

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

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

Town Staff Present: Town Administrator Keith Trefethen, Rec Director Rick Conway, Water/Wastewater Superintendent Dale Sprague, Interim Police Chief Lt. Kevin Willey and DPW Director Scott Hazelton

Public Present: Neil Johnson, Kathy Spangler, Don Bowden, Andrea Bowden, Mike Windstat of the NH EPA, Molly Stark of the NH EPA, John Regan of the NH EPA, Richard Pease of the NH EPA, Megan Cassidy of the US EPA, Margaret Morris of the US EPA, Carol O'Connell, Paul Parker and Dave Connolly.

Chairman Charlie King opened the meeting at 6:06pm.

1. Public Comment: none

2. Informational Session Concerning Designation of former Collins and Aikman Site for Superfund:

Mike Windstat of the NH Environmental Protection Agency (EPA) reviewed the historic owners of the former Collins and Aikman site. The EPA is recommending the site as a Superfund so that it will be on the national priority list of superfund sites which would provide federal funding for remediation. Molly Stark explained that the NH EPA has been working with the trust for the site to do some remediation but they feel identifying the site as a superfund site would be best because the trust does not have enough funds to complete remediation. Tetrachloroethylene is the chemical that is causing one of the issues at the site because it is heavier than water and therefore sinks down into the ground below the water table and contaminates the land.

Megan Cassidy of the US EPA explained the Superfund process. She explained that the National Priority List is the only way national funding can be provided for contaminated sites. They determine if a site is by screening it to see if it poses a risk to human health or the environment. Once the US EPA determines the site is eligible it is posted for public feedback and requires a Letter of Concurrence from the state Governor. April 2013 is the first opportunity to propose the

site to the National Priority List with a draft due by October 2012 and the Governor's letter by January 25, 2013.

Joan asked what the town's financial responsibility would be if the site is determined a superfund site. Megan Cassidy explained the US EPA would research who the financial responsible parties are but unless the town owned, operated, generated or transported the waste (which she does not have evidence of) then the town would not have any financial responsibility. Keith asked who generates the HRS package and Megan Cassidy explained her office prepares the document and they are moving forward with the package within the next few weeks. Paula asked if all parties involved in the contamination would be held equally responsible or just the last operator and Megan Cassidy responded they would do a thorough search and all parties who owned and operated the property would be responsible. Paula then asked if there is more than one chemical involved and tested for and Molly Stark explained the EPA has found a limited number of other items. Paula then asked for a copy of the map of the monitoring wells and Molly Stark said she would provide a map to the town. Scott Hazelton asked if there is a map of the contaminated plume and Molly replied yes and she would supply it also.

Don Bowden asked if the water is safe for drinking and cooking. Molly Stark explained that they do not anticipate there is contamination in any active drinking water wells at this time but she would be glad to talk to him specifically about his property. Don Bowden then asked if the site is labeled as superfund how will effect surrounding property values and Megan Cassidy replied the site is contaminated either way so identifying the site should have a positive effect because one would know the problem is going to be looked at and remediated.

Carol O'Connell asked if there are other sites on the superfund list in NH and what prompted the Collins and Aikman site to be identified for possible designation. Megan Cassidy explained there are twenty superfund sites in New Hampshire and the US EPA became aware of the site because the State EPA identified them. Molly Stark explained that her office has been working with the trust and the previous owner through their bankruptcy and realize now that there is not enough funding to complete remediation without national funding. Megan Cassidy then added that this is not a quick process and it takes 10-20 years to clean up a site.

Charlie King explained the reason for this session tonight was to obtain public comment before the Board of Selectmen make a decision to write a letter of support of the designation. The town will accept public comments about this matter over the next two weeks and make a decision of support or not at the next Selectmen meeting in two weeks. Also there will be a link on the town website where people can ask questions or provide their names as contact people who have information regarding the site and its history.

3. Review Minutes:

A. Joan Funk motioned to accept the public minutes of July 9, 2012 as amended, 2nd Jim Horgan. Motion carried with Arthur Capello abstained.

B. Joan Funk motioned to accept the non-public minutes July 9, 2012 part A, 2nd Jim Horgan. Motion carried with Arthur Capello abstaining.

3. Request for a Block Party:

Keith Trefethen explained he received a request for block party on Pine Knoll Road by Dorene Massetti at 77 Pine Knoll Drive. His recommendation is to gather more information from Ms. Massetti about some of the safety concerns the police and fire chief have. Jim stated he thinks it is a good idea and feels the parking needs to be addressed to be on only one side of the road. Arthur asked what the town's liability is to the residents who are not participating in the party. Lt. Willey commented he is in agreement with the concept but one of his suggestions is to create a document referring to the closure of the road and have all parties who will be affected sign off on it. Paula questioned why there would be an overflow of cars for the event when it is an invitational only event for the residents of Pine Knoll and they all have their own parking in front of their homes. Lt. Willey stated he is not sure but it is a town public way.

The Board decided to table this discussion until August 6th and ask Ms. Massetti to be present to answer the posed questions. Joan pointed out that only 12 residents of Pine Knoll Road replied to the invite and the other residents need to be identified and questioned if they are okay with the block party. *Joan Funk motioned to table the discussion on the block party request, 2nd Arthur Capello. Motion carried with all in favor.*

Charlie opened the Public Hearing for the Safe Routes to School Grant.

