

***TOWN OF FARMINGTON
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
Wednesday, February 20, 2013
356 Main Street, Farmington, NH**

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

Town Staff Present: Town Administrator Keith Trefethen, Water/Wastewater Superintendent Dale Sprague and Town Clerk Kathy Seaver

Public Present: Neil Johnson

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

1. Review of Warrants:

The Board conducted a final review of the warrants for Town Meeting and signed them as presented.

2. Approval of Minutes:

A. Joan Funk motioned to table the public minutes of January 14, 2013, 2nd Jim Horgan. Motion carried with all in favor.

B. Joan Funk motioned to approve the non-public minutes of January 14, 2013 as presented, 2nd Arthur Capello. Motion carried with Charlie King abstaining because he was absent.

C. Joan Funk motioned to approve the public minutes of January 28, 2013 as amended, 2nd Arthur Capello. Motion carried with all in favor.

D. Joan Funk motioned to approve the public minutes of January 30, 2013 as written, 2nd Jim Horgan. Motion carried with all in favor.

E. Joan Funk motioned to approve the public minutes of February 6, 2013 as written, 2nd Jim Horgan. Motion carried with all in favor.

3. Committee Appointments:

A. Arthur Capello motioned to appoint Joshua Carlsen to the Conservation Commission and Downtown Committee both for 2 years, 2nd Jim Horgan. Motion carried with all in favor.

B. Jim Horgan motioned to appoint Glen Demers to the Planning Board for three years, 2nd Charlie King. Motion carried with all in favor.

C. Jim Horgan motioned to appoint Dave Kestner to the Planning Board for a two year term, 2nd Charlie King. Motion carried with all in favor.

4. Meet with Strafford County Community Action:

Keith explained that he rescheduled the discussion with CAP for next Monday during the regular meeting.

5. Discuss Letter from resident on Sewer Issue:

Keith explained there was a sewer blockage by Manny Krasner's office and he has requested the town pay one half of the bill because he claims the blockage was closer to the Town's courthouse side of the sewer line. Dale explained the entire line in the courthouse was reviewed with camera and the line is currently clean and open. Charlie asked if this an area that needs to be updated to split the lines and Dale replied that this is the first time since he has worked in the town that there has been an issue with that particular line so he does not feel it would be economic to do so.

Jim Horgan motioned to forward a check to Manny Krasner for 50% of \$295 for the repairs he made, 2nd Joan Funk. Discussion followed where it was noted that the Town incurred a cost of \$250 to review the line with the camera and this is not something Dale's crew would normally have done. Motion failed with only Jim Horgan in favor.

6. Discuss the reimbursement of funds related to Road Review of Labrador Rd/Cottontail Lane:

Keith explained that both Labrador Road and Cottontail Road have been accepted by the town and all work has been completed successfully. Currently there is a \$2000 bond for these roads that Mr. Szirbik is requesting. *Jim Horgan motioned to release the bond by Mr. Szirbik for Labrador Road and Cottontail Lane, 2nd Joan Funk. Motion carried with all in favor.*

7. Law Firms Review & Discuss Options:

The Board discussed the previous law firms that were interviewed a few weeks ago. Arthur expressed that he is in favor of Upton & Hatfield because he has had nothing but good experience with them. Jim stated that he was most impressed by Drummond & Woodsum but his second would be Upton & Hatfield. Paula stated that she is uncomfortable with the Mitchell Group and felt that the presentation by the Drummond & Woodsum group was notable to her and she liked the fact that there was 60 attorneys in their office for back up. Charlie stated that after talking with town staff he learned that Drummond & Woodsum are based primarily out of Maine and that might cause an issue when discussing NH laws. Joan stated that she agrees with what has been stated thus far and is not comfortable signing another contract with the Mitchell Group.

Arthur Capello motioned to award the law firm bid to Upton & Hatfield, 2nd Joan Funk. Motion failed with only Jim Horgan in favor.

Charlie King motioned to award the law firm bid to Drummond & Woodsum with a three month review by the town administrator, 2nd Joan Funk. Motion carried with Arthur Capello opposed.

8. Draft #3 Snow Removal & Ice Control Policy:

The Board reviewed draft #3 of the policy. *Arthur Capello motioned to accept the Snow Removal & Ice Control Policy dated 1-18-13, 2nd Joan Funk.* Discussion followed where Paula noted that staff needs to be aware that if there are kids in school during an event when this policy is followed that the staff needs to be sure the sidewalks are cleared so that children can walk home safely. *Motion carried with all in favor.*

9. Discuss Abatements & PSNH Rebate with Water/Sewer Superintendent:

A. Dale explained the \$50,000 PSNH rebate did arrive but came as a credit on the electric bill. Dale questioned how the Board would like to apply the credit. As it stands right now the credit is be directly applied to the electric bill for the sewer plant. Arthur stated he is not sure that the entire rebate should stay with the sewer plant because the only the rate payers would be benefitting from the rebate and the taxpayers should see some of this savings. He feels this money could be applied to the depreciation of the plant. Jim and Paula both stated that they believe the rebate should stay with the new plant. Charlie noted that he also believes the rebate should stay with the plant notably because the depreciation has not been discussed completely and will take some work to come with a plan.

Dale explained if the rebate is to stay where it is the rate payers will only see a 14% increase in lieu of a 21% increase. Consensus of the Board was to leave the rebate with the sewer plant.

