

**TOWN OF FARMINGTON
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
Monday, September 26, 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 Gary Stenhouse and Public Works Director Scott Hazelton

Public Present: Neil Johnson

Chairman King called the meeting to order at 5:50pm. *Jim Horgan motioned to go in non-public session under RSA91-A.3.II(b), 2nd Joan Funk. Roll call – Joan Funk (yes), Paula Proulx (yes), Charlie King (yes), Jim Horgan (yes) and Gerry McCarthy (yes).*

The Board reconvened at 6:26pm.

1. Public Comment:

- A. Gerry asked if Gary was able to get a copy of the SAU new lease agreement and he replied that he did request it but is still awaiting the copy.
- B. Gerry reported that both street lights at the center of town are out and Gary said he would tend to it this week.
- C. Paula reminded the Board the downtown flag was damaged during the Hurricane and Denise Mosher mended the flag so it could be put back up. Gary will send a thank you.
- D. Gerry said he spoke with Gary Mosher and found out that the Police Chief did not have anything against the Legion holding a boot drive. Gary will have Scott forward his recommendation via email so he has it on file.

2. Review Of Minutes:

- A. *Jim Horgan motioned to approve the public minutes of September 12, 2011 as amended, 2nd Gerry McCarthy. Motion carried with all in favor.*

3. Conservation Commission Appointment:

- A. *Gerry McCarthy motioned to appoint Neil Johnson to the Conservation Commission for 2 years, 2nd Jim Horgan. Motion carried with all in favor.*

4. 613 Ten Rod Road Drainage:

Scott Hazelton explained that the culvert at 613 Ten Rod Road is a 15” metal culvert that hasn’t been maintained regularly and is undersized. Due to the condition of this culvert the road is being undermined on a normal basis. Scott’s recommendation is for the town to replace the culvert and have the landowner pay half the cost of the culvert and all of the stone for both ends

of the culvert which would be approximately \$260. Scott stated he is unsure how the current culvert was damaged because it is damaged. Gerry stated that the policy is the landowner pays for the materials and the town installs it. Paula reminded the Board that this discussion was held with the landowner when the town was doing work in that area and he was unwilling to pay for the culvert at that time. Charlie stated he has met with Mr. Castonway (the landowner) regarding this and he would like to follow the policy and have the landowner pay 100% of the culvert.

Jim Horgan motioned to comply with the existing policy regarding the restoration of the culvert at 613 Ten Rod Road and allow Scott Hazelton to send a letter to the landowner informing him of the Board's decision and what must occur now, 2nd Joan Funk. Discussion followed where Gerry stated that he is concerned the town crew will need to specially mobilize to do this work. ***Motion carried with all in favor.***

5. Sheepboro Road Grading:

Scott explained that he was made aware ago of an issue of the grading on Sheepboro Road by Mr. Maynard's property. During a previous flooding event the road was washed away and had to be rebuilt. Mr. Maynard would like the grading fixed to his lower driveway so that log trucks can manipulate his driveway without tipping. Scott suggests grading the right-of-way. Gerry asked how much material will need to be required and Scott replied about 60 yards of stone/gravel. Paula stated that she went up to see this area and believes that through the grading process on the road Mr. Maynard's driveway was overlooked, Jim agreed with her observation. The Board was in consensus that these repairs need to be made.

Gerry asked what will happen with the stones that are in this right-of-way and Scott replied that he would like to remove them for public safety purposes and to protect his plows. Several Board members noted that the stones have been hit by the plow but there are also several other poles, trees and stone walls that have also been hit by the plow. Gerry suggested just taking out the first row of stones that are actually in the right-of-way. Jim asked what the estimated cost for the job is and Scott replied about \$1200.

Jim Horgan motioned to authorize Scott Hazelton to grade and correct the right-of-way/driveway deficiencies at a cost not to exceed \$1200 and discuss with Mr. Maynard a way to amicably solve the stone issue, 2nd Gerry McCarthy. Discussion followed where Charlie stated he does not want any work done until a solution regarding the first row of stones is mutually agreed upon. ***Charlie offered a friendly amendment to state no work is done until a mutual agreement is made regarding the stone removal and Jim stated he feels the grading is time sensitive and he does not want to tie the work to the stones at this time. Motion carried with Charlie King opposed.***

6. Ten Rod Road Stop Sign:

Scott suggested installing a stop sign at the end of Meetinghouse Hill Road where it meets Ten Rod Road. The Board agreed there is a concern in this area and Gary and Scott will speak with the Police Department about this and come back with a recommendation.

7. Highway Department Updates:

Scott reported that the remaining paving overlays will be done in the next few weeks as the weather cooperates. Also the drainage repairs are also on schedule and Scott supports Dale's proposal to grind the road down and then repave.

8. Authorization to Contract with CMA Engineers for Safe Routes to School:

The additional funds for the engineering have been approved for \$14,500. *Jim Horgan motioned to authorize Gary Stenhouse, Interim Town Administrator, to enter the town into a contract with CMA Engineers for engineering for the Safe Routes to School for \$14,500, 2nd Gerry McCarthy. Motion carried with all in favor.*

9. Discussion of Lease Space of Second Floor of Municipal Building:

At this point the SAU is still vacating the space and the Superintendent, Dr. Mellaci, stated they are planning to be completely out of the space by September 30th due to they have paid rent up to the end of the month. Charlie stated that as part of their lease contract they were responsible for certain maintenance items and this should be reviewed when they are done vacating the space. Gary will inspect the space once they move out to see what if anything is remaining to do and then bring those items to the Board for a decision as to how to proceed. The Town should not be responsible to tend to the responsibilities of the SAU. Gerry stated he spoke with Mr. Randall who maintained the SAU phone service and he said they told him they were moving last July and if that is so Gerry questioned why they wasted time discussing costs with the Selectmen.

