

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, December 23, 2013
6:00PM
Selectmen's Chambers
356 Main Street

MEMBERS PRESENT:

Charlie King, Chairman
Paula Proulx, Vice Chairman
Matt Scruton
James Horgan
Arthur Capello (left early)

MEMBERS NOT PRESENT:

At 5:35 PM the Board of Selectman held a Non-Public Session under RSA 91-A:3 II to meet with two candidates for open Highway Positions.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

At 6:17 PM, Charlie called the meeting to order and led the Pledge of the Allegiance.

2. APPROVAL OF MINUTES:

• **Minutes from December 9, 2013 Public Meeting**

MOTION: Charlie motioned to approve Public Meeting minutes for December 9, 2013

SECOND: Paula

DISCUSSION: Corrections were noted.

VOTE - Approved as amended: All in favor. Motion passes.

• **Minutes from December 9, 2013 Non-Public Meeting – A, B, C**

MOTION: Matt motioned to approve Non-Public meeting minutes A, B & C for December 9, 2013.

SECOND: Paula

DISCUSSION: None

VOTE: All in favor. Motion passes.

3. PUBLIC COMMENTS:

Charlie opened Public Comments.

Jim stated that he wanted to clear up a misunderstanding about something he was told he might have said at a recent BOS meeting in November. Jim said that he was told that he spoke about B & B being a disreputable company. Jim stated that he was pretty sure that is not what he said so he reviewed the audio of the meeting in question and there was nowhere in the meeting that he stated anything like that. He added that the only reference that might have been close to that

phase was from two other Board members who stated that this company was a respectful business. Jim added that he has a lot respect for the guys at B & B and would never have stated something like that.

Paula mentioned that the Police Department did a drug sweep at the schools last week and there was nothing found. She added that she wanted to thank everyone for the good work, including the kids. Charlie asked if Chief Willey wanted to add anything. The Chief said that we are not naive enough to think that there is a not drugs in the school, we know there is some and we intend to keep the pressure at school. He added that generally they do the sweep twice per year at random, once in the fall and again in the spring. The Chief explained that the students went into lock down and they searched lockers, the cafeteria, and common areas with 3 dogs. Afterwards they went to the middle school and they did the same thing. Chief Willey added that by putting the students in lock down, it allowed the schools to also exercise their emergency plans and for us to work with them in order to make suggestions for improvements. One thing we noticed is at the middle school, not all rooms could hear the message.

Charlie asked if there were any other comments and there was none.

4. TOWN CLERK SHARING OF PERSONNEL:

Kathy stated that starting January 1st, the person she has that works 32 hours is not going to be able to work her scheduled hours anymore because if she does she will no longer be counted as a part-time employee. Kathy added that she has talked to Milton and they have the same issue with their employees. Kathy stated that Milton and she have discussed the possibility of sharing staff. The idea would be to share these positions every other Monday, that way the employees could still work their 32 hours, but not for the same employer. Arthur asked if we are considered a large employer and Kathy stated that there are other issues outside of the Affordable Care Act and this sharing would give theses employees the ability to still work 32 hours without any other issues concerning insurance. Arthur stated that he would like to see the work schedule and Kathy stated that only one day would cross over and this will work for both Milton, otherwise we may lose a good person.

MOTION: Arthur motion to approve the employment sharing with Milton.

SECOND: Jim

DISCUSSION: None

VOTE: All in favor. Motion passes.

5. MEET WITH PUBLIC SAFETY ADVISORY COMMITTEE

Joan stated that the Public Safety Advisory Committee went back to the table as the Board had suggested in the last meeting and we have both department heads as well as Kelly Davis of Port One here tonight to give the details. She stated that we have tightened up the cost as much as we could and still meet the needs of both departments. Joan explained that she thought there is confusion about the 75 years and it was only meant as a target for how long we plan the building to last, not that we planning the project on what our needs might be in 75 years.

Chief Willey and Chief Fowler both described the details of the plan.

