

**TOWN OF FARMINGTON  
BOARD OF SELECTMEN  
PUBLIC MEETING MINUTES  
Monday, April 23, 2012  
356 Main Street, Farmington, NH**

**Selectmen Members Present:** Paula Proulx, Charlie King, Arthur Capello, Joan Funk and Jim Horgan

**Town Staff Present:** DPW Director Scott Hazelton, Lt, Kevin Willey (acting Police Chief) and Scott Roberge

**Public Present:** Neil Johnson, David Kestner, Dick Maynard, Kathy Spangler, Randy Orvis, Laura Beard and Dave Connolly.

**Chairman Charlie King opened the meeting at 5:30pm.**

*Paula Proulx motioned to go in non-public session under RSA91A.3.II (b), 2<sup>nd</sup> Arthur Capello. Roll Call – Joan Funk (yes), Paula Proulx (yes), Charlie King (yes), Jim Horgan (yes) and Arthur Capello (yes).*

**At 6:00pm, the Board came back into public session and Charlie announced the non-public minutes were sealed.**

**1. Public Comment:**

None

**2. Review of Minutes:**

*Jim Horgan motioned to accept the minutes of April 9, 2012 as amended, 2<sup>nd</sup> Paula Proulx. Motion carried with all in favor.*

**3. Facilities Use Applications:**

*Joan Funk motioned to grant permission for the facilities use by the Farmington High School Softball team for Saturday, April 28, 2012, 2<sup>nd</sup> Jim Horgan. Motion carried with all in favor.*

**4. Cocheco River Local Advisory Committee Appointments:**

Gary informed the Board that he does not know of anyone who is willing to accept this appointment at this time.

**5. Public Works:**

**A. Concord Co-op Facility Update & Discussion** – Scott Hazelton explained that the City of Concord has officially pulled out of the Co-op and he questioned Mr. Presher if the Town can now pull out of the agreement. Mr. Presher's response was no, not at this time. Scott stated that Concord Co-op is trying to see if Casella will finance the construction funding that the City of Concord was supposed to provide. Gary asked if the Board is in favor of pulling out of the contract and there was no

consensus at this point from the Board on how to go. It was further discussed that the construction project is definitely put on hold and the town should go forward as planned at the transfer station until further notice. Gary will follow up with town counsel this week to see how they feel the town stands with the current contract. Arthur asked how other towns have managed to get out of their contracts and Scott explained that Concord was not in the same position as we are as they were supplying funding but many other town's are in the same situation we are. (Charlie asked Scott to forward all correspondence to the Board.)

**B. Sheepboro Road Right-of-Way Discussion** – Scott stated he was made aware that Mr. Maynard did some excavation in the right-of-way to move a stone without his permission/knowledge. Mr. Maynard explained that he moved and lowered two blocks away from the edge of the road. He moved it about 1 ½ ft. away from the edge of the road. Paula asked if the road way is now 18ft wide as stated in Mr. Maynard's most recent letter. Scott H. explained that the travel width was 16'4" to 17'5" when he measured them in the fall and Mr. Maynard claims they are 18' at this time but the DPW has been unable to claim the ditches due to the soft shoulders.

Dave Kestner, resident of Sheepboro Road, explained that there is barely enough room to allow a utility pole to stand along the road where the drainage ditches are supposed to be. He feels the drainage ditches as being graded by the town now are causing the water to drain on his property across his stone wall. Mr. Kestner feels the road needs to be put as it is intended and install the appropriate ditches, within the right-of-way, on Mr. Maynard's side by removing the stones. Paula asked if Mr. Kestner had water flowing on his property before the ditch was there and he replied no.

Mr. Maynard explained that he feels the Board needs to go and look at the ditches because there is no water source going down the ditch. Charlie replied that he has visited the site many times and the road layout has shifted to Mr. Kestner's side because the granite stones are obstructing the ability to maintain the road as laid out. Mr. Maynard reminded the Board that he gave them a list of potential hazards in town that are similar to what the Board is discussing tonight and questioned why those items are not being discussed. Charlie reminded him that the issue before the Board tonight is the granite pieces in the right-of-way on Sheepboro Road.

