

**TOWN OF FARMINGTON
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
Monday, October 18, 2010
356 Main Street, Farmington, NH**

Selectmen Members Present: Paula Proulx, Gerry McCarthy, Charlie King, Gail Ellis and Joan Funk.

Town Staff Present: Interim Town Administrator Alan Gould, Water/Wastewater Superintendant Dale Sprague and Public Works Director Scott Hazelton.

Public Present: Bill Straub, Ed Leonard and Joel Moulton

Chairman Proulx called the meeting to order at 5:00pm.

Gail Ellis motioned to go in non-public session under RSA 91A.3.II (b), 2nd Charlie King. Roll Call – Paula Proulx (yes), Gail Ellis (yes), Charlie King (yes), Joan Funk (yes) and Gerry McCarthy (yes).

At 6:34 the Board came back into public session and noted the non-public minutes were sealed with a unanimous vote.

1. Public Comment:

Paula announced that the Board has hired Scott Hazelton as the new Public Works Director.

2. Review of Minutes:

- A. *Charlie King motioned to accept the public minutes of 10-4-10 as amended, 2nd Gail Ellis. Motion carried with all in favor.*
- B. *Joan Funk motioned to accept the non-public minutes of 10-4-10 part A as written, 2nd Charlie King. Motion carried with all in favor.*
- C. *Joan Funk motioned to accept the non-public minutes of 10-4-10 part B as written, 2nd Charlie King. Motion carried with all in favor.*
- D. *Joan Funk motioned to accept the non-pubic minutes of 10-4-10 part C as amended, 2nd Charlie King. Motion carried with all in favor.*
- E. *Charlie King motioned to reconsider the non-public minutes of 10-4-10 part A, 2nd Gail Ellis. Motion carried with all in favor.*
- F. *Charlie King motioned to accept the non-public minutes of 10-4-10 part A as amended, 2nd Gail Ellis. Motion carried with all in favor.*

3. Public Works Department:

- A. **Update on Transfer Station:** Bill Straub of CMA Engineering provided the Board with copies of the proposed traffic plan for the transfer station for their review. He explained the traffic pattern is tight, as discussed when the plan was originally created, but it will work. Mr. Straub also stated that the paving should be done early next week. Alan asked if residents will be able to purchase dump stickers and such at the transfer station and Mr. Straub replied yes, there will be a trailer by the scale (with windows on both sides) for residents to make their purchases, payments and inquiries. Charlie asked if there is a layout plan for striping and signage and Mr. Straub replied no and he believes

initially the town would do best using cones and temporary signage until the traffic pattern is comfortable and confirmed.

Mr. Straub then reminded the Board that last spring the Town got approval to cap the landfill with the low-cost capping. The intermediate cover, top soil and low-permeable material are stock-piled and readily available for the contractor. The draft agreement with the Cardinal Landfill Trust is being reviewed by the trustee and state departments at this time. Mr. Straub reminded the Board that construction plans for the closure have to commence and bids need to be requested. He would suggest the design and bidding package be ready for February/March, with construction commencing in May. The cost estimate for the landfill capping is \$1.8million depending on how the bids come in and this estimate includes all the design engineering. Mr. Straub suggested he could put together a design/construction contract for CMA Engineers for the landfill closure. Mr. Straub stated he will come and spend some time with Scott Hazelton to familiarize him with the project and all its details. Paula asked what type of timeline CMA Engineers will need for design and Mr. Straub replied that they can have the design done with bidding documents ready by the end of January though permits will be outstanding. Gerry asked what the costs are associated with during construction for CMA Engineers and Mr. Straub explained that a on-site engineer must be part of construction at all times to certify the construction for NHDES and CMA will also carry out the contract specifications with the contractor and ensure the schedule and work. Mr. Straub will forward an estimate in about two weeks to the Board.

B. Updates from Joel Moulton –

1. Joel reminded the Board they should start informing residents about single stream recycling. Paula suggested sending a letter out with the tax bills explaining the new system and what can be recycled. Joel suggested running the single stream video on Channel 25 as well. Alan suggested putting it in the Town Report and other ideas were the Puddledock Press and the Rochester Times.
2. Joel reminded the Board that information came in regarding the rural signage grant that Town has been working on. Joel stated that he has not reviewed the information and if the Board would like him to he would go over the project with Scott Hazelton if the Board wished him to. Charlie asked if the Town has to accept all the signs and Joel said no, the Board should review what is proposed and available and then forward a response back to the State as to what they would like to accept.
3. Joel reported that PSNH is coming tomorrow to complete the electrical work at the transfer station and paving is scheduled for next Tuesday/Wednesday. After paving is completed the containers and trailers will be put in place and the contractor will install and calibrate the scale. Joan asked how often the scale needs to be calibrated and Joel replied it needs to be done once a year by an outside calibrator and probably a few people within the department should be certified to calibrate the scale. Joel suggested the Board authorize him to spend two full days in town during the final stages of the road construction in the transfer station to ensure proper construction before paving. The Board was in agreement that Joel could spend some additional hours to complete the work and get together with Scott Hazelton to review the projects. ***Gerry McCarthy motioned to authorize Joel Moulton to spend some additional hours in town to ensure the final construction of the road at the transfer station and meet with Scott Hazelton to review projects and such, with the approval and oversight by Alan Gould, 2nd Joan Funk.*** Discussion followed in which Gerry asked Joel to fill Scott Hazelton in on the Orange Street