Matt asked why the Committee chose to keep the building at the same place if this is for long term planning and Kelly answered it is because some of the things we stated at the last meeting and if we need to expand in the future, we can look at a sub-site. He added that the Committee looked at a lot of sites and the feeling was to make an investment in the downtown site. Chief Fowler stated that a mile and a half down the road is not going to make a difference being on the other side of Route 11 because of traveling time. He added that his staff will still need to get to the station to get the equipment and having the new station in the same area will save time. Joan stated it is like the post office, they wanted to move to Route 11 and the town worked with them to stay downtown for the people to use. She added that if we are looking for the downtown to finally come together and fill those empty spaces, this may be one of the tools that makes that happen. Matt stated that community pride is good but he wants to make sure that if his house is on fire they can get there fast. Joan said you heard what Chief Fowler stated that it would be quicker for the staff to go down to get the equipment instead of going to Route 11 and then to the fire. Chief Fowler added that we currently have relations with Rochester and New Durham so that we can do the best that we can and make sure all residence have protection and coverage.

Kelly stated that the cost was brought down to just under \$4 million and maybe we can bring it down even more by talking with the cost estimator. Arthur stated that he noticed things that are marked as “not included by owner”. Kelly explained that these are items not currently included in the estimate because the items need to be decided upon such as the telephone and security system. Jim stated that we will have to select a telephone and security system company and Charlie wondered how the electric cost can be accurate without these two systems included. Arthur asked what is the total bottom line cost and Kelly stated that he will have to look up the exact amounts, but the real amount is more like 4.2 million when all is said in done. Charlie asked so when it states “not included ” or “by owner” that means the cost is not yet calculated and Kelly stated that is correct.

Keith stated that the Capital Improvement Fund is paying for Kelly’s service now and there will be a balance of about \$200,000 that we will still have available. Kelly explained that he would like to get the go ahead to do the next step so that he can figure out some of the other details. Paula stated that landscaping and the generator are not included and Chief Fowler stated that is correct. Kelly added that he was hoping that maybe we could get help with the landscape costs. He added that the GOP tech engineering for \$7000, the radios, and other items are being paid for with a grant. Charlie asked about the \$180,000 for site work and Kelly explained that it includes the demolishing of the building. Arthur stated that when it is said and done, we are looking at about \$4.1 million. Discussion continued about the cost of funds.

Matt stated that he appreciates all the hard work but he still does not see where the tax payer can afford this project. I realize there is a need for the police and the fire departments and we owe it to both the committee and the tax payer, so the Board should provide them with a direction.

MOTION: Matt motion to recommend not to proceed with this project and to terminate the consulting firm.

SECOND: Arthur

DISCUSSION: Arthur stated that he agrees that we cannot afford it now and even though some of you will not agree or say it shouldn't matter, we need to be considerate of the school and the fact that Middleton may be pulling out. He added that I think we need something but don't think we can afford it now. Jim stated that I think we need to complete the GOP. He added that the plan was for the Committee to bring back a complete package to the Board and we didn't agree to do it now in the first place. Jim told Kelly that before going to the town you need to have all the details and numbers. He added that I'm happy where you have gotten, but want to see a completed plan. Charlie stated that I disagree with the basement and the cost is not going to be worth it, however I do agree with continuing with the GOP. He added that the committee is not going to approve a \$4 million project, but we do need to finish the plan, seek funding, and put out RFP's because we all know that \$4 million can turn into more when all said in done. I want to know what the true cost is, because when you go to the town, it cannot be an open ended number. It is not going to work taking this to the tax payer this year and then send the next year looking for funding.

Paula stated that I like the cost saving that was presented to tonight, the only thing I have trouble with is the cost of the project and I don't think the people can afford it. I know everyone is struggling and we do have some big things coming down the road, but I also recognized the need for this project that we just cannot ignore. She added that I love the idea of putting both Departments together, but if we don't get more funding to help, we won't be able to do it. Arthur asked if we can look to see if there is any more funding and putting some money away now.

