

# Town of Farmington

## New Hampshire

### Town Meeting Minutes

### March 14, 2018

Moderator, Michael Morin opened the meeting at 6:59pm with Boy Scout Troop #188 posting colors and leading us in the pledge of allegiance. Mike led us in a moment of silence for Sam Cataldo who passed away from an accident while serving on the Budget Committee. Ann Titus and Sylvia Arcouette, members of the Farmington Women's Club presented a plaque for "Woman of the Year" to Kathy Seaver for her dedicated service to the Town of Farmington. Linda McElhinney and Tami Larock from Goodwin Library recognized Kayla Morin for being named NH Children's Librarian of the Year. Mary Barron recognized outgoing Selectman Charlie King for his years of service to the Town as selectman for 9 years and service on several different boards. Mike then pointed out exits and explained rules for the meeting and that Article 3 needed 2/3 vote and would be open for an hour. He then read the results of Article 01: Election of officers and the Zoning Article.

#### **Article 01: Election of Officers**

To choose two Selectmen for three years, three Budget Committee for three years, one Treasurer for one year, one Trustee of the Trust Funds for three years, one Supervisor of the Checklist for six years, one Supervisor of the Checklist for two years, and one Moderator for two years. (Official Ballot) Election was held 3/13/18.

#### **Article 02: Zoning Amendments**

To see if the Town will vote to amend the Farmington Zoning Ordinance in accordance with the recommendation of the Planning Board as follows: (Official Ballot)

##### Amendment 1

To amend Zoning Ordinance Section 1.14 Definitions to add the definition of "shop front". "Shop front" is defined as follows: a shop front is a facade or entryway located on the ground floor or street level of a commercial building, typically including one or more display windows. A shop front functions to attract visual attention to a business and its merchandise or services.

Yes 250 No 50

#### **Article 03: Water Meter Replacement**

To see if the Town will vote to raise and appropriate the sum of \$588,000 for purpose of replacing the water meters served by the Water Department and to authorize the issuance of not more than \$588,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to and further to authorize the Selectmen as applicable, to issue, negotiate, sell and deliver such bonds or notes, and to determine the interest rate thereon and the maturity and other terms thereof; and further to authorize the Selectmen as applicable, to apply for, obtain and accept federal, state or other aid, grants or other funds, if any of which may be available for said project that may reduce the amount to be financed with bonds or notes, and to participate in the Drinking Water State Revolving Fund (DWSRF) RSA 486:14 established for this purpose, and to allow the Selectmen as applicable, to expend such monies as they become available; and to authorize the Selectmen as applicable, to take any other action or to pass any other vote relative thereto. Repayment of said loan to come from the Water Department Capital Reserve Fund which is self-funded by water rate revenues, no amount to come from taxation. Replacement of water meters is

contingent upon the Town's receipt of the DWSRF loan. (2/3 Ballot Vote required)

Board of Selectman Recommend: Yes

Budget Committee Recommend: Yes

Steven Henry motioned to accept Article 3 as written, seconded by Sylvia Arcouette. Town Administrator, Arthur Capello explained that this article is to allow the selectmen to explore how to get funding to replace water meters. Apply for grants, etc. Polls opened at 7:17pm open, closed 8:18pm. Article 3 passed as written with a vote of 70-8.

#### **Article 04: Purchase of a new Ambulance**

To see if the town will vote to raise and appropriate the sum of \$249,000 for the purchase of an ambulance and authorize the withdrawal of \$106,000 from the Emergency Medical Motorized Equipment CRF created for that purpose. The balance of \$143,000 is to come from the insurance settlement received. No amount to come from taxation.

Board of Selectman Recommend: Yes

Budget Committee Recommend: Yes

Tax Impact: .00

Steve Henry motioned to approve Article 4 as written, seconded by Dave Connolly. A short discussion ensued, Penny Morin asked how much money is left in the fund. Arthur Capello, Town Administrator, stated there is a fund balance of \$249,000.00. Article 4 was approved as written by show of cards vote.

There was a motion made to take Article 6 out of order by Neil Johnson, seconded by Ann Titus. Motion carried by show of cards vote.

#### **Article 05: Operating Budget**

To see if the Town will vote to raise and appropriate the Budget Committee recommended sum of \$6,650,341 for General Municipal Operations. This article does not include special or individual articles addressed separately.

