

**TOWN OF FARMINGTON
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
Monday, October 22, 2012
356 Main Street, Farmington, NH**

Selectmen Present: Charlie King, Paula Proulx, Joan Funk, Arthur Capello (arrived at 6:44pm) and Jim Horgan

Town Staff Present: Town Administrator Keith Trefethen, Police Chief Kevin Willey, DPW Director Scott Hazelton, Fire Chief Rich Fowler, Firefighter Tom Bonneau, and Rec Director Rick Conway.

Public Present: Neil Johnson, Tamar Roberts, Fred Cameron and Barry Elliot

Chairman Charlie King called the meeting to order at 6:00pm and led those present in the Pledge of Allegiance.

Jim Horgan motioned to go in non-public under RSA 91.A:3.(b) and (c), 2nd Joan Funk. Roll call – Joan Funk (yes), Paula Proulx (yes), Charlie King (yes) and James Horgan (yes).

At 6:44pm the Board reconvened in public session and Charlie announced the non-public minutes were sealed. Arthur Capello arrived at 6:44pm.

1. Review of Minutes:

A. Jim Horgan motioned to table the minutes until later in the meeting, 2nd Paula Proulx. Motion carried with all in favor.

2. Employee Presentation

The Selectmen presented Deputy Fire Chief Tom Bonneau with a certificate recognizing their “above and beyond” service to the town by using their expertise to overhaul and restore the 12 year old exhaust removal system at the fire house saving the community an excess of \$4,000.

3. Meet with Auditor:

Tamar Roberts from the town’s auditing firm Roberts & Greene generally reviewed the audit with the Board. She explained the town is in healthy financial standing with a \$1.6million fund balance. She noted that Farmington does a remarkable job matching their budgeted amount to their expended amounts. Keith asked if Ms. Roberts has any advice on proper handling of cash in town. Ms. Roberts suggested the town have good policies and procedures in town including more than one person involved the collection of funds so there is a system of checks and balances. She also recommended daily

deposits, secure place to lock funds up and Selectmen and department head knowledge of the procedures/policies. Ms. Roberts does not recommend utilizing debit cards and noted it might even be against the law since only the town treasurer is supposed to disperse funds. If a town utilizes credit cards than a firm policy should be held and only certain people should be allowed to use it.

On the topic of the audit Ms. Roberts noted that there was no reconciliation of the amount of calls/cost for the ambulance service and the receivables. They recommend reconciliation be done with the receivables and given to the finance administrator. Charlie noted that a new part-time position was added for receivables and this should be added to her job description; Keith took note. Ms. Roberts then explained how the depreciation of town assets should be completed. If an asset's life is being extended than the depreciation should be figured over the longer period. The final finding was that the purchase order policy is not always followed and Charlie replied the Board is aware of the issue and working on it.

4. Proposal of Swapping of Land with Cameron's:

Fred Cameron would like to swap 104,100SF of land abutting River Road for 47,500SF of town owned land on Route 11. The parcel currently owned by the town is directly in front of Cameron's Lawn and Garden on Route 11. In exchange for the parcel Cameron's will eliminate the entrance directly across from Central Street and move it west on Route 11 to provide better site distance and safety in turning. The piece they would convey to the town would link two parcels owned by the town to further protect the Mad River. The Conservation Commission reviewed this proposal and endorses it should the Board consider including it on the Town Meeting warrant for vote.

Jim brought up a previous concern of the Selectmen's that the State of NH might widen the road at some point and take the parcel of land on Rte. 11. Barry Elliot explained that the State has no plans for widening in the foreseeable future but if they decide to do so they are going to take the land no matter who owns it. Paula commented that the intersection at the end of Central Street has some safety concerns and the town asked the State to not sell their piece of property on Route 11 in case they choose to make improvements in the future. Joan commented that the State will take the property from whoever owns it when and if they decide to make improvements to the road in the future and she is in favor of the land swap. Jim then stated than another issue would be the cost for the surveying of the property and the transferring of deeds and he feels the costs should be split by both parties.

