

**TOWN OF FARMINGTON
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
Monday, July 18, 2011
356 Main Street, Farmington, NH**

Selectmen Members Present: Paula Proulx, Charlie King, Gerry McCarthy, Joan Funk and Jim Horgan

Town Staff Present: Interim Town Administrator Alan Gould, Police Chief Scott Roberge, Code Enforcement Officer Dennis Roseberry and Parks and Recreation Director Rick Conway.

Public Present: Neil Johnson, Gary Mosher and Neva Foley

Chairman King called the meeting to order at 6:30pm.

1. Public Comment:

- A. A representative from Senator Kelly Ayote's office, Neva Foley, introduced herself and explained that the Senator's office is available to the public to help with anything that may arise. She then asked if the Board had any comments that they would like her to bring back to the Senator. Joan commented that she is concerned with the mandates that are passed down to small communities like ours and are not funded. Gerry asked for some information on where the Senator stands on illegal immigration and Charlie added he would like to also know where she stands on state and federal assistance for the same immigrants.
- B. Gary Mosher, Commander of the American Legion Post #60, explained that the building has been shut down for five months and yet they received a bill for \$109.06 for water. He also asked why the Legion has to pay for water when they are a non-profit. Mr. Mosher explained that he shut the water off in May at the main (the shut off is before the meter). Alan will discuss the bill with Dale Sprague and Gerry told Mr. Mosher he would need to file an application to request the Legion be treated as a non-profit and not be charged for the water/sewer.

Mr. Mosher then stated that the Legion would like the Board to consider installing American flags down the Rte. 153 corridor and down Central Street. He mapped out where he would like to place the flags and 3 Phase has already agreed to install them. The cost for the eighteen flags with all the brackets is \$899 and a least expensive flag kit would be \$395. Mr. Mosher would like the \$300 that is in the Patriotic Purposes budget line item to be expended on this purchase. The Board was in agreement that this is a good idea though it might need to be done incrementally initially. Joan will bring the information to the Downtown and Business Committee to pull this project together. The Board was also in consensus to buy the more expensive flags so that they will be more durable.

- C. Paula noted that Mr. Jackowski from Central Street submitted a complaint form to the Town regarding the sidewalk and he is looking for a response from the Town. Fred Gates also contacted her to find out the status of his complaint form on the sidewalk by Grove Street. Dennis Roseberry explained that the process for the complaints is that the town administrator reviews it, sends copies of the complaint to the Board of Selectmen and then forwards it to the correct department for correction, however, this process has not been followed at all times and he often receives them and then forwards them back to Megan to go to the correct department. Alan explained that he does typically get them, he forwards to the correct department and then the department head responds to the complaint. He was not aware the Board should be getting copies but he can certainly make sure that happens in the future.
- D. Paula then reported that Mrs. Pease also asked what is happening with the dispute with the State regarding Main hill and the condition of the road. Alan explained that Scott Hazelton, Road Agent, has been working on filling the potholes and then mitigating the repairs with the State.
- E. Paula then stated she would like the sidewalks in town to get some attention regarding the grass growing through the sidewalks and bushes over growing. Alan explained that this work is high on the priority list and Dale and Scott would both like to get the Herbicide permit from the State and it is a cost of \$135 for the Town. ***Jim Horgan motioned to authorize the Town to obtain a Herbicide permit, 2nd Joan Funk. Motion carried with all in favor.***
- F. Gerry asked for an update on the SAU lease and Alan replied that he met with the Superintendent today and they would like to meet with the Board next Monday in non-public.
- G. Gerry asked for an update on the School Resource Officer and Scott Roberge asked to discuss this later in the meeting.
- H. Gerry asked for an update on whether or not the Town will receive the Rooms and Meals tax and Alan reported the official word has not come down yet but he expects it to come in at about the same amount.
- I. Gerry asked if the Town needs to re-advertise for the Town Administrator position and Alan replied that he is still accepting resumes at this time.
- J. Gerry asked for an update on the Wage/Scale study and Alan reported the Board will have a report/summary by next week and then Gary will attend a Board meeting to discuss the next steps.