area and projects he had proposed. *Motion carried with Gail Ellis opposed because she was not comfortable with an open approval with the cost and hours not clearly defined.*

4. Alan stated that \$1100 should be spent for the slab on grade for the monitoring wells. *Charlie King motioned to approve \$1100 for the slab on grade for the monitoring wells, 2nd Gerry McCarthy. Motion carried with all in favor.* Joel will schedule this work.
5. Joel provided the Board with a memo regarding proposed additional paving for their consideration. Within the proposal there were several options for additional paving and Joel reviewed each option with the Board. The Board was in agreement that they did not want to take action at this time because of the ongoing work at the landfill.
6. Gail asked for an update on the railings and Joel replied they are coming along slowly and he has some concerns that he will share with Alan.
7. Gerry asked how the Town is going to move forward with the hauling of the waste. Alan stated he would like to give Scott Hazelton a week to review the information and then hopefully make a decision next week. Paula stated that there are additional sites available and she wondered if they should be contacted for prices.
8. Paula asked if Joel expected the costs for the Grove Street sidewalks to be reimbursed through the Safe Routes to School grant. Joel replied no, when the grant was initiated there was nothing put in for engineering and John Corrigan didn't feel it was needed during the initial application. Once the grant was finalized it was discovered that engineering was required and the engineering completed for the Grove Street sidewalks might be able to be used.

At 7:51pm, Charlie King motioned for a short recess, 2nd Joan Funk. Motion carried with all in favor.

At 8:00pm the Board reconvened.

- C. **Grinding Bid Proposals** - Alan reported that bids were received for grinding of 1000 cubic yards of construction debris and brush. Two bids were received; one from Epsom Grinding for \$9,750 and one from Thomas Huckins, LLC for \$8,000. *Gerry McCarthy motioned to award the bid for grinding to Thomas Huckins for \$8,000, 2nd Joan Funk.* Discussion followed where Gerry asked when the grinding will occur and Alan replied it should probably be done around Thanksgiving and the Board agreed. Charlie pointed out that the proposal specifies different payment terms than the Town's standard payment policy and the Board was in agreement that the bidder has worked with the town for several years and this should not be a problem. *Motion carried with all in favor.*

4. Update on Treatment Plant Upgrades:

- A. **Waste Water Plant Upgrade Phase I** – Ed Leonard of Wright-Pierce reported that as of September 30th the Phase 1 construction is 92% complete based on Contract Time and approximately 56% complete based on Contract Price. Also a new change order has hardened steel to bronze. The cost for this change is \$1,792.00 and the material lead times are lengthy for this equipment (12 weeks). Paula asked if Wright-Pierce (W-P) is willing to put forth a credit to the Town for this change since there was an error in the engineering drawings. Ed replied that there was a conflict in the specifications and though W-P does not feel they should be responsible for the cost difference for the equipment they are willing to credit the town the hours they spent re-designing the trolley which is approximately 3-4 hours.

Ed informed the Board that APEX Construction has requested a no-cost time extension. He feels that extending the time by 5 weeks would not be detrimental to the project and the project would come in on budget for administration and under budget for construction. Ed recommends the Town grant the extension with the deadline of December 31st and that there were several shop drawings for this work for W-P to review and approve which delayed the construction. Paula asked if it is typical to have several shop drawings and Ed reported two drawings are typical but they reviewed three drawings for APEX. Alan questioned if a credit will be given to the town since they are not on time and Ed replied there is always room for negotiations. Alan asked what the liquidated damages are for in the contract and Ed replied the contract calls for \$1,000 a day. Ed then explained that the reality is the construction will not be complete without the extension because the materials will not be available to install. Joan commented that maybe APEX should be responsible for the additional W-P oversight. The Board agreed they did not have a big concern of the short time extension (completion by December 22, 2010) but they would like APEX to pay for the difference of the trolley wheels and any increased resident engineer oversight charges, as well as any additional engineering oversight costs. Ed will discuss this with the contractor and bring back the final agreement to the Board.