Paul Turner stated that at some point you guys decided a committee should be born, and we put all sorts of time in and did our best to shave the cost. I'm just wondering what you guys had in mind for a number. He added that the Board should have some idea what the cost was going to be and I feel I may have wasted my time. Charlie stated that the first figure that was discussed was around \$2.4 million and the fact is the end cost is much higher now and we are still not sure about what could be out there for funding. Matt added that we also have to consider the cost to finance this project. Charlie told Paul that you did what we wanted we wanted the committee to do and put a plan together for the future, and now we have to work on the funding to get it to where the town can afford it. I don't want to stop the project, but now we need to focus more on funding because as it stands tonight, I cannot support it. He added that my approach is to say this is where we are at with the project as presented today, now we need to work at reducing the impact on the tax payers. Matt stated that the committee did a great job, but now it is up to the Board to decide if it is even feasible.

John Law stated that he doesn't think time has been wasted and there has been a lot of give and take here in designing the building. He added that we need to also think about what the cost is to not take action and replace what we have now, and what is the cost in not being able to provide the services that are needed. He added that we need to work together in providing the public services and safety to our citizens and think about what it will cost us if we do nothing.

Joan stated she agrees with what John just said and we did put great concentration into the tax payer when preparing this plan. We all know there is a need and it is always best to do something before you are forced to do so. Interest rates are starting to rise now and we will ever

see it this low again. She added that I know we have other projects we have taking on, but we were hoping you would think this is a good plan, and then presented it to the tax payers to see what they say, and added that we hope you see this as a win/win for the community.

Paula stated that she agree with what Joan is saying about the rates being low, but if you make the decision to build and we find we can't afford it, then what do we do. It's not like we can give it back. She added that I would like to see us talked about it for a few years, because now we can't pay for it so we have to find the money somewhere. Yes the rates are low, but you also heard the Departments Head asking to be creative just to keep people employed and I don't think you have wasted your time. You did what we asked and did a fine job at that. We now have a recommendation and that is what I clearly stated I wanted when we approved this project in the first place.

Board Member Arthur Capello left meeting at 7:48 for a family emergency.

MOTION: Matt motioned to withdraw his previous motion and to table this item until the next meeting due to the fact that Arthur had to leave for a family emergency.

SECOND: Jim

DISCUSSION: None

VOTE: All in favor. Motion passes.

Discussions continued between the PSA Committee and the BOS concerning the conditions of our current facilities, meeting codes and standards, available grants, the cost of finance, setting fixed construction costs, and the Committee bring back a completed plan. Kelly ended by stated that maybe we can fine turn the numbers and come back in January. Matt stated that the Committee was in charge of presenting us with a feasible plan and that is what they did, however in his opinion this is not a feasible project. Joan stated that she hears what the board is saying and we will go back and talk more.

MOTION: At 8:09 PM, Charlie motioned for a 5 minute recess.

SECOND: Paula

DISCUSSION: None

VOTE: All in favor.

Board returned from recess at 8:20 PM.

6. APPOINTMENTS TO COMMITTEE & COMISSION:

- **Jason Chapman appointment for Public Safety Advisory Committee**

MOTION: Jim motioned to accept Mr. Chapman for this replacement.

SECOND: Paula

DISCUSSION: Matt stated that he does not know this person and Keith stated that information on each Appointment is attached to the replacement form if he would like to review it.

VOTE: All in favor. Motion passes.

- **Glen Demers appointment for Conservation Commission**

MOTION: Charlie motioned to accept applicant for this replacement.

SECOND: Jim

DISCUSSION: Paula asked how many spots were still open and whether the applicant was applying for a 1 or 2 year term. Keith stated that there are 2 open seats and discussion continued about the length of term and open seat the applicant will fill.

VOTE: All in favor. Motion passes.

- **Laura Bogardus appointment for the Conservation Commission**

MOTION: Matt motioned to accept applicant for this replacement.

SECOND: Jim

DISCUSSION: Matt stated that it would be for a 1 year term.

VOTE: All in favor. Motion passes.