- K. Jim stated that Stewart Pease questioned him about the easement behind his building off the Municipal Lot. He would like to move the easement to the end of his property and his willing to take care of the legal aspects of this. Gerry cautioned that the Town should be sure to not get in the middle of a dispute between neighbors. Alan will do some further research.
 - L. Jim said a thank you to the American Legion Post#7 Riders for the roadside clean-up they have been doing on Rte. 11.
 - M. Jim reported that Steve Hoage has adopted four spots in Town to care for, the Farmington Democrats have a spot and the Farmington Women's Club will continue to care for their spot.
 - N. Charlie stated he noticed the Town is still receiving UniFirst bills and he thought the contract was supposed to be re-negotiated in 2011 and he would like the details of the new contract. Alan will research this.
 - O. Charlie reminded the Board that they had previously discussed giving the employees something if the Rooms and Meals tax comes in, so if it does than this needs to be put on the agenda.
 - P. Alan reported that the Landfill license agreement for the easement has been received and filed appropriately.
 - Q. Alan reported that the Bank agreed to not charge the Town for the bank fraud that recently occurred and the cost to go to the updated system to prevent further fraud is \$500. The investigation is ongoing.
 - R. Alan reported that a new RFP for the HVAC portion of the work went out for the work for the Energy/Conservation grant because the allowed amount is about \$22,000 lower. Once the bids come in the Town may be able to get further funding. A discussion was held where it was noted that Joan believes all the asbestos and lead paint was removed several years ago when the stairs were redone.
2. **Junkyard Permits:**
- A. Dennis reported that there are currently no cars out front of the junkyard on Rte.11 and there is no fencing however, no new correspondence has come from the owner. Dennis explained that the time for consideration for the Board's stipulations for a junkyard license has expired so a new application would need to be submitted.
 - B. Dennis informed the Board that he finished the required yearly inspections for "junkyard renewal" and recommends approving three of them. *Gerry McCarthy*

motioned to approve the junkyard permits for Harold Butt, Mr. LaPierre and Mr. Baxter, 2nd Jim Horgan. Motion carried with all in favor.

3. Parks and Recreation:

A. Fireworks Bids – Rick Conway, Parks and Rec. Director explained he received two proposals for the Hay Day fireworks as follows;

American Thunder – 475 shells for \$4500

Pyrotecnico – 683 shells for \$4300.

Rick recommends utilizing Pyrotecnico as they are providing more shells for a lower cost.

Gerry McCarthy motioned to purchase the Hay Day fireworks show from Pyrotecnico, 2nd Jim Horgan. Motion carried with all in favor.

B. Bathroom Proposals – Rick explained that five companies submitted proposals for the renovation of the Opera House downstairs bathroom. He reviewed the proposals with Dennis Roseberry as directed by Gary Stenhouse (previous interim Town Administrator) and at this time he would suggest moving forward with North and South. Rick then reminded the Board that during last year’s budget discussions the Board told him not to budget for the renovations because it would be a large project and the funding should come from the general government buildings fund. The bids were as follows;

North and South	\$19,950
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ATB Construction	\$17,680
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Kevin Rouleau Construction	\$12,140
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Dennis explained that they recommended North and South because they had the most comprehensive proposal. Charlie recommended getting clarification from the two lower bidders as to exactly what they are quoting in order to clarify that all the requirements of the RFP have been met along with the ADA requirements.

4. Fleet Maintenance:

Alan informed the Board that Scott Hazelton has instituted a three part form for fleet maintenance so that he gets a copy, the mechanic gets a copy and then the department head gets the last copy. Scott will prioritize the work orders for the mechanic and has also asked all department heads to ensure their employees are doing pre-trip vehicle inspections. Charlie stated he would like the dates of when the work order is written and when the vehicle is repaired. Charlie would also like a summary of work orders completed in Scott Hazelton’s monthly report. Scott Roberge stated that is officers have an inspection checklist they fill out and sign off at the beginning of every shift. Paula suggested a log book be kept for every vehicle and that it should be signed off on by the employee using the vehicle before every use/shift. Charlie asked Alan to follow-up with the other department heads to ensure they are doing inspection reports as well.