B. Dale explained the 500 Boys & Girls Club received a bill for materials used when the town assisted them with construction several years ago. The Town donated their time for this project. The original bill was for \$507 but since the bill was left unpaid the current bill is \$1089.60 due to accrued interest. Dale is not sure why the bill was not paid because they have received numerous notices and have paid other bills since. *Arthur Capello motioned to not abate the bill, 2nd Joan Funk.* Discussion followed where it was noted that they received several notices and it is not fair to have the water rate payers pick up this cost because the bill was just ignored. Charlie also noted that the 500 Boys and Girls Club did not even request the abatement; Kathy Seaver was just looking for some action. *Motion carried with all in favor.*

C. An abatement request was requested by Beth Pompano of 889 NH Rte. 11. Dale stated when the researched the area it looks like some stepped on the meter and dislodged it accidentally. Dale recommends abating the amount of \$2442.63. *Joan Funk motioned to abate \$2,442.63 for Beth Pompano, 2nd Jim Horgan. Motion carried with all in favor.*

D. An abatement request by Mr. Salisbury for \$10.41 because his washing machine hose broke and the water was not returned to the sewer. ***Joan Funk motioned to grant the abatement request by Mr. Salisbury for \$10.41, 2nd Charlie King. Motion carried with all in favor.***

At 7:28pm, Arthur Capello motioned for a short recess, 2nd Paula Proulx. Motion carried with all in favor.

At 7:37pm the Board reconvened.

E. Dale stated that there are several companies that supply energy rather than PSNH and he would like the Board to explore the options. He would like to sign up with Our Town Electricity at least for a six month period so the town can see immediate savings. Charlie stated that in long term the Town needs to do more intensive research because there are many companies out there that offer the same service.

Jim Horgan motioned to authorize Dale and Keith to change the electrical supplier company to Our Town Electricity for at least a six month period for all town electrical accounts and in the mean time research other suppliers to make sure the Town is receiving the best rates, 2nd Arthur Capello. Motion carried with all in favor.

10. Any Other Business To Come Before the Board:

A. Charlie asked what the status is of having the two bathrooms upgraded in the Municipal Building through the grant for the sewer plant. Keith stated he is not sure but will check with Dale, however, he has a plan to save some money by having Dennis Roseberry being the overseer and hiring out the electrical and plumbing work. The Board agreed this would be a good idea.

B. Keith explained Troop 188 has requested a Facilities Use Form to hold a bake sale at town meeting. ***Joan Funk motioned to approve the request by Troop 188, 2nd Jim Horgan. Motion carried with Arthur Capello abstaining.***

C. Keith informed the Board that approval was received by the State to grant the town ERZ status.

D. Keith explained that Kathy Menici asked him to forward a request for waiver on a Class VI road. Charlie explained that Mr. Paquette was granted approval for his development 19 years ago but never built his primary access. The Planning Board will review and comment on this request at their next meeting for the Board to review. Arthur asked if the gentleman has ever received a Occupancy Permit and Keith will check.

E. Keith stated the EDC has forwarded several names to create a Hay Day committee and questioned how the Board would like to proceed. Keith will draft a mission statement and list of goals for a Hay Day Committee for the Board to review on Monday.

F. Arthur asked if anyone is planning to coordinate a candidates' night and Keith stated that at this point he has not had any requests.

G. Arthur noted that there have been several activities at the Rec lately that should have been paid for and asked Keith to make sure they were.

H. Paula asked if the complaint form from Summer Street has been addressed appropriately because it says we are going to respond in the spring. Keith stated as the weather warms to 30-40 degrees the town crew can start filling pot holes however he does not believe there is a pothole there. Keith will check the area this week to make sure the appropriate action is taking place.

I. Paula read another complaint regarding a plow truck that was damaged when it was backing into a private drive. Keith explained that during the recent blizzard conditions a truck did back up into a private drive and caused cosmetic damage to the truck when the mailbox was hit.

J. Joan was asked several weeks ago to look into increasing the Veteran's exemption and unfortunately the town is maxed as to the amount we can offer.

At 8:14pm, Charlie King motioned to go in non-public session under RSA 91A.3.II (a), 2nd Paula Proulx. Roll call – Joan Funk (yes), Paula Proulx (yes), Charlie King (yes), Jim Horgan (yes) and Arthur Capello (yes).

At 8:32pm, the Board reconvened and Charlie noted the non-public minutes were sealed.

At 8:33pm, Charlie King motioned to go in non-public session under RSA 91A.3.II (e), 2nd Paula Proulx. Roll call – Joan Funk (yes), Paula Proulx (yes), Charlie King (yes), Jim Horgan (yes) and Arthur Capello (yes).

At 8:38pm, the Board reconvened and Charlie noted the non-public minutes were sealed.

At 8:38pm, Charlie King motioned to go in non-public session under RSA 91A.3.II (e), 2nd Paula Proulx. Roll call – Joan Funk (yes), Paula Proulx (yes), Charlie King (yes), Jim Horgan (yes) and Arthur Capello (yes).

At 8:40pm, the Board reconvened and Charlie noted the non-public minutes were sealed.

K. Joan reminded the Board that they are a Board and any communications and such should be discussed as a Board. Paula noted that all conversations should be done at a meeting and not through emails. Jim noted that he prepared certificates for the Board to review and possibly approve to make the process a little easier and nothing that he was making a decision on by himself.

L. Joan noted that she is not sure why the DPW director is being contacted about the safety of roads for school delay and closings by the school superintendent because it used to always be the Police Chief. Charlie then asked if the DPW Director is responding to the Superintendent. Keith will speak with all parties and assist the set up with a phone chain.

At 8:56pm, *Charlie King 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