7. BUDGET REVIEW:

Fire Department – Chief Fowler

Keith stated he provided the Board a new Overall Budget Sheet dated 12/23/13 and added the proposed budget is \$533,368. Paula asked if anything has changed from last time. Chief Fowler stated that it is down about \$168,000 and he highlighted the items that had changed including reductions in a per diem line item for part-time and call paid, a telephone line item, and a stipend for part-time staff. Chief Fowler explained training cost was up about \$1000 due to new staff starts and advancements, as well as protective clothing due to several sets expiring this year and the normal purchase of least two sets per year. Paula asked how many set the \$41,000 would get and the Chief stated about 4 sets. The Chief also explained that medical supplies are up because the hospital is no longer replacing some of the supplies that they had previously replaced. The Chief explained the \$15,000 Forestry Equipment Grant and the need to spend that same amount. Paula asked what equipment was replaced and the Chief answered hoses that failed. Jim asked the Chief how he defines a failure and the Chief stated when it links under pressure.

Chief Fowler stated that the Fire Department Secretary pay increased due to 4 court cases. Jim asked why an increase and what she is costing us. The Chief stated about \$6800 per year and she has already collected \$8,000 this year. He added that the increase is due to increasing the hours so that she can do more collections. The Chief explained the need for new Inspection tablets so that on the spot inspections can be done without the need of coming back to the office and typing it up which would provide better customer service. Other items discussed included the increase of staff physicals, radio repairs, truck maintenance, alarm system, and building maintenance. The Chief stated that the annex building needs to have the hole in the roof fixed, the wooden section of the station has several holes that need to be patched up, and the bay area needs to be cleaned up. Keith then explained that Workmen's Comp costs is up about \$14,000 this year, due to an increase of about 7%, and stated that he will need to get back with the break down since the same will apply to all other departments. Matt stated that the Chief has done a good job and if you take out the costs that we don't have control of, his budget is pretty much level funded.

Police Department – Chief Willey

Chief Willey stated that he would like to present his department's budget in detail because some items have changes and new lines have been added and he started by going down the budget line by line. Charlie questioned the payroll line being up and Keith stated that we are not sure of the

exact amount because we are still negotiations. Charlie stated that we still have time to make adjustments and Chief Willey added that he thought it was still kind of early to discuss the personnel line. Chief Willey continued to present his budget with highlights including leaving the Crossing Guard line at \$1.00 just to keep it open, reduction in the Resource Officer due to the COPS Grant, hiring line that was created last year should remain level funded, the Holiday line has been reduced, and an increase of \$500 due to new staff training. He added that overall overtime will increase about \$25,000 which includes pay for officers appearing in court, and explained how he has no control of the costs and reimbursements and to better management he would like to see it in a separate line. The Chief explained mileage reimbursement will remain about the same and the number of vehicles was down including one cursor for 9 weeks, and they also had as many as 2 or 3 days of detail the later part of the year.

Other items discussed included that the County Dispatch requires a certain broadband and the cost will be in the phone bill, the need for air cards, options for exclusive business lines, slight increase of the Uniforms line, and how the police department reuses as much as it can. There was a discussion about \$12,665 budgeted for software license and the chief explained the department's needs and requirements and how he is working on finding ways to save on costs, as well as the need for mobile training and system migration maintenance support of \$3000 for one year. Jim asked if the maintenance cost provides upgrades and the Chief stated that it did plus any other support they would need.

The Chief stated that fuel cost will increase to \$25,925 and he finds this item the hardest to budget and added that he would prefer if all gas was put elsewhere and taking out of his budget. Keith stated that they are tracking fuel costs and are now getting better data. Paula asked Keith if he could talk to Pam to make sure that the fuel cost number is correct and Keith stated that based on the current price and usage, he would be comfortable with reducing the line by \$3000. The Chief continued by stating that curser maintenance is going from \$10,000 to \$12,000 and explained the benefits and how he thought he would be able to save money if he was able to look into lease options. The Chief stated that he has only bought 1 car in 2010 and the others came from a grant and added the CIP states that the Police Department should receive a new vehicle every year.

