

Town of Farmington  
Conservation Commission Meeting Minutes  
Wednesday, July 10, 2019

**Commission Members Present:**

Laura Bogardus, Chairman  
Randy Orvis, Vice Chairman  
Bill Fisher, Secretary  
Ann Titus, Selectmen's Rep.  
Richard Ballou  
Tom Sorensen

**Commission Members Absent:**

Michelle Elbert

**1). Call to Order:**

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

**2). Pledge of Allegiance:**

All present stood for the Pledge of Allegiance.

**3). Public Comment:** None

**4). Review of Minutes:**

June 12, 2019 – Page 2, 9<sup>th</sup> line – add an "s" to "believe"

**Motion:** (Fisher, second Titus) to accept the minutes as amended passed 4-0-2 (Orvis, Ballou abstained).

**5). Old Business:**

**Hay Day** – Ms. Bogardus said she has not heard from Seacoast Eat Local as to whether the Seacoast Area Mobile Market (SAMM) van will be attending Hay Day but there is a spot reserved for them if they want to use it.

She said she is trying to find tables and chairs and pop-up tents for the booth spaces.

Mr. Fisher said he has a pop-up tent.

Ms. Bogardus said she e-mailed PIP Rental to see what was available for rent there.

Mr. Orvis said he may be able to get a table out of storage for the members to use.

He said he would be at Hay Day this year but will be wearing 2 hats as he will also be helping out the Tri-City Trailblazers ATV Club with recruiting new members and getting the word out to landowners who may be interested in allowing their land to become part of the trail system. He said he asked to be placed next to the Con Com booth and that he felt they will attract people to that area with the maps, literature and ATV's that will be on display.

Mr. Orvis said that they have signed on an important landowner, Johnson's Restaurant in New Durham who will anchor the north end of the trail. He said they met with the New Durham Board of Selectmen (BOS) on Tuesday morning to discuss getting permission to use some the

town's Class VI roads as part of the trail system. With one more landowner's permission and permission from the Town of New Durham and from the state to use the right-of-way along Route 11 we will have 5 miles of trails that brings us to the Farmington town line he said. Mr. Orvis said from there they are considering a couple of different routes but that generally it will run parallel to the Mad River as you come into Farmington and then run parallel to Ten Rod Road and may split to go on both sides of the road but that hasn't been determined yet because they have to figure out how to go around the Dubois conservation property. He said they are also looking into including some off shoots off the main trail to bring people into the Village Center, to the Irving gas station and the Farmer's Kitchen areas of Route 11 and into Rochester.

Ms. Bogardus asked which side of the Con Com booth the ATV Club's booth will be on.

Mr. Orvis said he just submitted his application and did not know yet.

Mr. Fisher said it will be a busy day for everyone and that he will be wearing 3 hats as he attempts to help out the Goodwin Library with their book sale and at the Con Com and the Farmington Downtown Revitalization Steering Committee booths.

**Any Other Old Business** – None

#### **6). New Business:**

**Revised Leary Conservation Easement** – Chairman Bogardus said she received the revised Leary Conservation Easement and sent it to the Town Administrator who sent it to the Town Attorney who made some legal edits to the documents. She said when she received it back from the Attorney she returned it to **Moose Mountains Regional Greenways (MMRG)** to review. She said that she and former Con Com Chair now Selectmen Dave Connolly reviewed the 44 page document. She asked the members to vote to accept the easement and then make a recommendation to the BOS that they accept it and move ahead with it at their July 22 meeting. This will be contingent on MMRG and the **Land and Community Heritage Investment Program (L-CHIP)** approving the edits made by the attorney she said.

Mr. Fisher asked if the commission was looking to say they agreed with the revised edition of the easement.

Mr. Orvis asked if they received a copy of the edited document with edits highlighted so they could see the changes.

Chairman Bogardus said she received a copy of the documents in a digital format and that it appeared that the Attorney only added to the deed and didn't make any corrections or strike-outs. The easement still hasn't come back from MMRG and L-CHIP but if they could go ahead and vote to accept it as edited and then the BOS can vote on it she said.

**Motion:** (Fisher, second Ballou) to accept the revised Leary Conservation Easement with the edited changes and to provide a letter to the Board of Selectmen of our agreement with the document passed unanimously.