Board of Selectmen Recommendation: Yes Budget Committee Recommendation: Yes

Estimated Tax Impact (-.12)

A motion was made by Steve Henry to approve Article 5 as written, seconded by Sylvia Arcouette. Discussion opened with David Kestner, Planning Board Chair, making a motion to increase the budget by \$7300 to bring the planner back to 30 hours per week, seconded by Rick Pelkey. Martin Laferte, Planning Board member, spoke in favor of Dan Desantis having his hours increased because of the difference he's made since being employed. The town administrator stated that the Board of Selectmen have discussed this matter and said they would find \$7300 in the current budget if they find it necessary to add those hours back. Penny Morin asked if this would be advisory if it passed. Arthur answered that it would. Penny then asked if the board ever discussed moving town meeting to Saturday which was asked at last years meeting and Arthur Capello, Town Administrator, said it was discussed and decided not to change it. David Kestner then asked why if the Governing body votes for something it is not followed. Mary Barron explained legislative vs governing body decisions. Penny Morin then asked why the hours were reduced. Town Administrator, Arthur Capello, stated that there was a backlog when Dan DeSantis came on board so they felt he needed the 30 hours to get caught up, and now 26 hours is sufficient. The Town Administrator and Board of Selectmen do not feel it is necessary at this time to increase the hours. The motion to amend Article 5 was defeated by show of cards vote. Article 5 as originally written was approved by show of cards vote. Tim Brown made a motion to restrict reconsideration of Article 5, seconded by Sylvia Arcouette. With no discussion, a vote was taken and the motion carried by a show of cards vote.

**Article 06: Add to Highway Equipment CRF**

To see if the Town will vote to raise and appropriate the sum of \$5,000 to be added to the Highway Equipment Capital Reserve Fund, previously established. This is to assist the town with the replacement of Highway Equipment.

Board of Selectmen Recommendation: Yes

Budget Committee Recommendation: Yes

Tax Impact: .01

A motion was made by Neil Johnson to approve Article 6 as written, seconded by Steve Henry. A motion was made by Neil Johnson, seconded by Ann Titus, to amend Article 6 to make the Board of Selectmen to be agents to expend for the Highway Equipment Capital Reserve Fund. This motion carried by a show of cards vote. Selectman Neil Johnson, then made a motion to increase the amount from 5000 to 55000, seconded by Ann Titus. Discussion ensued: Town Administrator Arthur Capello explained the reason they needed the money was that a plow truck caught fire that morning and is total loss. They need this amount along with insurance money to replace the truck. Manny Krasner asked for the fund balance, TA Arthur Capello indicated a balance of \$76,549. Steve Henry asked if they have a truck in mind. TA Arthur Capello said not yet and they don't want to deplete the fund because they need other new equipment in the near future. The best estimate for the new truck is \$97000 fully outfitted with \$40000 coming from the insurance claim.

Tim Brown asked if there would be a new truck by the next storm. TA Arthur Capello, said they are already getting an older forestry truck set up to use as backup. With no further discussion, the amendment passed by a show of cards vote. Steve Henry asked to update the tax impact with the new amount. \$.12 is noted as the new tax impact. Penny Morin asked if a private contractor was considered for the upcoming storm. TA Arthur Capello reiterated that they are already getting a back up truck ready and won't be rushing to buy a new one for next week. With no further discussion, Article 6 was approved as amended by a show of cards vote. We then went back to Article 5.

**Article 07: Recreation Equipment Fund CRF**

To see if the Town will vote to raise and appropriate the sum of \$2,000 to be added to the Recreation Equipment Capital Reserve Fund, previously established.

Board of Selectmen Recommendation: Yes

Budget Committee Recommends: Yes

Tax Impact: .01

Steve Henry made a motion to approve Article 7 as written, seconded by Sylvia Arcouette. Being no discussion, Article 7 was approved as written by a show of cards vote.

**Article 08: Add to Self Contained Breathing Apparatus Fund CRF**

To see if the Town will vote to raise and appropriate the sum of \$15,000 to be added to the Self Contained Breathing Apparatus Capital Reserve Fund, previously established to help offset the replacement cost of Self Contained Breathing Apparatus.

Board of Selectmen Recommends: Yes

Budget Committee Recommends: Yes

Tax Impact: .03

Sylvia Arcouette made a motion to approve Article 8 as written, seconded by Steve Henry. Manny Krasner asked if we have a good record of which funds the Board of Selectmen are agents to expend. Several answered that yes, it is well documented. With no further discussion, Article 8 was approved as written by a show of cards vote.