Paula stated she noticed the mechanic had to be brought in on a Saturday and questioned if the four day work week is working effectively. Alan will discuss this with Scott Hazelton to get his opinion.

5. Police Department:

- A. School Resource Officer** – Scott reported that he spoke with the Superintendent Frank Mellaci and he stated there are some funds available for this position from the school though they are not sure how much at this point. Scott stated that he spoke with the School Resource Officer Don Funk from Rochester about possibly working as our SRO since he is contemplating retiring from his current position in Rochester. (This option could possibly save \$20,000 in benefits.) Charlie stated he would like the standard hiring process followed.
- B. Animal Control Officer Position** – Scott informed the Board that he would like to advertise for this part-time position at \$12,000 a year, the position was bringing in \$6000 in revenues from licensing. Gerry stated he would like to see the position be per-diem. Paula asked if Scott has spoke with Middleton to see what they are doing and Scott replied no, not lately. Joan stated she agrees with Scott that the community has grown enough to need a part-time ACO. The Board was in consensus to post the position as both per-diem and part-time.
- C. Crossing Guard Position** – Scott explained the cost for the crossing guard position is about \$5100 and questioned if the Board would like him to contact the School to see if they would be willing to fund this position. Paula asked if the SRO position can cover this duty and Scott reported that it could be looked at but noted the hours for the SRO have already been cut down to 6 hours. Joan questioned why the school is not in charge of the crossing guard and the Board directed Alan to contact the school department regarding this.
- D. Water Street Update** – Scott stated that he did put the radar machine on Water Street for a week and only had two vehicles out of over 800 vehicles that were over the speed limit (though only by 2mph). Scott stated he does not see the need to reduce the speed limit but if the Board wishes to do so they can only legally reduce it to 25mph and then it will require a traffic study. Charlie asked if an advisory speed sign of 20mph can be placed and Scott replied the Board could but he really doesn't see the need for it after monitoring the street for a week. The Board was in consensus for the Police Department to continue to monitor the traffic.
- E.** Gerry asked for an update on the Union negotiations and Alan replied that he hasn't heard anything new.
- F.** Gerry asked for more information regarding the vehicular accident a few weeks ago. Scott reported that the officer got out of the vehicle and it appears the shifter was not completely in park and therefore rolled back into a telephone pole and caused some damage. He did contact Rochester PD for them to do a report and he is still awaiting the report. He did have the vehicle repaired at Dana's Collision for a total cost of \$1200 and the mechanic believes the shifter may have just stuck.

6. Review of Minutes:

- A. Joan Funk motioned to accept the non-public minutes of May 9, 2011 part A as written, 2nd Jim Horgan. Motion carried with all in favor.*
- B. Joan Funk motioned to accept the public minutes of May 23, 2011 as amended, 2nd Jim Horgan. Motion carried with all in favor.*
- C. Joan Funk motioned to accept the non-public minutes of May 23, 2011 part A as written, 2nd Charlie King. Motion carried with all in favor.*
- D. Joan Funk motioned to accept the non-public minutes of May 23, 2011 part B as written, 2nd Jim Horgan. Motion carried with all in favor.*
- E. Joan Funk motioned to accept the non-public minutes of May 23, 2011 part C as written, 2nd Jim Horgan. Motion carried with all in favor.*
- F. Joan Funk motioned to accept the non-public minutes of May 23, 2011 part D as written, 2nd Jim Horgan. Motion carried with all in favor.*
- G. Joan Funk motioned to accept the non-public minutes of May 23, 2011 part E as written, 2nd Jim Horgan. Motion carried with all in favor.*
- H. Joan Funk motioned to accept the non-public minutes of May 23, 2011 part F as written, 2nd Jim Horgan. Motion carried with all in favor.*
- I. Joan Funk motioned to accept the public minutes of June 13, 2011 as amended, 2nd Jim Horgan. Motion carried with Gerry McCarthy abstaining.*
- J. Joan Funk motioned to accept the non-public minutes of June 13, 2011 part A as amended, 2nd Jim Horgan. Motion carried with Gerry McCarthy abstaining.*
- K. Joan Funk motioned to accept the non-public minutes of June 13, 2011 part B as written, 2nd Charlie King. Motion carried with Gerry McCarthy abstaining.*
- L. Joan Funk motioned to accept the public minutes of June 27, 2011 as amended, 2nd Jim Horgan. Motion carried with all in favor.*
- M. Joan Funk motioned to accept the non-public minutes of June 27, 2011 parts A, B, C, D and E as written, 2nd Jim Horgan. Motion carried with all in favor.*