Paula stated she is concerned that the Town provides the CAP office with space (at no cost) when they own the building the SAU is leasing. Gary stated that by looking at the tax card the CAP office purchased the building prior to the last re-signing of the lease contract with the town. Concerns were raised that Strafford County is accepting rental payments from the SAU for a space that they own when the town is providing them space at no cost. Charlie asked Gary to question legal counsel if the town needs to honor the contract with Strafford County since they own space in which they could place their office.

Charlie asked the Board for their opinions on how to proceed with the space upstairs. Gerry stated that he does not feel any decisions should be made until the renovations are complete upstairs. Gary reminded the Board that a portion of the grant for the Municipal Building is for the upgrade of the HVAC system. At this time the State (grant) is willing to authorize an additional approximately \$12,000 to the \$34,000 for this system upgrade and they will give an extension on the grant monies as long as the town has gone out to bid by December with the prices held for 60 days. *Jim Horgan motioned to authorize Gary Stenhouse as Interim Town*

Administrator to contact a HVAC engineer to write a bid spec for the project, post the bid and accept the additional approximately \$11,810 from the state, 2nd Joan Funk. Discussion followed that the Board is expecting to take the additional funding needed for the project from the Building Maintenance fund but will be able to abort from the project if the funds are not available. *Motion carried with all in favor.*

At 8:05, Jim Horgan motioned for a short recess, 2nd Gerry McCarthy. Motion carried with all in favor.

At 8:16pm the Board reconvened.

10. Safety Policy:

Gary reported that the State has approved the draft Safety Policy. *Jim Horgan motioned to accept the Safety Policy draft dated 9-21-11, have all department heads and employees sign the Policy stating they have reviewed the policy and will follow it as a condition of employment, also a master copy of all safety trainings attendance will be kept at the Municipal Office, 2nd Gerry McCarthy.* Discussion followed where Paula stated that a master copy of all safety trainings should be kept at the Municipal Office. *Motion carried Gerry McCarthy opposed.*

11. Online Services:

Kathy Seaver forwarded information to the Board regarding E-Reg where citizens can go online to research what their registration costs would be, register vehicles and such and check dog licenses. Additional fees would be the responsibility of the citizen utilizing the service. Charlie stated this service has the potential of removing the need of additional staff in the future. The cost to the town would be \$25/month or \$300 a year. The Board decided they would like some additional information regarding the contract.

12. Other Business to Come Before the Board:

- A. Town Administrator Position – Gary stated that resumes have stopped coming in for this position and the Town now has several options available. Gary stated he would be willing to stay through Town meeting but also MRI is willing to do a recruitment for the town for this position at no cost to the town (this is generally a \$8-\$20,000 cost). They would suggest starting the process after elections in March so that the Selectmen residing will be the ones making the final decision to hire. Charlie stated the only other option is re-post the position. Gerry stated he feels the Board should participate fully and maybe even post the position one more time. The Board will discuss this topic again at the next meeting.
- B. Animal Control Officer – Gary suggested discussing in non-public so he can share names.
- C. 2011 Budget – Gary reported the Town is approximately \$20,000 over-expended in welfare at this time (he estimates another \$30,000 till the end of the year). The Town will be receiving the Rooms and Meals Tax. Pam, Gary and Scott Hazelton held a meeting today and came up with \$97,000 that can be cut from this year's operating budget. Gary will

provide the Board with a list of his suggested cuts but noted they include the use of reserves. The Rooms and Meals tax cannot be accepted as unexpected revenue and therefore will be used to cut the tax rate by about \$0.15.

The Board signed the MS-5. Gary will provide the Board with copies of the MS-5 and budget sheets for the end of September.

- D. Stone Wall on Bay Road – Charlie and Gerry both stated they visited the site and see no reason not to grant the request to remove the stone wall. Gary suggested having the landowners install some type of marker to delineate the right-of-way. ***Jim Horgan motioned to authorize the removal of the stone wall and require the removal of the stumps, 2nd Gerry McCarthy. Motion carried with all in favor.***
- E. Jim Horgan informed the Board that Mr. Freeda of the Farmington Democrats has suggested several sites for a possible community garden at the most recent Conservation Commission meeting. A “site walk” for a possible garden site behind the water tower has been scheduled.
- F. Joan reported that the signs for the Downtown Committee have come in but some of the arrows were incorrect and they had to go back to be fixed. Gerry stated the lettering on the signs seems very small as well and maybe should be enlarged.

At 9:07pm, Charlie King motioned to go in non-public session under RSA 91A.3.II (b), 2nd Jim Horgan. Roll call – Charlie King (yes), Paula Proulx (yes), Gerry McCarthy (yes), Joan Funk (yes) and Jim Horgan (yes).

At 9:26pm the Board came back into session and Charlie announced the non-public minutes were sealed with a unanimous vote.

At 9:26pm, 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 9:35pm the Board came back into session and Charlie announced the non-public minutes were sealed with a unanimous vote.

At 9:35pm, Gerry McCarthy motioned to adjourn, 2nd Joan Funk. Motion carried with all in favor.

Respectfully Submitted,

Brandy Sanger

Recording Secretary

Chairman Charlie King

Jim Horgan

Joan A. Funk

Gerald McCarthy

Paula Proulx