

**TOWN OF FARMINGTON
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
Monday, February 7, 2011
356 Main Street, Farmington, NH**

Selectmen Members Present: Paula Proulx, Charlie King, Gerry McCarthy, Gail Ellis and Joan Funk (arrived 7:35pm).

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

Public Present: Neil Johnson, JoAnn Doke, Rad Nichols, Patience Taylor, Charlie Doke, Jane Wingate, Stuart Thompson (NHDOT), Nancy Spaulding (NHDOT), Doug Porter (NHDOT), Bill Lambert (NHDOT), Cynthia Copeland (SRPC) and Bill Oldenburg (NHDOT).

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

1. Public Comment:

- A. Patience Taylor, resident, provided the Board with an additional list of people who signed the petition requesting the Selectmen immediately hire Paula Proulx as Town Administrator. She asked for the Board to publicly make an announcement in regards to this petition. Alan explained that the Board has been undergoing a hiring process and will discuss this petition in non-public session tonight so a public announcement should be available next Monday.
- B. Jane Wingate, resident, explained that 96 residents signed the petition given to the Board last week in regards to immediately hiring Paula Proulx as town administrator and then an additional 12 names were added tonight. Ms. Wingate read the afore mentioned petition into the public record along with the many reasons she and others feel Paula would be the most appropriate choice for town administrator. Charlie asked how she knew Paula applied for the position and Mrs. Wingate replied she told her. Charlie then stated that the residents should be confident that the hiring process was followed with all candidates. Mrs. Wingate stated the public would like valid, concrete reasons the Board would have for not hiring Paula to fill the position and Gail commented that it would be Paula's choice if she would like those specifics released.
- C. Charlie Doke, resident, commented that he is very concerned about the snow removal process for the downtown especially in his section of the road. He added that in order for him to get out of his driveway he needs to back into the snow bank and also that the drains are not working properly due to the snow banks. He would like a letter from the road agent

explaining the snow removal plan for the downtown area because this has been an issue for the past 4-5 years. Scott Hazelton, DPW Director, was given the information and will respond accordingly.

- D. Bill Spear, resident, came forward to apologize to the Board for not completing the repairs at the Municipal Building and Courthouse and noted he was told last spring that the Maintenance Department would be completing the repairs.

2. Review of Minutes:

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

3. COAST BUS FUNDING AND SERVICES:

- A. Rad Nichols, Director of COAST bus explained that COAST recognizes the difficult fiscal times communities are in and were able to reduce their request this year by 3% to be actually lower than the 2008 request. He explained they provide door to door service for residents who live within ¾ mile of a stop and meet the ADA requirements for this service. Mr. Nichols stated that they get approximately 8% of their funding from the fare boxes on the buses.

Charlie stated that the Board had a difficult challenge when creating the budget because we started out at a \$350,000 deficit with the State cutting the Rooms and Meals Tax from town revenues. Charlie asked if COAST will be charging the \$1 surcharge and Mr. Nichols explained COAST policy is to charge \$1 charge for residents of towns who pay up to 70% of the request. If the town's payment is less than 70% than COAST policy is to charge a \$2 surcharge to those towns. Mr. Nichols stated that not only could the surcharge be assessed but also routes could possibly be cut after Paula asked for clarification. Farmington ridership was estimated at just over 4500 boarders.

4. STATES SAFETY AUDIT OF NH ROUTE 11:

- A. Stuart Thompson of NH Department of Transportation (DOT) explained he and a team of representatives recently completed a safety audit of Route 11 at the request of the town. He gave the Board copies of the audit report with recommendations for safety related changes/updates and reviewed it with them. Gerry asked why they didn't address the Central St. access area to Route 11. Mr. Thompson replied that the crash data they have does not support improvements which is what would be needed to utilize this funding pool. Bill Oldenburg (NHDOT) noted that the State received some interest in selling this right-of-way and once they received the Town's comments that recommended the State not sell it until the safety concerns are addressed they agreed to not go further with the sale.

Nancy Spaulding of NHDOT explained that one area of concern is as you approach Barron Brothers from Farmington the grade is slowly decreasing due to settling and will need to be updated. One project they would like to move forward with is to extend the left turning lane from the 153 intersection all the way up to Farmington Family Care and starting from

the existing two way left turn lane. Mr. Nichols of COAST Bus commented that there is a stop at Farmington Family Care and he would like NHDOT to consider a safe pull-off area so this stop can continue. Paula asked if the town would have any financial responsibility for this project and Bill Oldenburg replied no, the project will be federally and state funded. Traffic concerns regarding the new traffic pattern at the 153 and Route 11 intersection. NHDOT will be taking another look at this intersection and adding additional signage and a yellow turning signal. Sgt. Drury explained that the vehicular accidents have dramatically decreased since the improvements, reducing the accidents from an average of one per week to one per month. Cynthia Copeland of Strafford Regional Planning Commission (SRPC) reminded the Board that she is excited to hear this safety audit has been completed and that SRPC is working on the Metropolitan traffic plans and encourage the Town to participate in this project.

