

**TOWN OF FARMINGTON
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
Monday, January 31, 2011
356 Main Street, Farmington, NH**

Selectmen Members Present: Paula Proulx, Charlie King, Gerry McCarthy, Gail Ellis and Joan Funk (arrived 7:43pm).

Town Staff Present: Interim Town Administrator Alan Gould, Finance Administrator Pamela Merrill and Public Works Director Scott Hazelton

Public Present: Neil Johnson, JoAnn Doke, Packy Campbell, Patience Taylor, Linda Hotchkiss, Dave Connolly, Frank Smart and Lorraine Meyers

Chairman Proulx called the meeting to order at 6:00pm.

1. Public Comment:

- A. Patience Taylor, resident, provided the Board with a petition requesting the Selectmen immediately higher Paula Proulx as Town Administrator noting that she has done an honorary and tremendous job of Selectmen Chairman and previous acting town administrator.
- B. Linda Hotchkiss, representative from the Rochester Visiting Nurses Association (VNA) came forward to answer the numerous questions that have arisen over the past several weeks. She first explained that she never received a request to come back to the Selectmen meeting to provide more information. Ms. Hotchkiss then explained that she did forward the information Charlie King requested at the last meeting on December 16, 2010 and then sent a follow-up to the town administrator on December 20, 2010. Ms. Hotchkiss then further explained that she did not appreciate the comments made by Mr. McCarthy that stated she lied at the previous Selectmen meeting by saying no bonuses were given out. Ms. Hotchkiss stated that during her meeting with the Selectmen in early December she did tell the Selectmen that bonuses were given to the employees in September in 2010. She played back only selected sections of a dvd copy of the Selectmen meetings. Gail followed up by asking how much in bonuses were given out and Ms. Hotchkiss replied the bonuses were for a total of \$68,000 over 86 employees. She further explained that one administrator received a merit increase last year and then four months later was given a 6% increase in order to bring her salary more in line with similar people in her position (though she is still \$12,000 under the norm).

Ms. Hotchkiss requested that the Board reconsider the VNA's funding for the 2011 fiscal year, noting that they provide a superb service to all communities, including Farmington. Several Board members commented back that the service the VNA provides is not in question as they recognize the quality job they do, but they are concerned with fiscal responsibility. She then noted that the Town's donation is to supplement Medicaid patients from Farmington. Charlie then commented that he realizes the VNA is requesting a donation to offset Medicaid even though they have been able to provide consistent raises and bonuses to their employees where no Farmington employees have been given cost of living or salary increases for two years in a row, also the town budget process started with a \$350,000 deficit due to the State Rooms and Meals Tax being held. Ms. Hotchkiss replied that she understands the town's position but the VNA needs to tighten their belt and for communities who do not donate to the VNA they will be unable to offer their services to Medicaid patients (she gave the example that they do not take Medicaid patients from Dover).

- C. Packy Campbell came forward to ask the Board to assist him with resolving the pump station issue at Campbell Commons, noting that he is having financial issues. He stated that the court stated the Homeowner's Association was to take over ownership of the pump station after Packy maintained it for one year. Over the past year there have not been any new failures but he has not been able to do the things on the town's punch list that was attached to the court order. Charlie asked if Packy is asking for the remaining items to be paid out of the escrow account and Packy replied not really, he would like the Town to join him in a motion to the court to release the escrow to pay for the remaining punch list items for the pump station. There is presently \$32,000 in the escrow account.

Packy stated he could call Attorney Mitchell and discuss the motion and the Board stated that they would prefer if he didn't because Attorney Mitchell has been instructed not to engage with conversations without the Board's prior consent. Charlie suggested if Packy would like to draft a motion for the Board to consider he should forward it to Alan Gould, Town Administrator.

Packy then stated that he would like a formal answer as to whether or not the Town accepted the infrastructure within Campbell Commons when the roads within it were accepted. The Board was in agreement to have Alan research this question.