Ed Leonard forwarded the Board proposed Amendment No. 1 for Construction Engineering Services for an additional 100 hours for resident inspection from October 1 to December 15 for a total cost of \$5600. Charlie asked if the increase inspection request is due to the error in the trolley wheels and Ed replied no, if the project was completed on time then this cost would have been over-expended a month ago. Gail stated she doesn't feel the Town should be responsible for this additional cost and APEX should be. Charlie asked how much of this additional cost is attributed to the error by APEX and Ed replied about 20%. He further explained that W-P slowed down their inspections because they were aware the materials were going to be delayed and the budget was getting close. Ed also stated that W-P will only utilize the hours that are necessary. The Board was in agreement that Ed should bring back the cost of 20% of the \$5600 for the additional hours for APEX to cover due to their error and delay. Ed will have a discussion with the contractor and bring the information and numbers back to the Board.

- B. **Phase 2** – The Board stated that they would like the final numbers for Phase 1 before considering approval for Phase 2 and therefore they will discuss this at next week's meeting.
- C. **Phase 3** – Based on discussions held during the July 12th Selectman's meeting, W-P is developing the technical specifications for the Infiltration/Inflow Repair work. Also design documents will need to be developed for the Bay Road Sewer Replacement project. Charlie asked if the Bay Road project can move forward without design and Dale explained he has no documentation at all in regards to the current status because nothing was documented during construction back in the 1950s. Gerry asked what would happen if infiltration was found coming in from a residence and Dale explained he would document that problem(s), explain to the resident the issue and come up with a schedule for a resolution. Paula asked if individual contracts should be created for the infiltration/inflow work and then the Bay Road project and Ed replied it can be done that way but it doesn't have to be since the projects are so similar. Paula suggested the individual work be broken

down within the contract for the two projects so that if there is an audit in the future the scope can be clearly identified for each project.

- D. **Other** – Gail asked Ed to provide the Board copies of the RFP where Rural Development requested certain language and also copies of the emails or memos where they requested the information.

5. **Water/Wastewater Department:**

A. **Well #4 Water Main Problem** – Dale explained the issue he is having with well #4. He proposed a solution for the Board's approval and estimates the cost to be \$10,000 which allows for three sets of double steel casings. Dale stated that he should be able to do the project within his existing budget. *Charlie King motioned to authorize the improvements to well #4 for up to \$10,000, 2nd Gerry McCarthy. Motion carried with all in favor.*

B. **Groundwater Resource Inventory Study** – Dale reminded the Board that he started the groundwater resource inventory study bidding and there was no funding so he would like to bring it back for the Board's review as well. He contacted the companies who submitted proposals last year and had them update them proposals. He then asked how the Board would like to proceed. The Board was in agreement to let Alan and Dale choose two candidates and then forward them to the Board.

6. **New Business:**

A. **Date to Set Tax rate with Dept. of Revenue** – Alan stated that the tax rate meeting is scheduled for Wednesday, October 20, 2010 at 9am.

B. **Consideration of Proposal from Mercier Group for Auditing Services** – Alan stated that this proposal was just received from the Mercier Group and he wasn't sure if the Board had agreed to accept this or if a Request for Proposals was put out. The Board was in agreement that they did not recall ever voting to accept this proposal and would like Alan to research whether or not an RFP was posted or if this came in unsolicited.

C. **Timber Cutting** – Alan reported that he had paperwork for two timber cuts; one is complete and needs to be signed and the second one is an application to get started. Dennis did review the application and suggested a bond prior to cutting; the bond for \$5000 has been posted, as well as, additional improvements and therefore he would recommend the Board approve it.

D. **Fernald Park** – Gail asked for more information regarding the memo from Rick Conway. Alan suggested having Rick come in and speak to the Board in regards to his suggestions and questions. The Board was in agreement however that if the ramps at the skate park are dangerous or unsafe then they should be removed.

E. Paula forwarded Alan correspondence in regards to the energy planning grant and the NHDES compliance letter.

At 9:57pm, Paula Proulx motioned to go in non-public session under RSA 91A.3.II (b), 2nd Charlie King. Roll Call – Paula Proulx (yes), Gail Ellis (yes), Charlie King (yes), Joan Funk (yes) and Gerry McCarthy (yes).

At 10:38pm the Board came back into public session and Paula stated the minutes were sealed with a unanimous vote.

At 10:39pm, Gail Ellis motioned to adjourn, 2nd Gerry McCarthy. Motion carried with all in favor.

Revised 10-25-10

Respectfully Submitted,

Brandy Sanger

Recording Secretary

Chairman Paula Proulx

Vice-Chairman, Gail Ellis

Joan A. Funk

Gerald McCarthy

Charlie King