

**TOWN OF FARMINGTON
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
Monday, September 10, 2012
356 Main Street, Farmington, NH**

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

Town Staff Present: Town Administrator Keith Trefethen, Water/Wastewater Superintendent Dale Sprague, Recreation Director Rick Conway.

Public Present: Scott Hall, James Emery and Neil Johnson

Chairman Charlie King called the meeting to order at 6:01pm and led those present in the Pledge of Allegiance.

1. Public Comment: Scott Hall, resident, explained that he is hoping to get permission from the Board to publicize on Ch. 26 and the town website that he looking for volunteers to help him organize a charity basketball tournament to raise funds for the American Cancer Society. Recreation Director, Rick Conway informed the Board that he offered to hold a meeting this Wednesday at the Rec to gather volunteers to serve on this committee. The Board was in agreement that if the request was clear then Ch. 26 could be utilized to publicize the need for volunteers.

2. Review of Minutes:

A. Jim Horgan motioned to accept the public minutes of 8-27-12 as amended, 2nd Paula Proulx. Motion carried with all in favor.

B. Jim Horgan motioned to accept the non-public minutes of 8-27-12 as written, 2nd Arthur Capello. Motion carried with all in favor.

C. A discussion was held as to whether or not to break down the non-public minutes into different minutes for each topic and the decision was made to do so.

3. Appointment to the Economic Development Committee:

Joan Funk motioned to appoint Rodney Jablonski as a one year member to the Economic Development Committee, 2nd Jim Horgan. Motion carried with all in favor.

4. Emery & Garrett: Future Water Supply Review:

Water Superintendent Dale Sprague reminded the Board that they contracted Emery & Garrett to look for ground water sources for future locations for the installation of wells for new water supplies for the town. Joan asked Dale if he received the LGC publication that included source water grants. Dale said no, but he is aware of grants for protection

and purchasing lots for groundwater. Joan replied they sounded like the same grants she was referring to.

James Emery of Emery & Garrett, explained that Dale and he discussed wanting to move forward with the town's phase 2 based on anticipated future regulatory restraints that legislature is currently considering. During Phase 1 they identified two primary groundwater development sand/gravel zones and two secondary zones. They also identified seven bedrock zones. Phase 2 would be to 1.) identify properties in the zones and request permission to do surveys, 2.) conduct geophysical survey to identify exact test locations in zones FRM-1, FRM-7, FRM-SG-1, FRM –SG2 and FRM-SG3 with an estimated costs of \$35,000 and 3.) survey the remaining zones FRM-2, FRM-3, FRM-4, FRM-5 and FRM-6 with an estimated cost of \$40,000 to identify areas for protection of future swell sites. Mr. Emery stated that once the best well site is identified the parcel owners would have to be negotiated with for land purchase/lease. Phase III drilling of exploratory wells in the sand and gravel aquifer zones FRM-SG1, 2 and 3 has an estimated cost of \$35,000. The Board agreed that the geophysical surveys to identify exact test locations in zones FRM-1, FRM-7, FRM-SG-1, FRM –SG2 and FRM-SG3 with an estimated costs of \$35,000 would be the best way to go along with an additional \$5,000 to survey FRM – 4 as well.

Arthur asked how long permits are good for once they are approved and Mr. Emery replied 10 years. Dale stated that the town currently has a sufficient water supply as it is permitted for about 650,000 gallons and typically used 300,000. Dale then reiterated that the purpose of the study is to identify alternate water sources for future use so the town is prepared in case of an emergency. Charlie then asked if well #3 can be brought back and Dale said probably not because it is right next to the Waste Water Treatment Plant.

Arthur Capello motioned to authorize up to \$40,000 with \$35,000 coming from the operating budget and the remaining funds to be found other places in the operating budget or from the water capital reserve fund for Phase II with Emery & Garrett to continue the research of finding a future groundwater source, 2nd Jim Horgan. Motion carried with Charlie King opposed.

At 7:42pm, Jim Horgan motioned for a short recess, 2nd Joan Funk. Motion carried with all in favor.

At 7:58pm, Charlie King reconvened the meeting.

5. DES Survey of Farmington Water Department:

Keith provided the Board with a copy of the Sanitary Survey NHDES completed on 6/19/12. Keith suggested the Board review the System Deficiencies/Recommendations from the report. Dale explained this NHDES survey is completed every three years and is on file with the town. In the report it was noted that there is approximately 22% unaccounted for water where 15% is desirable. Dale stated he has scheduled Granite State Water Systems to come to town to look for water leaks. Charlie asked if the percentage is due to fire usage, hydrant flushing and DPW use. Dale replied yes and also

that he does not feel this is a major concern. Jim asked who calibrates the meters and Dale explained that his department does.

