said he didn't think there was any way they could be burning 10,000 gallons down there.

Mrs. Morin said that's for the whole Town's (municipal) usage.

Mr. King said Mr. Dickie said that's the largest user and they would have to look at the breakdown when we get to budget season. He estimated the building is probably using 500 gallons a month in the dead of winter.

Me. Dickie said it also covers their generators and it's not a heavy usage but it covers more than that we use propane here and in some instances our generator.

Mr. Staples asked what they use at the Water/Sewer Dept.

Mr. Dickie said they use propane for the generator there.

Mr. Staples asked what they use to dry out all the sludge.

Mr. Dickie said he thought it was electric.

Mr. King asked if the board was comfortable making this decision regarding the propane.

Motion: (Morin, second Titus) to do fixed pricing with Eastern Propane at \$1.809 per gallon from September through May;

Discussion: Mr. Staples asked if this also covers the Town employees too like it used to.

Mr. Dickie said they don't get this price their discount price is based on their usage.

Mrs. Morin asked if it's not to exceed 10,000 gallons and that's what they're contracting for- 10,000 gallons. She said they don't have to use 10,000 gallons but if they go over that it's...

Mr. Dickie said then they go back to the regular market price.

Mrs. Morin said so it's better to have too much than not enough.

Mr. Staples asked if she authorized Mr. Dickie to sign it.

Amendment: by Mrs. Morin to authorize Ken Dickie to sign it.

Vote: the motion passed 4-0.

Review of Auctioneer Services Request for Proposals- Mr. Dickie said at the last meeting the board requested that he put an RFP together for the auctioneer services and he drafted one and sent it to Att. Roman and it came back with some changes. He said he made the changes and put it in the board's packets for them to review. He said if the board was good with it he will send it out to the auctioneering firms.

Mr. King asked how many firms he had on the list.

Mr. Dickie said he went online and it looked like there were 4 or 5 in the immediate area which would include who they dealt with (for the well land) and in Manchester, North Hampton and the surrounding areas.

Mr. King asked if he included the one Mr. Staples suggested.

Mr. Staples said the name of the firm is NH Tax Deed Auctions.

Mr. Dickie said he would include them as well.

Mr. Staples said they charge 10% to the buyer and they charge the Town nothing.

Motion: (King, second Titus) to approve the draft RFP to go out for auctioneer services;

Discussion: Mrs. Morin said the last page has dates on it of 2020 (Section 5.2 Calendar Events) and asked if that is just an example.

Mr. Dickie said he would change that. He said he hasn't changed the dates yet and he wanted to get the general gist of it to the board.

Amendment: by Mrs. Morin: and to approve it after the corrections are made

Mr. King accepted the amendment.

Vote: the motioned passed 4-0.

Hornetown Bridge Bond Documents Signing- Mr. Dickie said last Friday he got an e-mail from Att. Steve Whitley who is our bond legal representation from Drummond Woodsum that the bond was approved and it came in at 2.98%. He said we will still get the \$1.4 million overall loan but the with premium discount we will only have to pay back \$1,258,413 in principle. He said the premium is one of the benefits of going through this process using a bond and based on our good standings in the market we were able to get that premium.

He said the paperwork should be in his hands tomorrow or Wednesday. He said they talked about if he gets it tomorrow, he will post a meeting for Wednesday for 4 p.m. if everybody can be there and they will have a signing meeting. He said if not then they will have to move it to Thursday. I have to have it back in legal's hand by July 25 to get this to go through he said.

Mr. King said so that's what they'll do then. He said the last time they went out for a bond they had a success also and the Town does have a good bond rating and the bidding caused that to be a reduction of the principal we have to pay back which is in essence 10%.

Hay Day Vendors Wanted- Mrs. Morin said they are still looking for Hay Day vendors and the last day to sign up to be a vendor for Hay Day is July 21.

Mr. King noted that is the end of this week.

Mr. Dickie said they did do the layout at the park and everything went well from he can tell. He

said he talked to Fire Chief James Reinert and he wasn't able to attend but everything looked safe with a good opportunity to drop off people and pick people up. It looks like it was laid out quite well from what I was told he said.

Kudos to Public Works- Mrs. Morin said when she went out looking the Farmington roads held up well through the rain and they did a great job.

Mr. Dickie said everything that they have ditched so far has worked and when he came down over Cardinal hill, he didn't see any gravel on the road like we've seen in the past and we had some significant rain yesterday.

Mr. King said going down Meetinghouse Hill Rd. going towards town there is a culvert on a driveway on the right-hand side that must be plugged. He said they had ditched in it but it was running over it.

Highway Dept. Supervisor Ed Brannan said there are a few culverts that have to get cleaned out. He said the Fire Dept. is going to help them with some of them and try to push it through.

Mr. Dickie said in answer to a question earlier yes, they did some grading on a Saturday. He said Mr. Brannan called him and said they had an opportunity to do some grading because he had a worker that volunteered to work the overtime to grade and their typical 3-man crew was down to a 2-man crew based on 1 being out on a leave of absence. He said based on they are trying to best utilize the rubber-tired excavator as much as they can best, we leased that and they have that kind of money going out for a piece of equipment so when one can run it, he wants it run. He said he called Mr. Vachon and went over it with him and he said he fully agreed so he then authorized Mr. Brannan to grade the lower end of Ten Rod Rd. on Saturday and he wanted to inform the board. Maybe on Face book you've seen some comments but typically if we had our full crew, we wouldn't have the need to but based on the manpower issues that we're facing we have to do what we can when we can and Lord knows it's been a rainy season and we haven't always been able to get out there and grade as we wanted to so I authorized him to do it on Saturday he said.

Mrs. Morin thanked him for that.

Mr. King said on the grader, if John (Town mechanic) was successful in getting a quote for the replacement part.

Mr. Brannan said no there was nothing available.

Mr. King said that is repairable but if they can find a piece for \$3,000-\$4,000 they're probably going to be into it the same amount of money on the repair. It can be repaired but it is going to be some work he said.

7). Next Meeting- Wednesday, July 19, 2023 at 4 p.m.

Next Regular Board Meeting- Monday, July 24, 2023

8). Non-Public Session A:

Motion: (King, second Morin) 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 6:37 p.m.

Motion: (Morin, second Titus) to come out of non-public session passed 4-0 at 6:59 p.m.

9). Non-Public Session B:

Motion: (King, second Morin) 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 6:59 p.m.

Motion: (Morin, second Titus) to come out of non-public session passed 4-0 at 7:25 p.m.

10). Non-Public Session C:

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

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

11). Non-Public Session D:

Motion: (Morin, second Titus) to enter non-public session under RSA 91-A: 3 II (L) Consideration of Legal Advice passed 4-0 by a roll call vote (King, Staples, Morin, Titus-aye) at 7:44 p.m.

Motion: (Morin, second Staples) to come out of non-public session passed 4-0 at 8:10 p.m.

12). Adjournment:

Motion: (Morin, second King) to adjourn the meeting passed 4-0 at 8:10 p.m.

Kathleen Magoon
Recording Secretary



Charlie King, Vice Chairman

Ann Titus

Douglas Staples

Penny Morin