- D. Gail announced the Budget Committee's public hearing for the town budgets is scheduled for February 8 at 6pm with a snow date of February 11.

2. Review of Minutes:

- A. *Charlie King motioned to table the review of minutes until later in the meeting, 2nd Gail Ellis. Motion carried with all in favor.*

3. Review of Warrants:

- A. **Conservation Commission Warrant Article** – Dave Connolly explained that they have proposed timber harvesting to occur this winter. The logging site has been reviewed by Scott Hazelton and he has approved the site and noted that he has no concerns. The funds from the timber harvesting are anticipated funds according to DRA and would require a warrant article to accept. Alan explained DRA stated the warrant needs to be worded with an exact amount and not “up to” \$50,000. Gerry asked what will happen if only \$35,000 comes in from the timber harvest and Alan stated DRA worded the article as is. Paula asked if DRA knows the amount is uncertain and Alan replied yes, but he will get back to DRA again and pose the question as to what will occur if the timber harvest is less or more than \$50,000.

Paula asked if it would be easier to set up a special revenue fund and make the Conservation Committee agents to expend for the purpose of maintaining conservation lands. Alan replied he is not sure if this would be acceptable and will pose the question to DRA.

Dave provided the Board with an Intent to Cut. The logging access is on Hornetown Road where there is a break in the stone wall by the horseshoe pit. Scott Hazelton stated that no bonding would be required as long as the logging is completed by March 2011. *Charlie King motioned to approve the Intent to Cut by Michael Humphrey and Son for Tax Map R59, Lot 9, 2nd Gail Ellis. Motion carried with all in favor.*

Charlie King motioned to accept the agreement with Humphrey and Sons regarding the price for the timber harvest for Tax Map R59, Lot 9, 2nd Gail Ellis. Motion carried with all in favor.

Charlie King motioned to authorize the Chair to sign the agreement with Humphrey and Sons, 2nd Gail Ellis. Motion carried with all in favor.

B. Continued Review of Remaining Warrants –

Paula questioned if only the trash bag sticker money is being redirected at this time and Alan replied yes, all the other recycling revenue will continue to go to the recycling revolving fund. Scott explained all items that go over the scale are not recyclable materials and will be placed in the general fund. Paula asked if all the revenue for the landfill stickers and items that go over the scale are be tracked as they are put into the general fund so that we will know how much is available for the landfill closure in 2012 and Scott replied yes. (Joan Funk arrived at 7:43pm)

Alan informed the Board that a petition article was received accept Labrador Road and Cottontail Lane as public roads. Alan will finalize the warrant articles for next week’s meeting so the Board can vote on whether or not to recommend.

4. Other Business To Come Before the Board:

- A. Alan stated that an Intent to Cut has been received for Tax Map R59, Lot 15. Scott recommends approving the application with no bond being required unless the operation

continues past March 1, 2011. A second Intent to Cut was received for Tax Map R38, Lot 2 and Scott stated the same requirements for completion before March 1, 2011 stand.

Charlie King motioned to approve the Intent to Cut for Tax Map R59, Lot 15 with conditions set forth by Scott Hazelton, 2nd Gail Ellis. Motion carried with all in favor.

Joan Funk motioned to approve the Intent to Cut for Tax Map R38, Lot 2 with the conditions set forth by Scott Hazelton, 2nd Gail Ellis. Motion carried with Charlie King abstaining.