Scott Hazelton, DPW Director, explained that he reviewed the proposal from a safety standpoint and with NHDOT and feels this swap would be beneficial to both parties and the community. Because Cameron's is agreeing to close their current Rte. 11 entrance and utilize the one further down he would be in favor of the project since it would provide a safer situation.

Barry Elliot noted that a big reason why they would like this swap is because they are hoping to improve the security on their parcel. Right now they have a life of pilfering

since they cannot block of the furthest entrance since the town owns the property. *Jim motioned to authorize Keith Trefethen to draft a warrant article for the land swap with the conditions that the following items are received; a letter from the NHDOT stating they have no concerns regarding the proposed swap, an estimate on the costs for the surveying and transfer of deeds and a letter from the Conservation Commission regarding their approval/or not to assist with funding of the project, 2nd Joan Funk. Motion carried with all in favor.*

5. Report on needed upgrades of Scruton Road (Class VI road):

Scott Hazelton, DPW Director, explained he conducted a site visit of Scruton Road up to the proposed Gerlach driveway. Approximately 0.4 miles of Scruton Road have been improved beginning at the intersection of Meaderboro Road and ending at the first driveway that is located on the left hand side of the driveway. The improvements do not meet the Town's current roadway standards for minimum width along the entire section of the roadway though the depths of gravel appear to meet the requirements. The remainder of Scruton Road to the Gerlach's proposed driveway has not been improved and significant roadway and drainage improvements are necessary including the installation of a culvert pipe to cross an existing wetland area.

Charlie asked if Scott prepared an estimate and Scott replied no because there are too many unknowns as to the depth of work that would be needed. Keith stated it is not the town's policy to create estimates but feels the Board needs to decide what standard they are going to hold the Gerlach's to if they would like to continue with the process of constructing a home on this property. Arthur stated the road would need to be improved before a building permit is issued since there is such a large wetland crossing and a stream crossing issue. Keith will draft a letter to Mr. Gerlach informing him of the town road and driveway standards and what steps he would need to take in order to obtain a building permit for his parcel.

6. Request for Assistance/Union Street Development of Ice Rink:

Jim reminded the Board that this same discussion was held last year and approved though it never came to fruition due to the weather. Scott Hazelton stated it is his intent to dredge this retention pond in the next several years and stated that if Mr. Spear would like to continue with this process he would need to obtain the proper permits because it is a wetland. Mr. Spear requested to burn the overgrowth and it was discussed that this might not be an option as it is a wetland. The Board is okay with the area being made into an ice rink by flooding and if it is allowed the fire department can do a controlled burn.

7. Review Building Rental Waiver Requests:

Keith explained that the Monday night AA Group has requested a waiver from the building rental fees. Charlie noted that he feels this is something that every community needs and he would be in favor of granting the waiver and waiving all past uncollected fees. Arthur feels the waiving of past fees is not appropriate because the policy should have been being followed. *Charlie King motioned to grant waiver of the building rental fee for the Monday night AA Group and waiving all past uncollected rental fees, 2nd*

Jim Horgan. Discussion followed where Paula asked if there have been any issues related to their usage of the building and Rick replied no, he has not had any issues with this group utilizing the building. Paula stated the group came into the building under the understanding that they were going to be charged for utilizing the space and they should be responsible for those past fees. Jim replied that it is hard to know what policy/if any they came in under. Rick explained that he tried charging them several times over the past few years and was told they would have to not meet in the building if they are going to be charged and was then directed by the town administrators to not charge the group. ***Motion failed with Charlie King and Jim Horgan in favor.***

Arthur Capello motioned to grant the waiver of the building rental fee for the Monday night AA group and set up a payment plan for the back rental fees for the 2012 calendar year, 2nd Paula Proulx with the friendly amendment that the group be put on a probationary waiver that if they do not live up to their payments then the waiver will be null and void. Discussion was held where Charlie stated that the passing of this motion will make this group cancel this meeting. It was then noted that a representative of the group could come and talk with the Selectmen in non-public. ***Arthur Capello and Paula Proulx rescinded their motion to allow the AA Group to come meet with the Board.***

Rick then informed the Board that there is another AA Group in town and a few other entities that have not yet filled out a waiver and questioned if he should send these entities bills.