5. BOARDS COMMENTS REGARDING ADA COMPLIANCE: Related to the funding of the Wastewater Project

Dale reminded the Board that part of the stipulations for utilizing the Rural Development (RD) funds for the Wastewater Plant upgrade was to evaluate the Municipal Building for ADA (American Disability Act) compliance. Dale noted there were some discrepancies between the State and Federal ADA requirements and utilized the Federal guidelines for his assessment. With the evaluation Dale also had to provide suggested projects and estimated costs for compliance. Dale stated the Board needs to review the evaluation and agree to the proposed projects and timeline for compliance. Charlie commented that he would like to see the completion of the bathroom to November of 2012 and the Board agreed. (Joan Funk arrived at 7:35pm) Charlie then asked if the town needs to allow "meetings with individuals with a disability in their home" and Dale said no, not if the building can be brought into compliance. The Board was in agreement to delete this line from the evaluation. Alan noted that Dale did a great job with this evaluation. *Charlie King motioned to approve the ADA Transition Plan with the three amendments (one spelling error, deletion of the meetings in homes line and change of date for the bathroom upgrades), 2nd Gail Ellis. Motion carried with Joan Funk abstaining.*

Gail Ellis motioned to authorize Alan Gould to sign the ADA Transition Plan, 2nd Charlie King. Motion carried with Joan Funk abstaining.

Charlie noted that he would like Dennis to look at the bathroom and try to make a preliminary design/layout to bring it into compliance. Dale will talk to Dennis about this project.

6. Discussion Regarding Snow Removal:

Scott Hazelton, DPW Director, stated the town has had 14 winter storms thus far and he has already exceeded the proposed budget by \$785. He further explained that his plan for snow removal in the downtown area this week over three days and one night. Joan brought up that she received a complaint about the sidewalks on School Street and Scott explained he laid salt

down twice today on that sidewalk but with the warmer weather the snow was melting and then freezing over again. Also, there is a large object within the Town's right of way at the intersection of Webster Street and Glen Street and a plow frame, push bar and plow frame jack was damaged. An insurance claim was submitted and Primex has agreed to replace the damaged pieces within an estimated cost at \$3,708 excluding the \$1000 deductible. Scott added that the adjuster emailed him on Friday and the claim is actually higher because they are allowing the inclusion of the carbides and the work hours to do the repairs.

At 7:57pm, Charlie King motioned for a short recess, 2nd Joan Funk. Motion carried with all in favor.

At 8:05pm the Board reconvened.

Charlie King motioned to go in non-public session under RSA91A.3.II (b), 2nd Gail Ellis. Roll call – Joan Funk (yes), Charlie King (yes), Paula Proulx (yes), Gail Ellis (yes) and Gerry McCarthy (yes).

At 8:43pm the Board came back into public session and Paula announced the non-public minutes were sealed.

7. Review of Warrants:

- A. *Gerry McCarthy motioned to recommend the Emergency Medical Motorized CRF warrant article, 2nd Charlie King. Motion carried with all in favor.*
- B. *Charlie King motioned to recommend the Public Buildings Maintenance CRF warrant article, 2nd Gerry McCarthy. Discussion followed where Gail noted all the proposed warrant articles for the CRF funds and the operating budget will result in an 8 cent increase to the tax rate. Motion carried with all in favor.*
- C. *Charlie King motioned to recommend the Fire Vehicle, Equipment CRP warrant article, 2nd Gerry McCarthy. Motion carried with all in favor.*
- D. *Charlie King motioned to recommend the Town Employee Financial Obligation CRF warrant article, 2nd Gail Ellis. Motion carried with all in favor.*
- E. *Joan Funk motioned to recommend the Landfill Closure Transfer Station Special Revenue Fund warrant article as amended, 2nd Gerry McCarthy. Discussion followed where Paula asked if any funds will be taken from this account for operational expenses like hauling and Alan explained no, these types of expenses cannot be supported through this fund. Motion carried with all in favor.*
- F. *Charlie King motioned to recommend the Highway Equipment CRP warrant article, 2nd Gerry McCarthy. Motion carried with all in favor.*
- G. *Joan Funk motioned to recommend the Trash Bag Sticker Revenue, 2nd Charlie King. Discussion followed where it was noted that the sticker revenue is currently going into the special revenue fund and will continue to do so until January 1, 2012 in which at that time*

the revenue will be deposited into the Town's general fund. *Motion carried with all in favor.*

H. *Gail Ellis motioned to recommend the Conservation Fund warrant article, 2nd Charlie King. Motion carried with all in favor.*

8. **Designate a time and place for public hearing for petition to change Board of Selectmen Members from 5 to 3:**

The Board agreed to hold the public hearing on Wednesday, February 16, 2011 at 5:00pm.

