

**TOWN OF FARMINGTON
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
Wednesday, May 29, 2013
356 Main Street, Farmington, NH**

Selectmen Present: Charlie King, Paula Proulx, Matt Scruton, Arthur Capello and Jim Horgan

Town Staff Present: Town Administrator Keith Trefethen and Police Chief Kevin Willey

Chairman Charlie King called the meeting to order at 6:06pm and led those present in the Pledge of Allegiance.

1. Public Comment:

none

2. Approval of Minutes:

A. Jim Horgan motioned to approve the public minutes of May 13, 2013 as amended, 2nd Arthur Capello. Motion carried with all in favor.

B. Jim Horgan motioned to approve the non-public minutes of May 13, 2013 part A as amended, 2nd Arthur Capello. Motion carried with all in favor.

3. Community Garden Update:

Keith explained that he made contact with the representative from the Community Garden Club about the concerns brought up by Mr. Robinson at the Board's last meeting. A letter was received that explained the Garden Club has plans to plant flowers in the front section of the lot to make it "prettier" to the eye. Arthur asked if there is a timetable for this scope of work and Keith replied he is not sure. Arthur stated he would also still like to know if they are charging fees for the lots as well and what is being done with those fees.

4. Earthtenders Update:

Keith explained that the owner of Earthtenders has been informing residents that she is no longer excepting yard waste from residents because "the town has not paid their bill." He reminded the Board that she was in front of the Board in March requesting an abatement on her assessment and the Board denied the request because she did not make the deadline for appeal and therefore the Board could not consider her request. Matt noted that he thought the approval for Earthtenders included that Farmington residents would not be charged and Keith stated that this could be inferred from the minutes of the Planning Board but it was not in the Notice of Decision. Charlie asked what bill did the town not pay and Keith replied that she sent the town a bill for the use of her business and it appears there was a misunderstanding after the previous meeting in which she thought the town agreed to pay such a bill. The owner of Earthtenders would like to meet with the Board again. Charlie stated he would like Keith to contact her and see what she

would like to discuss because if it is her assessment then the meeting would have no purpose because the Board's hands are tied in the matter. Also the owner is more than welcome to attend any Board meeting and speak during public comment.

Charlie asked what can be done at this time for residents. Keith stated that he has been discussing possible solutions with the DPW and they may have a temporary solution but some further investigation needs to be done because the transfer station may not allow this type of collection.

5. Historical Post 1945 Bridges:

There are a number of bridges in town that could potentially be slated as historically significant. Paula stated that there the bridge going over Dames Brook was deemed as historical and was reconstructed a few years ago. Each of the Board members noted that there are not any bridges in town they feel should be designated as historical but Keith should follow up on the Dames Brook bridge.

Charlie King motioned for a short recess, 2nd Jim Horgan. Motion carried with all in favor.

The Board reconvened.

6. SRO Memorandum of Understanding:

Police Chief Kevin Willey explained he just found out there is a grant available for School Resource Officer positions for \$125,000 over three years which would come with a "string" that the position be retained for a minimum of one year after the grant expires. Charlie noted that this grant would assist the school and town by offsetting some of the costs which would be a big plus in the endeavor to re-establish the SRO position. Arthur noted that he is concerned that the grant requires a four year commitment and the schools need to commit to having the position for this time frame. The Board discussed that the agreement with the school would have to be for a minimum of four years. Kevin noted that this grant is only for an SRO position as well and cannot be used for a "regular" department police officer.

Arthur Capello motioned to move forward with the COPS grant with the condition that the School agrees to sustain the School Resource Officer position for four years as the grant requires, 2nd Jim Horgan. Motion carried with all in favor.

The Board then reviewed the Memorandum of Understanding for the SRO position. It was decided to make the change that a "principal" be on the hiring committee and not necessarily a "high school principal" which would allow the superintendent to choose which principal would sit on the committee. Charlie asked if the financial section of the MOU should be revised and Kevin explained he set it up with quarterly payments to follow past practice which allowed for an easier paperwork trail for the COPS grant. *Jim Horgan motioned to accept the Memorandum of Understanding for the School Resource Officer position as amended to reflect the change to "principal" as discussed, 2nd Arthur Capello. Motion carried with all in favor.*

7. Draft Cell Phone Policy:

Under the Eligibility section, Charlie questioned with the policy as presented who would be added or subtracted to the list of people who get cell phone stipends. Keith explained as the policy reads department heads would determine who they felt should receive stipends and then bring their reasoning to the Board for approval. Charlie then noted he feels the stipend amounts should be reduced to \$30 and \$50. Keith explained that currently the town pays stipends between \$25 and \$60 and he was trying to find a medium. A discussion was held on if the town would require certain staff to have a cell phone and it was noted that certain positions require 24 hour access and the employees prefer a stipend to offset their personal cell phone costs rather than carrying two separate cell phones. Jim and Arthur both noted they would agree with the \$40 and \$60 stipends but Matt, Paula and Charlie were in agreement to reduce the stipends to \$30 and \$50.

Paula noted that the cell phone stipend is a benefit and is taxable so the town needs to make sure that it is done correctly. It was then noted that under the Employee Responsibility section the employees receiving stipends should provide their cell phone numbers to the department head, town administrator and the Selectmen's secretary. Charlie noted that RSA91A needs to be noted because texts and emails on cell phones are subject to the RSA and can be subpoenaed (and this would need to be signed off on by each employee). Keith will make corrections and bring back draft 2 to the Board.

8. Other Business To Come Before the Board:

A. Arthur questioned if the Board would be willing to discuss another meeting night since he has recently taken a new position and Monday nights might be a conflict for him. He further noted that he will know next Monday if the schedule would be a conflict and the Board agreed to discuss further then.

Matt questioned if Arthur has a conflict of interest being an administrator in another town and on the Selectmen Board in Farmington under the ICMA guidelines because the towns would be competing for grants, business, employees and such. Charlie noted that he also feels there might be conflict of interests more often than not which would cause Arthur to recuse himself from discussions in two towns and gave an example if both towns were applying for the COPS grant. Arthur noted that he would like to see his commitment out to the town as a Selectmen and he has a loyalty to the town because he lives here but would certainly be honest with the Board and town if he got to a point where there were conflicts.

At 8:44pm, *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

Matt Scruton