Rick then added that the annual downtown trick or treat is this Friday at 3:30pm and since there are a number of vacancies downtown he has requested volunteers to pass out candy.

At 8:45pm, Jim Horgan motioned for a short recess, 2nd Charlie King. Motion carried with all in favor.

At 8:53pm the Board reconvened.

8. Discussion on Proposed Health Insurance Adjustments for 2013:

Keith informed the Board that LGC has provided the town with the cost for the adjustments for the health insurance premiums which is expected to be a 10% increase. Keith would like the Board to consider the numbers, where they want to be financially and what, if any, employee contribution changes should be made. Arthur would like to see what other products are available and noted they he does not want to raise employee contributions if it can be helped. Charlie stated that he would like to look at the buyback stipend as well as, other options from LGC and other companies including private ones.

Jim asked if any funds are coming back from LGC and Keith replied a check for approximately \$20,000 is expected in the next few months with another one in August for a similar amount. Arthur stated he would like to discuss what will occur with these funds once they are received at a future meeting.

9. Request of DES Public Ceremony/Landfill Closure:

Keith informed the Board that NHDES would like to organize a public ceremonial closing of the landfill since it was the last online landfill in the state. The Board agreed that this would be acceptable.

10. Any Other Business To Come Before the Board:

A. Jim Horgan motioned to appoint Martin Laferte to the Planning Board as a regular member for three years, 2nd Joan Funk. Motion carried with all in favor.

B. Keith informed the Board that PSNH is sending the town a check for \$5,639.83 as a rebate and questioned if he can schedule a public hearing to accept the funds. The Board was in agreement to schedule the public hearing.

C. Keith informed the Board that Wright-Pierce has requested an extension to the engineering contract from \$500,000 to \$550,000. Jim Horgan motioned to extend the Wright-Pierce contract cap to \$550,000, 2nd Arthur Capello. Discussion was held where the Board discussed that they thought Wright-Pierce was going to come back in front of the Board and explain/solidify the cap extension request. ***Motion carried with Arthur Capello, Jim Horgan and Joan Funk in favor.*** Keith will request that Ed Leonard come to a future meeting to explain the extension.

D. Keith explained that Mr. DeJulio has approached him about the downtown Christmas lights. Mr. DeJulio is requesting \$1080.50 to maintain the lights and extend them to the bridge. Jim asked for an inventory on the current lights and a breakdown on the \$800 maintenance cost. Keith will also look into the accounting for the Downtown Business Committee and the EDC to see what funds are available.

E. Keith reminded the Board they were given documents from a potential franchise renewal negotiating attorney. If the Board chooses to retain her services she would first request an extension in order to allow the town to review their needs, goals and terms. Keith will request a year extension from Metrocast.

F. Charlie read a letter from Mr. Don Seymore thanking the EMS and Fire Department for their excellent service to his family.

G. Paula asked Charlie if he was able to look into the road repairs on Ten Rod Road and he said yes, he reviewed the work with the road agent and he did not see any substantial changes to the residents' property outside of the right of way.

11. Review of Minutes:

A. Arthur Capello motioned to accept the public minutes of October 9, 2012 as amended, 2nd Jim Horgan. Motion carried with all in favor.

B. Charlie King motioned to accept the non-public minutes of October 9, 2012 parts A through I, 2nd Joan Funk. Motion carried with all in favor.

Accepted 12-10-12

C. Charlie King motioned to move non-public minutes of October 9, 2012 part J to the public session, 2nd Paula Proulx. Motion carried with all in favor.

11. Any Other Business To Come Before the Board:

A. Joan stated that she learned the bill from Langis Electric has not been paid for the work down at the school when the breakers did not reset when the generator was tested. Keith stated that there are a number of issues with the way this project was carried out and he has not accepted any responsibility at this time. However, Keith has a meeting with the Superintendent this week in which it may be a topic of discussion and the town has not been presented with a bill to pay.

At 9: 50pm, *Arthur Capello motioned to adjourn, 2nd Paula Proulx. Motion carried with all in favor.*

Respectfully Submitted,

Brandy Sanger
Recording Secretary

Chairman, Charlie King

Jim Horgan

Paula Proulx

Arthur Capello

Joan A. Funk