Mr. Fisher said this will put approx. 60 acres of land into conservation and that it is beautiful

country there and he would hate to see it used for a subdivision. Its prime agricultural land for this state he said.

Ms. Bogardus said that Mr. Sorensen was recently there filming the haying of the fields and it was beautiful.

Mr. Orvis said there is a large nesting ground there for Bobolinks and that last year Mr. Leary reported 500 nesting pairs in his fields.

Chairman Bogardus said she would draft a letter of recommendation and forward it to the BOS.

**B. H. Keith Service Agreements**- Chairman Bogardus said Environmental Consultant Barry Keith sent copies of the 1 year and the 2 year service agreements and suggested the commission agree to a two year contract. She said they discussed going with a multi-year contract previously but the idea was rejected by the Selectmen and whichever one they agree to this time is the agreement they will go with.

Mr. Orvis said he would prefer to go with a 2 year contract so that the contract doesn't run out in the middle of a project.

Chairman Bogardus said the service agreement for the management of the Town Forest has run out as the date of service was June 1, 2018 to June 1, 2019 and the work has already started.

Mr. Orvis said he thought the commission should try to convince the Selectmen to approve a 5 year contract. He then added that Mr. Keith is about the same age as he is and may not be in this business 5 years from now.

Ms. Bogardus said she didn't know what the Selectmen's concern was with the 2 year contract.

Mrs. Titus asked if Mr. Keith would have offered the commission a 3 to 5 year contract.

Chairman Bogardus said she did not ask him that and that she was hoping to get a 2 year contract for now.

Mrs. Titus said she would not agree to a 5 year contract but would consider a 3 year contract with Mr. Keith.

**Motion:** (Orvis, second Fisher) to recommend to the Selectmen that they approve the 2 year contract;

**Discussion:** Mrs. Titus asked about the pricing for the agreements and if it is worth it to go to a 2 year contract.

Chairman Bogardus said she did not have the information for the 2 year contract.

Mr. Fisher said Mr. Keith goes above and beyond his agreements and he didn't believe that he charges for everything that he does out there. We get our bang for our buck and that is why I like using BH Keith services (Associates) he said.

Mrs. Titus said it may be more cost effective to go with a 2 year contract even though Mr. Keith is already going above and beyond and we thank him for that.

Mr. Orvis said he didn't think the price changes for the second year and asked if they are locked into an hourly rate for the length of the contract.

Chairman Bogardus asked if the members would like to have an opportunity to look at the

service agreements submitted by Mr. Keith.

Mr. Fisher said the only concern he could think of is the cost because their budget is done on a yearly basis and asked if there is enough money in their budget to pay for a 2 year contract all at once or if Mr. Keith is billing each year separately.

Mr. Orvis said a good share of his payment is per load of logs and doesn't come out of the money they have in the budget but from the money coming in. There are also other things he does for us that is paid by the hour that is not related to the logging. He recalled Mr. Keith's hourly rate being \$60 an hour which he said is absurdly low for a consultant.

Chairman Bogardus reviewed the paperwork and confirmed his rate is \$60 an hour.

Mrs. Titus said if the Selectmen approve the 2 year contract they would budget that money.

Chairman Bogardus said she only printed out the 1 year contract that was sent to her previously and that it is not something they pay for ahead of time but on an as needed basis.

Mr. Orvis said some of the services Mr. Keith provides could be paid for out of the independent conservation fund which is not part of their yearly operating budget.

Mr. Fisher said services Mr. Keith provides are conservation related and could be paid for from the fund but items such T-shirts or buttons would have to be paid from the operating budget. He recalled that the last time this topic was discussed he brought up going with a multi-year contract and the BOS did not agree to it. I believe if we present it correctly to them we can get them to go with a 2 year contract he said.

Mr. Orvis said his motion was to recommend the 2 year contract to the BOS and they don't have to take our recommendation.

Chairman Bogardus asked if it was possible for the commission to take a vote on each contract.

Mr. Ballou said to just send them (BOS) the 2 year recommendation.

Chairman Bogardus said if the BOS doesn't approve the 2 year contract she would still like to get a contract with Mr. Keith signed as soon as they can.