*Jim Horgan motioned to table this discussion until Scott Hazelton has had a chance to provide the Board with a written plan to address Sheepboro Road and it's drainage ditches along Mr. Maynard's property and Mr. Kestner's property, 2<sup>nd</sup> Paula Proulx.* Scott explained he needs to raise the road a little to slope the water to the appropriate ditches on Mr. Maynard's side to layout the road appropriately. Scott further stated that since he has been in town the plows have not hit the embankment but did hit the stones and the road has to be narrowed to 14' over the winter with plowing. Charlie stated he disagrees with Jim and feels it is time to remove the stones because they are a safety issue. Joan agreed stating she has been aware of the safety issue for several years because the school buses have a difficult time traveling the way in the winter. Paula however agreed with Jim and feels the ditch on Mr. Kestner's side needs to be re-evaluated because it is very deep and wide and needs to be looked at to see if it is necessary. Charlie commented that there is not enough room on Mr.

Kestner's side to do anything different because two feet of road is lost on Mr. Maynard's side. Arthur stated that the issue before the Board tonight is granite posts in the right-of-way which is not okay and though the ditches might need to be looked at he does not feel that is the question before the Board tonight. *Motion failed with only Paula Proulx and Jim Horgan in favor.*

*Arthur Capello motioned to give Mr. Maynard one week to remove the granite stones out of the town's right-of-way and if he does not then Scott Hazelton has permission to remove the stones and have police escort if necessary. Charlie offered a friendly amendment for the granite stones that are to be removed be identified by Scott Hazelton as an infringement in right-of-way and both Arthur Capello and Joan Funk accepted the friendly amendment. Motion carried with Joan Funk, Charlie King, and Arthur Capello in favor.*

#### **6. Conservation Commission Report:**

Dave Connolly, Chairman of the Conservation Commission, explained that the Commission has been very busy so far this year. They invited the local fish and game warden to a meeting to create a relationship with him. Also, the Commission has decided to make this a year of education and are trying to activate a relationship with the high school, as a result he is meeting with a high school class in May to inform them what the Commission does. Two Commission members attended a cub scout meeting and taught some conservation lessons which also contributed to their educational goal. The Commission continues to work on the town forest boundary issues and the Whittum easement (the applicant just found a financial institution to fund him). A grant for creating the finger enhancement on the Dubois property is on hold at this point because the ground needs to be completely dry or frozen to do so and thus far the town has received about \$20,000 from the timber harvesting on the same property. Lastly, last Wednesday the Commission hosted a conservation workshop with approximately 20-30 guests and are looking forward to future workshops to educate the public.

Joan noted that the community outreach by the Commission has been remarkable. The Board presented Dave with a certificate noting his outstanding service to the town as Chairman to the Conservation Commission. Dave thanked the Board, announced he has had a great time doing it and noted he could not have done any of the work with the support of the rest of the commission members.

*At 7:13pm, Jim Horgan motioned for a recess, 2<sup>nd</sup> Charlie King. Motion carried with all in favor.*

**At 7:24pm the Board reconvened.**

#### **7. Any Other Business To Come Before the Board:**

**A. Police Dog Connor's Future** – Gary informed the Board that Kevin Willey and he, discussed retiring Connor with the Police Chief Scott Roberge. Scott R. said Connor will be eight in August and he would like to keep him even though he is town property. He does not feel there is any value in selling him to another department for re-training because of his age. Scott then stated that it is common for municipalities to retire the police canines to their handlers when the time is appropriate. Joan asked if he would be available if needed and Scott explained that there would be a liability because his training will lapse and the only incidence where he could see this happening is in a drug

circumstance. *Jim Horgan motioned to authorize Gary Stenhouse, interim Town Administrator, to draw up papers transferring custody of Connor to Scott Roberge, 2<sup>nd</sup> Arthur Capello. Motion carried with all in favor.*