4. Safe Routes to School Public Information Hearing:

Kathy Menici explained that the town was awarded a Safe Routes to School Grant to make infrastructure improvements to encourage more students walking to and from school in 2008. In September of 2011 CMA Engineers was awarded the bid for the engineering design. Dan Hudson of CMA explained the proposed design. Improvements include: the creation of ADA compliant ramps at specific intersections; drainage improvements where necessary, adding crosswalks and warning signals, the designation of school zone speed limit areas, and safety and ADA compliant improvements to the on-campus path between the high school and Henry Wilson School (a raised sidewalk along the student parking lot is proposed). Additionally, there will be improvements to some sidewalks in the project area that will consist primarily of leveling and resurfacing.

Paula noted there is an area of concern from Grove Street across to the store where students cross frequently and there is no cross walks. She noted the kids go across to the store and also cut

through the lot and down to Central Street so she thinks this area should be looked at as a safety concern. Dan Hudson replied that there is no plan at this time to add a new crosswalk across this road but they will review the suggestion and the area. Jim asked if the yellow blinking light at the end of School Street will eliminate the need for a crossing guard and Dan Hudson explained the light will add protection but the town might want to keep the crossing guard. Joan then asked if the police department was involved in the process of identifying the work to be done and CMA engineers replied yes. Joan then stated that she noticed the yellow blinking light blinks really quickly and questioned if it is against the town ordinance because it is a distraction where it blinks so quickly. Kathy Menici explained the flashing light ordinance is for business signage and this would not apply. CMA engineer explained the light is approved by NH DOT and its goal is to alert drivers so they slow down.

The next step after tonight is to review comments from tonight and then submit the plans to NH DOT for their approval. Once NH DOT approves the plans, NH DOT will issue a notice to proceed, at which point construction of the improvements will begin. The original grant application was for a little under 186,000 and the preliminary cost estimate is about \$153,000. Also, the town is responsible for the education portion of the grant.

Scott Hazelton said he has a site distance concerns for the crossing area from Central to Spring Streets and suggests a T-intersection. Also, the pedestrian traffic at Crowley's Market downtown is a safety concern. CMA replied that they have proposed some changes to the intersection by Crowley's Market and recognize it is an area of concern.

At 8:12pm, Charlie opened the public hearing to accept and expend unanticipated revenues of \$10,000 from the Community Planning Grant.

5. Community Planning Grant:

Kathy Menici explained she was made aware of the Community Planning Grant in April from NH Housing. This is a matching fund grant with a cash requirement of \$625. The Selectmen need to decide whether or not to contract with Strafford Regional Planning Commission (SRPC) to provide the required consulting services for this grant or to publish an RFP to solicit proposals from private consultants and SRPC. Arthur asked if the town can use funds from other grants for the cash match and Kathy Menici replied no, but she did meet with the previous interim town administrator Gary Stenhouse and they identified a \$1000 budget line for SRPC that can be utilized. Paul Parker, Chairman of the Planning Board, explained the Planning Board recommends going out for competitive bid and feels this grant provides the town a great opportunity to review and resolve the contradictory issues with the policies and ordinances. Paula asked why the Board wanted to go with competitive bid. Paul Parker explained they felt it is always better to go out to competitive bid.

At 8:22pm Charlie closed the public hearing.

Jim Horgan motioned to accept the \$10,000 in unanticipated funds, 2nd Paula Proulx. Motion carried with all in favor.

Arthur Capello motioned to go out to competitive bidding for the project, 2nd Joan Funk. Discussion followed where Jim stated he is favor of working with SRPC because we have a relationship with them and Joan agreed. Charlie stated he feels it is always a good idea to have competitive bidding and Paula agreed. Motion carried with Jim Horgan and Joan Funk opposed.

6. Wastewater Treatment Plant Upgrades:

Superintendent Dale Sprague explained he would like the Board to consider and give approval to go ahead with Item C. Extend Septage Receiving Housekeeping Pad (cost of \$5,465.02); Item D. Additional Hypochlorite Piping (cost of \$4,855.39) and Item F. Additional Force main for Future RIB Sites (cost of \$76,391.54). These items will be paid 100% out of the Rural Development grant. *Arthur Capello motioned to approve Item C, D and F, 2nd Jim Horgan.* Discussion followed where Paula asked where the disparity is in the cost and Dale explained he believes there is a significant amount of time needed for the piping that Wright-Pierce underestimated. Charlie asked what the engineering oversight cost is and Dale replied he is not sure at this point. *Motion carried with all in favor.*

7. Other Business to Come Before the Board:

A. Dale Sprague stated he still would like the Board to meet with Emery-Garrett for the water exploration and an ADA bathroom for the Municipal Building still needs to be completed as part of the grant requirements. Dale added that he believes the bathroom construction costs should be reimbursed by the grant. Charlie stated that he feels the town has personnel that can design the bathroom and asked Keith to lead the project.

B. Scott Hazelton explained the changes to the Meetinghouse Hill Road and Ten Rod Road intersection. They would like to recommend the intersection be a three way stop because there are two conflicting traffic patterns. Charlie commented the temporary improvements are working well and he would suggest leaving it for awhile. Scott and Kevin Willey will continue to review the area and bring their recommendations back to the Board.

C. Keith Trefethen explained he noticed this past week that the MS-2 was not signed by the governing body and he would recommend that the Board approve and sign it. Pam Merrill and Keith both reviewed the MS-2 and found it to be accurate. *Arthur Capello motioned to approve and sign the MS-2, 2nd Jim Horgan. Motion carried with all in favor.*

At 8:45pm, Joan Funk motioned to go in non-public session under RSA 91A.3.II (b) and (c), 2nd Jim Horgan. Roll Call – Paula Proulx (yes), Charlie King (yes), Jim Horgan (yes), Joan Funk (yes) and Arthur Capello (yes).

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

At 9:23pm, Jim Horgan 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

Arthur Capello

Paula Proulx