9. **Other:**

A. Gail asked what qualifies for an expense under the Rec. Revolving Fund? The assumption is that all senior programming costs/revenue go through the Rec. Revolving Fund. Alan then added that will be working with Rick Conway to better track all the expenditures and revenues so there is better detail. Charlie agreed that better accountability/housekeeping is needed and he would like to see a written plan for how the fund will be managed. Gail asked if it would take a petition warrant article to make the town agent of the fund and Alan replied yes. Joan stated she does not believe the town should be the agent because it has the potential to make the programming more difficult. Charlie commented that if the accounting practices cannot be "cleaned" up for better accountability then he would suggest a petition to make the town the agent to expend.

B. Gail noted that a number of residents came forward to acknowledge that volunteerism in the Rec has decreased and she questioned if the Board should establish a committee(s) of volunteers to advise and/or assist the rec with planning and implementing programs. Alan stated he was planning on having this discussion with Rick Conway after hearing all the residents in town and suggested the Board give Rick a designated amount of time to come up with a plan to address these concerns. The Board agreed this would be a good idea.

C. Gerry asked for an update on the Town Clock and Alan replied that the guy was in town and stated that an internal mechanical part of the clock was broken and needs to be fabricated.

D. Alan reported that two separate residents came into Megan and wanted to sell landfill stickers back to the town and he wanted to know how the Board felt about this. *Joan Funk motioned to not purchase landfill stickers from individuals, 2nd Gerry McCarthy. Motion carried with Charlie King opposed.*

10. **Review of Minutes:**

A. *Joan Funk motioned to accept the public minutes of 1-31-11 as amended, 2nd Charlie King. Motion withdrawn*

B. *Charlie King motioned to accept the public minutes of 1-31-11 as amended, 2nd Gerry McCarthy. Motion carried with Joan Funk abstaining.*

C. *Joan Funk motioned to accept the non-public minutes of 1-31-11 part A as written, 2nd Charlie King. Motion carried with all in favor.*

- D. Joan Funk motioned to accept the non-public minutes of 1-31-11 part B as written, 2nd Gail Ellis. Motion carried with all in favor.*
- E. Joan Funk motioned to accept the non-public minutes of 1-31-11 part C as written, 2nd Charlie King. Motion carried with all in favor.*
- F. Joan Funk motioned to accept the non-public minutes of 1-31-11 part D as written, 2nd Charlie King. Motion carried with all in favor.*
- G. Joan Funk motioned to accept the non-public minutes of 1-31-11 part E as amended, 2nd Charlie King. Motion carried with all in favor.*
- H. Joan Funk motioned to accept the non-public minutes of 1-31-11 part F as written, 2nd Charlie King. Motion carried with all in favor.*

At 9:50pm, Gail Ellis motioned to go in non-public session under RSA91A:3.II(b), 2nd Charlie King. Roll call – Paula Proulx (yes), Joan Funk (yes), Charlie King (yes), Gail Ellis (yes) and Gerry McCarthy (yes).

At 10:10pm the Board came back into public session and Paula announced the non-public minutes were sealed.

At 10:11pm, Gail Ellis motioned to go in non-public session under RSA91A:3.II(b), 2nd Joan Funk. Roll call – Paula Proulx (yes), Joan Funk (yes), Charlie King (yes), Gail Ellis (yes) and Gerry McCarthy (yes).

At 10:21pm the Board came back into public session and Paula announced the non-public minutes were sealed.

At 10:21pm, Gail Ellis motioned to go in non-public session under RSA91A:3.II(c), 2nd Joan Funk. Roll call – Paula Proulx (yes), Joan Funk (yes), Charlie King (yes), Gail Ellis (yes) and Gerry McCarthy (yes).

At 10:35pm the Board came back into public session and Paula announced the non-public minutes were sealed.

The Board held a brief discussion on the next meeting agenda and that the meeting will be held on Wednesday, February 16, 2011.

At 10:36pm, 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