**B. ACO Vehicle** – Acting Police Chief Kevin Willey explained that he would like permission to utilize the outgoing (retired) 2005 Crown Victoria cruiser for the ACO vehicle for approximately six months which will allow him time to acquire a small truck from police surplus. Arthur asked what the cost would be to outfit it as a ACO vehicle and Kevin replied none because all the lights have been removed and they are planning to just put the crate in the backseat. *Jim Horgan motioned to authorize the use of the 2005 Crown Victoria retired cruiser as an Animal Control Officer vehicle, 2<sup>nd</sup> Joan Funk. Motion carried with all in favor.*

**C. Report from Board Liaisons** – Arthur reported he was unable to attend the last Budget Committee meeting but there is a meeting this Wednesday. Jim reported that the Economic Development Committee with the Downtown Committee is working to create a list of potential businesses for Farmington. He would like Kathy Menici to apply for a grant to do a feasibility study for extending the water and sewer lines to Rte. 11 though there is a May 1, 2012 deadline. *Arthur Capello motioned to authorize the town planner to submit an application for a feasibility study for water/sewer extension at designated points, 2<sup>nd</sup> Joan Funk. Motion carried with all in favor.* The EDC/DTBC is also planning a Business Expo for Hay Day in the town hall to promote Farmington businesses (no sales/just information). The committees would like to request a waiver of the \$70 fee to utilize the hall. *Charlie King motioned to waive the rental fee for the business expo, 2<sup>nd</sup> Arthur Capello. Motion carried with all in favor.*

Charlie informed the Board that the Planning Board is currently trying to establish their work plan for 2012 and if anyone has suggestions for the Planning Board to look at they should contact him or the Chair Paul Parker. Paula announced the Capital Improvement Plan Board is currently in the works as she is trying to gather representatives to serve. Joan announced the Downtown Business Committee has joined forces with the EDC because the goals are similar and they lack membership.

**D.** Gary informed the Board that a permit from PSNH is required for the placement of the flags and Gary Mosher as offered to supply him with a map of the flag placement.

**E.** Scott Hazelton, DPW Director, informed the Commission he would like to submit a plan for the revitalization of the downtown drainage under a grant that he recently discussed with the Board. Previously, he proposed including the cleaning up of the pond off of Orange Street but was told this project could not be included by the lender. The cost of the work would increase if approved but the town can decide at a later time to reduce the amount of work. The estimated cost to the town would be \$127,000 and some can be in town labor force. *Arthur Capello motioned to authorize Scott Hazelton, DPW Director to apply for the grant for the downtown drainage, 2<sup>nd</sup> Jim Horgan. Motion carried with all in favor.*

**F. Coast Proposal** – Jeff Donaldson of COAST Transportation explained that for the past year COAST has provided a service to areas north of Farmington and they would like to increase the service to Farmington. The service will provide transportation to groceries, Rochester Community Building, pharmacies, courts and like amenities to residents in Farmington from their home and back twice a week. In order to participate in this North Bus program residents would need to contact COAST to register.

**G. Bid Proposals for Street Sweeping Services** – Scott Hazelton received bids for street sweeping four times this year. The bids are as follows;

Granite State Sweeping Services	\$11,700
Shoem Sweeping Services	\$11,899
Seabreeze Property Services, Inc.	\$13,800
Immaculate Power Sweeping	\$13,800
Ruel Sweeping Service	\$13,800

*Jim Horgan motioned to award the street sweeping bid to Granite State Sweeping Services for a lump sum amount to not exceed \$11,700, 2<sup>nd</sup> Arthur Capello. Motion carried with all in favor.*

**H. Bid Proposals for Catch Basin and Culvert Cleaning** – Scott explained the bids for catch basin and culvert cleaning came in and are as follows;

Hartigan Company	\$9,800
Felix Septic Service	\$11,000
Bellemore Catch Basin Maintenance	\$12,000
P&H Senesac, Inc.	\$14,500

*Arthur Capello motioned to award the bid for catch basin and culvert cleaning to Hartigan Company for a cost not to exceed \$9,800, 2<sup>nd</sup> Jim Horgan. Motion carried with all in favor.*