**Article 09: Master Plan Update CRF**

To see if the Town will vote to establish a Capitol Reserve Master Plan Update Fund under the provisions of RSA 35:1-c for the purpose of updating the town's Master Plan and to raise and appropriate the sum of \$20,000 to be placed in this fund. Further, to name the Board of Selectmen as agents to expend from said fund.

Board of Selectmen Recommends: Yes

Budget Committee Recommends: Yes

Tax Impact: .04

(Majority Vote Required)

Steve Henry made a motion to approve Article 9 as written, seconded by Sylvia Arcouette. Discussion by TA Arthur Capello to explain that the Master Plan is supposed to be updated every 5 – 10 years. Ours is currently 12 years old. The Capitol Reserve Funds are to start saving to fund the new Master Plan. Town Planner Dan DeSantis said they want to use a new approach, instead of a traditional chapter based plan, they intend to create a plan based on issues and how to address those specific issues. It is hopeful that this approach will save money. With no further discussion, Article 9 was approved as written by a show of cards vote.

#### **Article 10: Revaluation**

To see if the Town will vote to raise and appropriate the sum of \$25,000 to be deposited in the Town Revaluation Capital Reserve fund previously established. This sum to come from the unassigned fund balance. No amount to be raised from taxation.

Selectmen Recommend: Yes

Budget Committee Recommend: Yes

A motion was made by Steve Henry to approve Article 10 as written, seconded by Sylvia Arcouette. Selectman Neil Johnson explained that revaluation next year will run \$70000-\$80000. Penny Morin asked for the fund balance, it was stated to have a balance of \$25000. Angie Cardinal asked if all towns in the state require a reevaluation. TA Arthur Capello responded that it is required every 5 years by the state. Full list reassessment is much more expensive than statistical revaluation, so this will be a statistical one, with a full one in 5 years. With no further discussion, Article 10 was approved as written by a show of cards vote.

#### **Article 11: Police Outside Detail Special Revenue Fund**

To see if the Town will vote to raise and appropriate \$90,000 for the purpose of paying all expenses associated with payroll and equipment of police officers with said funds to come from the Police Outside Detail Special Revenue Fund created for this purpose. No amount to be raised from taxation.

Selectmen Recommendation: Yes

Budget Committee Recommendation: Yes

Tax Impact: .00

Steve Henry motioned to approve Article 11 as written, seconded by Sylvia Arcouette. Selectman Paula Proulx made a motion to amend the article to take an extra \$10000 from the fund. She explained that this is the amount that was needed in 2017. Manny Krasner asked why the article wasn't just written for the \$100000 to begin with. It was stated that the amount needed was just learned as the year was being closed out. The amendment was approved by a show of cards vote. We then voted on Article 11 as amended and it was approved by a show of cards vote.

#### **Article 12: Town Employee Financial Obligation CRF**

To see if the Town will vote to raise and appropriate the sum of \$3000 to be added to the Town Employee Financial Obligation CRF previously established.

Board of Selectmen Recommend: Yes

Budget Committee recommend: Yes

Tax Impact: .01

Sylvia Arcouette made a motion to approve Article 12 as written, seconded by Neil Johnson. With no discussion, Article 12 was approved as written by a show of cards vote.

#### **Article 13: Farmington Cable TV SRF**

To see if the Town will vote to raise and appropriate \$60,000 for the purpose of staff payroll, cable TV programming, equipment, and/or repairs associated with FCT, with said funds to come from the Community Television Special

Revenue Fund created for this purpose. No amount to be raised from taxation.

Selectmen recommendation: Yes      Budget Committee recommendation: Yes

Tax Impact: .00

Steve Henry made a motion to approve Article 13 as written, seconded by Elizabeth Johnson. Rachel Prescott asked what the fund is for. TA Arthur Capello explained that the fund is fed by franchise fees and is used to broadcast meetings, buy the necessary equipment and pay the person who runs it. With no further discussion Article 13 was approved as written by a show of cards vote.

#### **Article 14: Landfill Closure Fund CRF**

To see if the Town will vote to raise and appropriate \$31,429 for the purpose of testing for the closure of the landfill with said funds to come from the Landfill Closure Fund Capital Reserve Fund previously established. No amount to be raised by taxation.

Selectmen recommendation: Yes      Budget Committee recommendation: Yes

Tax Impact: .00

A motion was made by Steve Henry to approve Article 14 as written, seconded by Penny Morin. TA Arthur Capello explained that this is required to close the landfill. With no further discussion, Article 14 was approved as written by a show of cards vote.