The next concern was that there are several areas in town that have their own water distribution systems that are carried out by developers/residents and NHDES requested that the Board reconsider a policy to ensure all areas of the water system remain under the jurisdiction of town maintenance personnel. Dale stated he agrees with this recommendation because he feels the department should monitor/maintain all water systems and Keith agreed.

The third recommendation concerned the GPW6 tank (aka Textron Tank) bulkhead and hatch which is showing increasing concrete deterioration and needs to be repaired. Dale said he has plans to address this issue in his 2013 budget. The fourth recommendation was to establish a maximum service elevation based on current standards. Dale explained the town currently has these max elevations already.

The last recommendation is to continue to implement the town's wellhead protection program and Dale explained he has plans to continue with the same practices to educate the public on wellhead protection.

6. Request for Sewer Abatements:

A. Dale presented a sewer abatement request for \$72.46 due to a significant leak under the mobile home located at 34 Sycamore Blvd. *Arthur Capello motioned to approve the sewer abatement for 34 Sycamore Blvd for \$72.46, 2nd Jim Horgan. Motion carried with all in favor.*

B. Dale presented a sewer abatement request for the Kodiak Group of 41 Grove Street. Dale researched the large bill and found the main pipe sweating and two toilets running. Dale did not recommend the abatement because the water went through the building and back out. *Arthur Capello motioned to not approve the sewer abatement request for the Kodiak Group, 2nd Joan Funk. Motion carried with all in favor.*

7. Review of Draft Building Fees:

Keith and Rick provided the Board with a draft Building Fee policy. The change to the previous policy is that "there will be no fee charged to any Public Organization whose purpose is to benefit the Town of Farmington if they wish to use the upstairs meeting room or the downstairs recreation room." Arthur commented this is vague and questioned who would determine if the organization benefits the town. Rick replied the Selectmen would make that determination. Paula suggested a checklist be created for the Board to use for determination. Arthur suggested the criteria include 501.3.C status, whether or not it is a fundraising event, if Farmington residents are attending, what the benefit is to the community and if there is a charge to attend. It was also discussed that regular use of the building that requires a waiver would have to be reviewed annually.

Keith then asked what the Board would like to do with the current groups who are using the hall and not paying the rental fee. The Board decided they should all fill out a waiver

request form for the Board to consider. Rick asked if he is supposed to back charge groups who do not get their fees waived. The Board decided no back fees should be charged and noted that they will need to discuss what should be done with groups who are not paying presently but should be. Joan then asked if Rick has a way to determine if liability insurance is needed by users and Rick replied yes.

8. Recreation Department:

Rick explained he is need of additional storage space for Rec. files and would like to dispose of the “stuff” leftover from the renovation. Charlie asked the Board members and department heads to all look at the items while they are at the hall tomorrow for voting to see if there is anything of use and if not the items can be disposed.

9. Draft Hiring Policy:

Keith provided the Board with a copy of the draft Hiring Policy and stated he was unsure if the Board wanted to include per-diem/on-call fire department personnel. It was decided that under Tier 2 “call performance” would be interviewed by the Board if deemed necessary by the Town Administrator. Arthur suggested adapting the committee appointment sheet for on-call personnel for the Board to review and approve. Keith replied that applications are filled out for all employees and those could be forwarded to the Board. The Board agreed this would be an acceptable route. Keith will make the suggested changes and forwarded the draft policy back to the Board for final approval.

10. RFP for Legal Representation:

Keith asked if the Board would like to put out an RFP for legal representation. *Arthur Capello motioned to instruct the Town Administrator to draft a RFP for legal representation for the Board’s approval, 2nd Jim Horgan. Motion carried with all in favor.*

Charlie asked if the specialized legal representation will be included in the afore mentioned RFP and Keith replied it could. Many firms have multiple attorneys that each have their own specialties. Charlie suggested requesting information on the office specialties in the RFP. Keith stated he will also utilize LGC as much as possible for direction and opinions for interpretations of laws.

11. Possible Grant Participation in NH Estuaries Project:

Strafford Regional Planning Commission received a grant from the NH Estuaries Program to increase awareness of fluvial erosion hazards and methods to mitigate those hazards. They have invited the Town to participate with them in the grant activities as number of areas with fluvial erosion hazards. The purpose of the grant is to provide educational sessions for staff and interested Board and Committee members. The grant is a matching grant program and the match is in-kind and is satisfied by the attendance of staff and Committee members at scheduled information sessions. The Planning Board recommends the town’s participation. Paula requested that SRPC give the Board ample notice of program dates so that people can be scheduled to attend. *Jim Horgan motioned to participate with Strafford Regional Planning Commission’s NH Estuaries grant program, 2nd Arthur Capello. Motion carried with all in favor.*