**I. Bid Proposals for Crushed Gravel & Sand Processing** – Scott forwarded the bids for crushed gravel and sand processing to the Board as follows;

Custom Crushing Company	\$34,240
Northeast Earth Mechanics, Inc.	\$46,800

*Jim Horgan motioned to award the bid for crushed gravel and sand processing to Custom Crushing and Sand processing in the amount not to exceed \$34,240, 2<sup>nd</sup> Arthur Capello. Motion carried with all in favor.*

**J.** Arthur asked Scott to start working on a road maintenance plan so that it is available during budget season. Charlie added that the DPW work plan is also due to the Board. Scott H. will forward his work plan to the Board soon but noted the road plan will take 6-8 months to create. Paula then asked Scott H. to look into the missing two hour parking limit sign for the downtown area.

**K.** Gary informed the Board that he and Alan Gould (of MRI) have created a list of 30 applicants for the town administrator position. They have requested essay questionnaires of the applicants that are due Wednesday. Once the essays have been received Alan and Gary will review them and then hold phone interviews based on those results. The goal is to have viable candidates for the Board to interview in May. The Board agreed it would be good to interview up to six candidates. Gary will have Megan scan and email the twelve resumes/applications to Charlie, Jim and Arthur.

**At 8:15pm, Paula Proulx motioned to go in non-public session under RSA91A.3.II (b), 2<sup>nd</sup> Arthur Capello. Roll Call – Joan Funk (yes), Paula Proulx (yes), Charlie King (yes), Jim Horgan (yes) and Arthur Capello (yes).**

**At 8:34pm, the Board came back into public session and Charlie announced the non-public minutes were sealed.**

**At 8:34pm, Paula Proulx motioned to go in non-public session under RSA91A.3.II (d), 2<sup>nd</sup> Arthur Capello. Roll Call – Joan Funk (yes), Paula Proulx (yes), Charlie King (yes), Jim Horgan (yes) and Arthur Capello (yes).**

**At 8:45pm, the Board came back into public session and Charlie announced the non-public minutes were sealed.**

**At 8:45pm, Paula Proulx motioned to go in non-public session under RSA91A.3.II (b), 2<sup>nd</sup> Arthur Capello. Roll Call – Joan Funk (yes), Paula Proulx (yes), Charlie King (yes), Jim Horgan (yes) and Arthur Capello (yes).**

**At 8:52pm, the Board came back into public session and Charlie announced the non-public minutes were sealed.**

**At 8:52pm, Paula Proulx motioned to go in non-public session under RSA91A.3.II (b), 2<sup>nd</sup> Arthur Capello. Roll Call – Joan Funk (yes), Paula Proulx (yes), Charlie King (yes), Jim Horgan (yes) and Arthur Capello (yes).**

**At 9:04pm, the Board came back into public session and Charlie announced the non-public minutes were sealed.**

**At 9:04pm, Paula Proulx motioned to go in non-public session under RSA91A.3.II (b), 2<sup>nd</sup> Arthur Capello. Roll Call – Joan Funk (yes), Paula Proulx (yes), Charlie King (yes), Jim Horgan (yes) and Arthur Capello (yes).**

**At 9:22pm, the Board came back into public session and Charlie announced the non-public minutes were sealed.**

**8. Other Business To Come Before the Board:**

Amended and accepted 5-14-12

A. Gary informed the Board that he went up and viewed the sign on Meetinghouse Hill Road and would like the Board's recommendation. The Board agreed to have Dennis Roseberry, Code Enforcement Officer, send a letter to the resident requesting the sign be removed from town property.

**At 9:30pm, Arthur Capello motioned to adjourn, 2<sup>nd</sup> Joan Funk. Motion carried with all in favor.**

***Respectfully Submitted,***

***Brandy Sanger***

***Recording Secretary***

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Chairman Charlie King

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Jim Horgan

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Joan A. Funk

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Gerald McCarthy

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Paula Proulx