#### **Article 15: Bridges and Road Design CRF**

To see if the Town will vote to raise and appropriate the sum of \$5,000 to be added to the Bridge and Road Design CRF, previously established. This is to pay the 20% of the required funding from NH State Bridge Aid.

Selectmen recommendation: Yes      Budget Committee recommendation: Yes

Tax Impact: .01

A motion was made by Sylvia Arcouette to approve Article 15 as written, seconded by Penny Morin. There was no discussion. Article 15 was approved as written by a show of cards vote.

#### **Article 16: Building Inspector**

To see if the Town will vote to raise and appropriate \$67,000 for the purpose of paying for the Building Inspector and authorize the withdrawal of \$67,000 from the Building Inspector Position Special Revenue Fund previously established for this purpose. No amount to be raised by taxation.

Board of Selectmen Recommends: Yes

Budget Committee Recommends: Yes

Tax Impact: .00

Sylvia Arcouette made a motion to approve Article 16 as written, seconded by Stan Freeda. Discussion was opened with a question from Penny Morin asking why this warrant article was written when there has been a building inspector for years. TA Arthur Capello explained that this warrant article is not new and happens each year. With no further discussion, Article 16 was approved as written by a show of cards vote.

#### **Article 17: Depreciation of Waste Water Treatment Plant**

To see if the Town of Farmington will vote to raise and appropriate \$50,000 to be added to the Waste Water Treatment Plant CRF previously established to help offset the depreciation of the plant. With \$25,000 to come from the Waste Water Enterprise Fund surplus and the remainder to be raised by taxation.

Tax Impact: .06

A motion was made by Sylvia Arcouette to approve Article 17 as written, seconded by Neil Johnson. Discussion ensued, Steve Henry asked if property taxation would only pay a certain part and Jason Scruton asked why money raised from water/sewer wouldn't pay this and not be shared from water/sewer fees plus taxation. Asked if there was a vote originally for half to come from taxation and half from water/sewer. Selectman Paula Proulx said she doesn't believe a vote was ever made on that specific part, but it was part of the original discussion. Manny Krasner stated that not all people get municipal services all the time, but all still need to pay their part to support the town. Tim Brown asked if a legal decision made in one town meeting is bound to the next year's town meeting. Town Counsel, KeriAnn stated that it does not hold over, the vote is taken each year. Jason Scruton asked what the current fund balance is, what the life span of the treatment plant should be and what year are we in. TA Arthur Capello indicated the balance of the fund to currently be \$100,000, the lifespan should be 30 years and we are in year 5 or 6. Martin Laferte reiterated that people who use water/sewer services should fund it. Penny Morin made a motion to call the question, Riley Stanchina seconded. A motion to call the question was approved by a show of cards vote. With no further discussion, Article 17 was approved as written with a show of cards vote.

### **Article 18: Pump Stations**

The following residents of Farmington, NH have brought forth a signed petition to see if the Town of Farmington, New Hampshire will accept the ownership and maintenance of the pump stations that service the 60 homes of both Sky View Drive, and Whippoorwill Ridge Road (by petition)

A motion was made by Sylvia Arcouette to approve Article 18 as written, seconded by Linda Libby. Discussion ensued, Howard Champagne asked if a current study of the infrastructure was done and given to the Town. TA Arthur Capello indicated that no other plans were given. Howard Champagne asked if we know where the pipes are under the road. Eric Martin, Whippoorwill Ridge Rd resident, said they are the only water/sewer pump station in Farmington that is not run by the Town. It was built according to a plan approved by the planner at the time, 7 or 8 years ago and the homeowners association has maintained it according to the manufacturer's standards since then. Selectman Paula Proulx mentioned there were big issues a few years ago and asked if those have been reconciled. Eric Martin stated that new pumps were installed at the homeowner's association expense with no issues since then. Keith Brocoto, Sky View Dr, is a member of the homeowners association, he stated that he has records to show they have been maintaining the pump station according to manufacturer's standards and has the engineer's plans from when it was designed and implemented, but not with him tonight. Jason Scruton asked if the Town would benefit from taking over this pump station and also asked if it would cost the Town money if there were issues. Manny Krasner asked how these people are on Town water/sewer but their pumping station is private and if it is private, why should we take it over now. Eric Martin explained that they understood it was to be private until it was up to standards, then would be taken over by the Town. Selectman Neil Johnson stated the builder may have told them that, but it was never the agreement. Steve Henry asked if issues would be paid for by water/sewer funds or by the whole town if this is taken over. Neil Johnson indicated if there is not enough money in the water/sewer fund, then the Town would have to pay the rest. TA Arthur Capello, in response to Manny Krasner's comment about the Whippoorwill Ridge Rd residents being on public water/sewer lines, explained that the pipes under the road are still private and do not meet the Town public infrastructure until the intersection with Route 75. Tim Brown suggested that we wait until engineering plans and maintenance information is available and make an informed decision. Linda McElhinney asked if the article can be tabled. Town Counsel KeriAnn stated that an article can not be tabled; we would have to vote on it and then put it back on the warrant next year if it is not approved. Steve Henry asked if the floor can ask to start a CRF and offer to self fund. Town Counsel KeriAnn Roman stated that she thinks it can be done but not on the fly. Manny Krasner said a vote no today is basically the same as tabling the article. Penny Morin motioned to call the question, seconded by Riley Stanchina. Motion carried by a show of cards vote. A vote was then taken for Article 18 as written and it failed by a show of cards vote.