Chief Willey also highlighted moving a few items to correct lines, as well as the need to replace 3 external doors for about \$8,000, purchase another bike for \$950, purchase 4 new refurbished desktop computers, replace 3 tasers and the maintenance, and purchase a new file server to replace the current one that is about 7 to 9 years old for \$5,500. Charlie questioned the \$233,000 Health Insurance line and wondered why we are budged for that amount but have expended \$30,000 less this year. Keith explained that the expenses are directly related to what our employees take for insurance and the amount can move if or when staff is replaced. Charlie then asked why Retirement was up \$20,000 and Keith stated that he will have to get updated numbers for Workmen's Comp, health and other personnel expenses.

8. ADAPTION OF MODIFICATIONS:

Matt asked that due to the late hour can we put off anything that doesn't need to be handled now. Keith stated that we can wait to approve the handbook however we should address the Pay Plan tonight.

Employee Handbook

Charlie said that he is was ok with the current “pencil” revision.

Farmington Pay Plan

Charlie stated that this is a 1.5% increase and he didn’t want to adjust the starting salary. He added that he was ok with leaving the starting salary as is and bumping up the others at the top.

MOTION: Charlie motioned to adjust the Farmington Pay Plan to increase the max of the scale by 1.5% except for starting positions which will remain the same.

SECOND: Jim

DISCUSSION: None

VOTE: All in favor. Motion passes.

9. ENCUMBERANCE OF FUNDS:

• \$ 31,468 – Town Wide Assessment Evaluation Update

MOTION: Charlie motioned to approve \$31,468 for town wide assessment evaluation update.

SECOND: Jim

DISCUSSION: None

VOTE: All in favor. Motion passes.

• \$ 1,674 – North East – lateral file cabinet for storage at Town Clerk Office

MOTION: Charlie motioned to approve \$1,674 for purchase of filing cabinet.

SECOND: Jim

DISCUSSION: None

VOTE: All in favor. Motion passes.

• \$61, 682.78 – Safe Routes to School

MOTION: Jim motioned to approve \$61,682.78 for Safe Routes to School.

SECOND: Charlie

DISCUSSION: None

VOTE: All in favor. Motion passes.

10. ANY OTHER BUSINESS:

Keith said that he had an item that needs to be taken care of. Matt asked if it had to be done today and Keith said yes and outlined the items in a Memo referencing to contractual obligations. Keith pointed out the DES ruling and the fact that the funding we have left can be used to settle this case. He added that we need the approval to except the \$25,436.25 agreement.

MOTION: Jim motioned to authorize moving forward with the \$25,436.25 settlement.

SECOND: Matt

DISCUSSION: Matt stated that we need an answer by tomorrow or they will take us a court. Paula stated that she does not like it and Matt said that no one does, but it is the least expensive solution.

VOTE: Matt & Jim – yes / Paula & Charlie – no. Motion fails.

Keith asked if the Board wanted to review the documents before they make a final discussion. Matt stated that he wanted to clarify that the money could have been paid for out of funds from the grant, but now we will need to expend Tax Payer money to fight this. Discussions continued and Charlie stated that he did not like it and felt that we followed the advice given so there is no need to accept the agreement. Matt stated that he felt that we should get out of this soon as we can.

Jim asked Keith where are we at with the cable franchise agreement point of contact, and Keith stated that it was with our attorney right now and we will be involved. Paula asked if we ever billed New Durham and Middleton for a tower repair that was done a few months ago and did they ever respond. Keith stated that he would check into it and get back.

11. NON-PUBLIC SESSIONS:

- Non-Public Session I 91-A:3 II (a) Police Chief Contract
- Non-Public Session II 91-A:3 II (a) Hiring

MOTION: At 10:07 PM, Charlie motioned to enter into Non-Public Sessions under 91-A:3 II (a).

SECOND: Jim

DISCUSSION: Matt stated that he didn't think the Board should go into non-public now because of how late it was.

VOTE By Roll: Matt – no / all others in favor. Motion passes.

Board left for Non-Public Session at 10:08 PM.

Board returned from Non-Public Session at 10:35 PM.

12. ADJOURNMENT:

MOTION: At 10:36 PM, Matt motioned to adjourn.

SECOND: Jim

DISCUSSION: None

VOTE - By Roll: All in favor. Motion passes.

Board adjourned at 10:36 PM.

Respectfully submitted by Debra Cantwell, Recording Secretary