**Amendment:** (by Mr. Fisher) to add "and in the event the Board of Selectmen does not agree to the 2 year contract we recommend a 1 year contract"

Mr. Orvis accepted the amendment to his motion.

**Vote:** The motion passed unanimously.

**Fall Clean-up** – Chairman Bogardus said that previously the event has been scheduled in October and asked the members if they had a preferred date for the clean-up.

Mrs. Titus asked if it usually takes place on a Sunday and the Sundays in Oct. include the 6<sup>th</sup>, 13<sup>th</sup>, 20<sup>th</sup> and 27<sup>th</sup>.

Chairman Bogardus said Sunday afternoon seems to be a good day and time for the event.

Mr. Fisher suggested they avoid Columbus Day weekend (Oct. 12-14). He recommended they go with Oct. 20 with a rain date of Oct. 27.

Mrs. Titus asked for the time for the clean-up.

Chairman Bogardus said that previously they have conducted the trash pick-up from 1 to 4 p.m.

Mr. Fisher said that only gives them about 2 ½ hours of actual cleaning time.

Chairman Bogardus said that is pretty much all they need and she would check to see what was previously done.

Mrs. Titus suggested it is too bad there aren't more people to do dump runs while they are cleaning and asked if this has been an issue.

Mr. Fisher said they didn't want to keep the Transfer Station attendants past closing time (3:45 p.m.) although they did stay until about 4:30 p.m. last year because they got there a little late with the last load of trash. We covered quite a bit of distance and we had a large load to get there and get it unloaded he said.

Chairman Bogardus asked if the members wanted to expand the hours of the clean-up.

Mr. Fisher said he would like it to run from noon to 4 p.m. He said they meet at 1 p.m. and it is 1:30-1:45 p.m. by the time they get to the site and that only gives them about 1.5 hours to clean the roads. If we start at noon and hit the road by 12:30 p.m. that gives us more time for actual cleaning he said.

Chairman Bogardus said people are dragging by the time they start heading back after the 3 hour clean-up.

Mr. Fisher said hopefully they will have more participants this time instead of about a dozen people that showed up last time.

Mrs. Titus asked if they have asked any of the local organizations for help that day such as the Boy Scouts or people that need to do community service or for college credit.

Chairman Bogardus said they have contacted these groups and in the past the Boy Scouts and the National Honor Society students have participated in the event.

Mrs. Titus suggested they e-mail the school district and let them know they are looking for help with the clean-up.

Chairman Bogardus said the school district is interested in participating. She said that noon to 4 p.m. is a long time.

Mr. Fisher said if it runs until 4 p.m. they stop at 3 p.m. and it gives them time to get the loads to the dump.

Chairman Bogardus said then people are sitting around for an hour.

Mr. Fisher said they will be sitting around eating pizza for that hour.

Mrs. Titus asked if he needed more people to go to the Transfer Station with him to help unload the truck.

Mr. Fisher said 2 people can handle it. We have run 2 trucks at a time-one of the Town trucks and his pickup truck he said.

Chairman Bogardus said they should do that this year and they should also get some of the younger people to help with the unloading as they have more energy.

Mr. Orvis said he would use his UTV to clean Cocheco Road within about a mile of the dump.

Mr. Fisher said it takes about the first 30-40 minutes to get set up, give out the safety vests,

gloves and bags and conduct the safety lecture. He said Rochester conducts its clean-up day for 8 hours and they get a lot of volunteers and do other projects besides trash pickup.

Mrs. Titus said the 4-H and homeschoolers do community projects and suggested reaching out to them. She suggested they start by advertising it on Face book and get the contact information for all these groups.

Consensus of the members was to change the time to from 12 noon to 4 p.m.

**Any Other New Business** – None

**7). FYI:**

**Intent to Cut Notice for:** Tax Map R16, Lot 06, Chestnut Hill Road, landowner Burt Bargarelli, 20 acres to be cut out of a 27 acre lot, Forester- BH Keith.

**8). Upcoming Dates:**

August 14 – August Con Com meeting at 6 p.m.

August 17 – Hay Day

**9). Adjournment:**

**Motion:** (Orvis, second Titus) to adjourn the meeting passed unanimously at 6:40 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

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Laura Bogardus, Chairman