B. Scott stated the DPW is planning to do snow removal on Thursday night.

5. Review of Minutes:

A. *Joan Funk motioned to accept the public minutes of 1-24-11 as amended, 2nd Charlie King. Motion carried with Joan Funk abstaining.*

B. *Joan Funk motioned to accept the non-public minutes of 1-24-11 part A as amended, 2nd Charlie King. Motion carried with all in favor.*

C. *Joan Funk motioned to accept the non-public minutes of 1-24-11 part B as amended, 2nd Gail Ellis. Motion carried with all in favor.*

D. *Joan Funk motioned to accept the non-public minutes of 1-24-11 part C as amended, 2nd Charlie King. Motion carried with all in favor.*

E. *Charlie King motioned to table the non-public minutes of 1-24-11 part D, 2nd Gail Ellis. Motion carried with all in favor.*

F. *Joan Funk motioned to accept the non-public minutes of 1-24-11 part E as amended, 2nd Gail Ellis. Motion carried with all in favor.*

G. *Joan Funk motioned to table the non-public minutes of 1-24-11 part F, 2nd Charlie King. Motion carried with all in favor.*

6. Other:

A. Charlie read the letter from COAST bus that stated they would charge a surcharge to riders from communities who don't fund the request one hundred percent. Charlie stated he would like to see how COAST justifies the surcharge noting that ridership is up so they already see an increase in revenue.

B. Paula asked if Alan has heard anything from Mr. McDuffee and Alan replied he would expect to have him attend the Selectman's meeting in about three weeks.

C. Alan stated he sent a letter to the Attorney General in regards to the landfill closure and a response was received. There is now a discrepancy between the Attorney General's office and CMA Engineers.

At 8:22pm, Gail Ellis motioned to go in non-public session under RSA91A:2.3(c), 2nd Joan Funk. Roll call – Paula Proulx (yes), Joan Funk (yes), Charlie King (yes), Gail Ellis (yes) and Gerry McCarthy (yes).

At 8:33pm the Board came back into public session and Paula announced the non-public minutes were sealed.

At 8:33pm, Gail Ellis motioned to go in non-public session under RSA91A:2.3(b), 2nd Joan Funk. Roll call – Paula Proulx (yes), Joan Funk (yes), Charlie King (yes), Gail Ellis (yes) and Gerry McCarthy (yes).

At 8:41pm the Board came back into public session and Paula announced the non-public minutes were sealed.

At 8:41pm, Gail Ellis motioned to go in non-public session under RSA91A:2.3(e), 2nd Joan Funk. Roll call – Paula Proulx (yes), Joan Funk (yes), Charlie King (yes), Gail Ellis (yes) and Gerry McCarthy (yes).

At 8:54pm the Board came back into public session and Paula announced the non-public minutes were sealed.

At 8:54pm, Gail Ellis motioned to go in non-public session under RSA91A:2.3(b), 2nd Joan Funk. Roll call – Paula Proulx (yes), Joan Funk (yes), Charlie King (yes), Gail Ellis (yes) and Gerry McCarthy (yes).

At 9:02pm the Board came back into public session and Paula announced the non-public minutes were sealed.

At 9:02pm, Gail Ellis motioned to go in non-public session under RSA91A:2.3(a), 2nd Joan Funk. Roll call – Paula Proulx (yes), Joan Funk (yes), Charlie King (yes), Gail Ellis (yes) and Gerry McCarthy (yes).

At 9:14pm, the Board came back into public session and Paula announced the non-public minutes were sealed.

At 9:14pm, Gail Ellis motioned to go in non-public session under RSA91A:2.3(c), 2nd Joan Funk. Roll call – Paula Proulx (yes), Joan Funk (yes), Charlie King (yes), Gail Ellis (yes) and Gerry McCarthy (yes).

At 9:25pm the Board came back into public session and Paula announced the non-public minutes were sealed.

Gail Ellis motioned to accept the non-public minutes of 1-24-11 part D as amended, 2nd Charlie King. Motion carried with all in favor.

Gail Ellis motioned to accept the non-public minutes of 1-24-11 part F as amended, 2nd Charlie King. Motion carried with all in favor.

At 9:31pm, Joan Funk motioned to adjourn, 2nd Charlie King. Motion carried with all in favor.

Respectfully Submitted,

Brandy Sanger

Recording Secretary

Chairman Paula Proulx

Vice-Chairman, Gail Ellis

Joan A. Funk

Gerald McCarthy

Charlie King