7. Other Business to Come Before the Board:

- A. Charlie stated he had a few concerns regarding the bid proposals summarized by Wright-Pierce. He asked Alan to forward his comments to Wright-Pierce. Specifically the mobilization of contractors does not seem the same across the proposals. Paula then asked if it is clear where the funding is going to come from for the engineering because the summary sheet says what the funding agencies won't pay for but not who will pay for the engineering. If there is a shortfall from the funding agencies where is the funding going to come from for the engineering? A matrix of the cash flow for both scenarios/proposals would be helpful.
- B. Joan informed the Board that the signs the Downtown Committee ordered have come in and look good.
- C. Paula reminded the public that the School Board Deliberative Session approved the teachers' contract warrant and the vote will be on August 9, 2011 at the Special Town Meeting.

At 9:10pm, Charlie King motioned to go in non-public session under RSA 91A.3.II (e), 2nd Jim Horgan. Roll call – Charlie King (yes), Paula Proulx (yes), Gerry McCarthy (yes), Joan Funk (yes) and Jim Horgan (yes).

At 9:37pm the Board came back into session and Charlie announced the non-public minutes were sealed with a unanimous vote.

At 9:37pm, Jim Horgan motioned to go in non-public session under RSA 91A.3.II (e), 2nd Gerry McCarthy. Roll call – Charlie King (yes), Paula Proulx (yes), Gerry McCarthy (yes), Joan Funk (yes) and Jim Horgan (yes).

At 9:46pm the Board came back into session and Charlie announced the non-public minutes were sealed with a unanimous vote.

At 9:46pm, Jim Horgan motioned to go in non-public session under RSA 91A.3.II (b), 2nd Gerry McCarthy. Roll call – Charlie King (yes), Paula Proulx (yes), Gerry McCarthy (yes), Joan Funk (yes) and Jim Horgan (yes).

At 9:54pm the Board came back into session and Charlie announced the non-public minutes were sealed with a unanimous vote.

At 9:54pm, Jim Horgan motioned to go in non-public session under RSA 91A.3.II (b), 2nd Gerry McCarthy. Roll call – Charlie King (yes), Paula Proulx (yes), Gerry McCarthy (yes), Joan Funk (yes) and Jim Horgan (yes).

At 9:58pm the Board came back into session and Charlie announced the non-public minutes were sealed with a unanimous vote.

At 9:58pm, Jim Horgan motioned to go in non-public session under RSA 91A.3.II (d), 2nd Gerry McCarthy. Roll call – Charlie King (yes), Paula Proulx (yes), Gerry McCarthy (yes), Joan Funk (yes) and Jim Horgan (yes).

At 10:08pm the Board came back into session and Charlie announced the non-public minutes were sealed with a unanimous vote.

At 10:08pm, Jim Horgan motioned to adjourn, 2nd Joan Funk. Motion carried with all in favor.

Respectfully Submitted,

Brandy Sanger

Recording Secretary

Chairman Paula Proulx

Jim Horgan

Joan A. Funk

Gerald McCarthy

Charlie King