12. Any Other To Come Before the Board:

- A. The owner of 613 Ten Rod Road asked if the Board would re-consider replacing the culvert that goes across his driveway. Charlie stated the current culvert is full of debris, has been damaged over time and is too small to handle the flow. Arthur asked if the driveway permit required a larger culvert than that which was installed. Originally, when the request was made it was decided that the town would install the culvert if the owner purchased one because we were working in the area. Unfortunately the home owner did not opt to do this. Charlie stated he wouldn't mind allowing the owner to make payments to the town over 6 months for a culvert but Jim asked what the recourse would be if he didn't make the payments. Many Board members stated they would not be in favor of a payment plans. Keith stated that the owner stated he does not want to pay for the culvert at all.

Keith will get a copy of the driveway policy for the Board members. He then stated that this culvert could potentially be a safety issue because the road could be washed out due to a failed culvert. This discussion was tabled to the next meeting in order to review the driveway policy and give Keith time to research if a lien can be placed on the property for road repairs.

- B. Keith reminded the Board they received a letter from Mr. Richard Maynard in regards to his feelings that the Sheepboro Road widening is encroaching on his property and threatening his maple trees. Charlie reminded the Board that Scott Hazelton was tasked to do a number items regarding this complaint and questioned if those things were completed. Keith will ensure that Scott has completed those items and also go back up to meet with Mr. Maynard (with someone else) to hear Mr. Maynard's current complaints.
- C. Keith informed the Board that employee John Radcliffe is back to work.
- D. Keith reported that the bats at the town office are scheduled to be taken care of and the area will be secured to make sure the bats cannot return. Charlie asked if Dennis Roseberry can oversee the securing of the area to ensure it is going to work.
- E. Keith explained that the school department would like to designate the 2nd floor of the Municipal Building as an Evacuation Site for seniors on behalf of the emergency plan. More information was requested on exactly who the school is talking about placing up there, what the town's responsibility is and such. Concerns were raised that this building is not set up to be such a site as there is not sufficient generator power, a kitchen and other facilities.
- F. Keith noted that there is presently a shortfall in personnel funding for the fire department. They have been able to find \$10,000 of the \$20,000 needed (\$2,500 from PD and \$7,500 from DPW); department heads are still looking for funds but it may need to come back to the Board.
- G. Brandy Sanger reported that Boy Scout Troop 188 went up to clean the Sarah Greenfield Lot and picked up 400 pounds of trash solely related to target shooting and while they were there cars pulled up to do shooting. *Charlie King motioned*

to post the lot for no firearm discharge and/or trespassing as deemed appropriate by the Police Chief, 2nd Jim Horgan. Motion carried with all in favor.

At 9:13pm, Charlie King motioned to go in non-public under RSA 91A.3.II (b), 2nd Jim Horgan. Roll call – Charlie King (yes), Jim Horgan (yes), Arthur Capello (yes), Paula Proulx (yes) and Joan Funk (yes).

At 9:23pm the Board came back into public session and Charlie announced the non-public minutes were sealed.

At 9:23pm, Charlie King motioned to go in non-public under RSA 91A.3.II (c), 2nd Jim Horgan. Roll call – Charlie King (yes), Jim Horgan (yes), Arthur Capello (yes), Paula Proulx (yes) and Joan Funk (yes).

At 9:41pm the Board came back into public session and Charlie announced the non-public minutes were sealed.

At 9:41pm, Charlie King motioned to go in non-public under RSA 91A.3.II (d), 2nd Jim Horgan. Roll call – Charlie King (yes), Jim Horgan (yes), Arthur Capello (yes), Paula Proulx (yes) and Joan Funk (yes).

At 9:49pm, Charlie King motioned to go in non-public under RSA 91A.3.II (b), 2nd Jim Horgan. Roll call – Charlie King (yes), Jim Horgan (yes), Arthur Capello (yes), Paula Proulx (yes) and Joan Funk (yes).

At 9:52pm, Jim Horgan motioned to seal these non-public minutes, 2nd Arthur Capello. Motion carried with all in favor.

At 9:52pm, Jim Horgan motioned to come out of non-public, 2nd Joan Funk. Roll Call - Charlie King (yes), Jim Horgan (yes), Arthur Capello (yes), Paula Proulx (yes) and Joan Funk (yes).

At 9:53pm, Joan Funk motioned to adjourn, 2nd Jim Horgan. Motion carried with all in favor.

Respectfully Submitted,

Brandy Sanger
Recording Secretary

Amended and accepted 9-24-12

Chairman, Charlie King

James Horgan

Joan A. Funk

Arthur Capello

Paula Proulx