### **Article 19: Water/Sewage Lines**

The following residents of Farmington, NH have brought forth a signed petition to see if the Town of Farmington, New Hampshire will accept the ownership and maintenance of the water and sewage lines that serve the 60 homes of both Sky View Drive and Whippoorwill Ridge Road.(by petition)

Sylvia Arcouette made a motion to approve Article 19 as written, Heidi Mitchell seconded the motion. Howard Champagne started the discussion by reminding everyone to remember what we just heard over the past half hour. Mary Barron made a motion to call the question, Tim Brown seconded the motion. Motion carried by a show of cards vote. Article 19 was then voted on as written and defeated by a show of cards vote.

## **Article 20: Adoption of Road**

To see if the Town will vote to accept Lawrence Lane as a Class V town road. (by petition)

Sylvia Arcouette made a motion to approve Article 20 as written, seconded by Angie Cardinal. Discussion ensued: Angela Hardin, of Lawrence Lane, began a slide show presentation. Angela made a motion to amend the article to include the water/sewer infrastructure under the 50 foot right of way, seconded by Steve Henry. Eric Martin asked if a current engineering study has been done for this road and infrastructure. TA Arthur Capello indicated not since 2001. Angela stated that there are 4" sewer pipes, 2" water pipes and 2 manhole covers for access. Howard Champagne stated that he feels it is an underhanded way to get the Town to take over with no state/town standards proven. Howard asked what pipes at what depths and what materials were used? Angela Hardin did bring in plans to the Planning Board and to the Board of Selectmen and left copies of them. TA Arthur Capello mentioned this should have been done according to the road acceptance policy. Town Counsel KeriAnn Roman stated that she is not sure the wording of this amendment would be legally acceptable. Angela withdrew the amendment. Quickly, Angela proposed the amendment to read "To see if the Town will vote to accept Lawrence Lane as a Class V Town road and to include the water/sewer infrastructure in the 50 ft right of away." Seconded by Steve Henry. A vote was taken to accept the amendment by a show of cards vote. The moderator stated that a standing count was needed, so a standing count was taken and the motion to accept the amendment failed: 42 opposed 23 in favor. Discussion then continued for the original article as written. Angela Hardin described the road and design plan and how it compares to today's standards for Town roads. Neal Johnson asked how long the road is and if emergency vehicles and plow trucks are able to maneuver the road as it is. Angela explained that the road is 460 feet long and that a new Town plow driver recently mistakenly came down and plowed their road and had no issue. Manny Krasner stated that he is against this article because the development was built and homes sold with the road private, the Town struggles to maintain what we have, stating the Town can't handle taking on more roads. Steve Henry asked about the road acceptance policy that the town administrator spoke to earlier, can he please explain. TA Arthur Capello explained that the policy was not adhered to here, but the legislative body can vote to accept whatever they want. Angela Hardin stated that the road is only 460 feet, they are well taxed and it doesn't add much to Department of Public Works time to maintain it. Tim Brown suggested as in the past 2 articles, that an engineering study should be done before we take on the road. Howard Champagne asked if the 50 foot right a-way is a 2 way, what the radius of the cul-de-sac is, and can this radius handle emergency and DPW trucks? The Town Planner looked at the plans Angela had with her and stated from the plans, the radius meets current standards. Penny Morin made a motion to call the question. Manny Krasner seconded the motion. Article 20 was voted on as written and failed by a show of cards vote.

A motion to adjourn was made by Manny Krasner, so moved, meeting adjourned at 9:39pm.

Respectfully submitted,

Kathy L Seaver, Town Clerk-Tax Collector

To attest to the minutes authenticity and accuracy.