

Town of Farmington
Board of Selectmen – Public Meeting Minutes
Monday, August 11, 2014
6:00PM
Selectmen's Chambers
356 Main Street

Members Present:

Matt Scruton, chairman
Charlie King
Paula Proulx
Brian St. Onge
Arthur Capello (at 8:05 p.m.)

Others Present:

Town Administrator Keith Trefethen
Interim Police Chief Jay Drury
Fire Chief Peter Lamb

1. Call to order-Chairman Scruton called the meeting to order at 6 p.m.

2. Pledge of Allegiance

3. Approval of minutes:

July 28, 2014-Page 2, "Other Business" letter d should be changed to letter c; Page 2, Farmington Children's Center-first sentence should be amended to denote that some speakers were not Farmington residents. Motion to approve public (as amended) and non-public minutes of July 28 (St. Onge, second King) passed 4-0. (Scruton, St. Onge, Proulx, King-yes).
August 4, 2014-Motion to approve as submitted (St. Onge, second Proulx) passed 4-0.

4. Public Comment:

a. Chairman Scruton announced that the Strafford County Attorney's office is investigating the theft of town revenues. No additional information is available at this time due to the on-going investigation. All inquiries should be addressed to the County Attorney's office.

b. Resident Randy Orvis came before the board to discuss the condition of Ten Rod Road. He said that despite the valiant efforts of the highway department, the gravel portion of the road continues to be plagued with pot holes and poor conditions due to the large amount of traffic using the road. He asked Selectmen to consider paving the road and to plan to include the cost in the next town budget proposal. Trefethen noted that the town's grader operator has been on vacation for the past two weeks and may be available to re-grade the road when he returns. He added that an application of calcium chloride may help hold the gravel surface together longer, but suggested some of the town's dirt roads may need to be attended more often. Selectmen said residents in the area should be polled as to their preference for a paved or gravel road and noted there are some strong advocates for keeping it a dirt road in that area. Discussion also included possible plans to obtain a traffic count to compare traffic levels on Ten Rod Road to other town roads. Interim Police Chief Jay Drury said a traffic count could be performed over any three to four day period as long as the same guidelines are used for each count such as the number of days, week days or weekends and the time of the day the count is taken.

5. Wright/Pierce-Ed Leonard:

Ed Leonard, Project Engineer for Wright-Pierce approached the board to provide a status update on the upgrades to wastewater collection, treatment and disposal systems. Leonard said plans for the project were submitted to the town, NH Dept. of Environmental Services and Rural Development in June and comments were received in July. The wetlands permit application was approved by Farmington ConsCom and sent to DES in July and is expected to be issued in August. The company plans to begin advertising the project for bidding in August and conduct the bid opening in September. The work includes upgrades to the treatment plant, energy recovery, mechanical and electrical systems as well as construction of access pathways for water sampling. Motion (King, second Proulx) to authorize advertising for bids for the project contingent on receipt of approval by the Wastewater Division of the DES passed 4-0. Motion (King, second Proulx) to authorize entering into a contract for engineering services with Wright-Pierce for the Phase IV Wastewater Treatment Facility Upgrades at a cost not to exceed \$128,265 passed 4-0. Leonard said he plans to return to the board in September.

6. Appointment request:

Trefethen reported that resident Jacquelin Bissell has asked to be appointed to the Conservation Commission. Selectmen could not approve her request as she did not specify which term length she is interested in or whether she was applying to become a regular or alternate member. Chairman Scruton requested Trefethen ask Bissell to attend the next ConsCom meeting and to provide more information on which position she is interested in.

7. Joint Fuel Bids with School District:

Trefethen reported receipt of a bid from Irving Energy for a fixed price fuel contract in conjunction with SAU 61 for the 2014-15 heating season. The bid process was conducted by SAU office and the RFP was sent out twice to six area companies, but the Irving bid was the only response received. He said that the School Board voted to accept the bid and were awaiting a decision by Selectmen. Members noted that the bid did not include gas prices and discussed possible ways to find better prices such as by packaging all of the town's fuel needs together and purchasing them from one provider if possible. Selectman St. Onge noted that the Irving contract proposal contained a "liquidated damages clause" which makes the customer liable to pay a fee if the customer refuses to purchase the number of gallons stated in the agreement. He suggested that if the number of gallons approved by the School Board includes the town's number of gallons, the town could be required to pay the fee for not purchasing the total number of gallons in the agreement. Motion (King, second St. Onge) to accept the fixed no. 2 fuel oil price of \$3.164 per gallon, consistent with the vote of the Farmington School Board passed 4-0.

8. Status on Auction of Tax Deeded Properties:

In a memo to the board, Trefethen stated that eight tax deeded lots were sold at auction with another two withdrawn from consideration. Three of the lots have been closed netting \$61,600 for the town. The remaining five lots were purchased by Waterway Realty but they have not been closed. The five parcels total \$69,800 and the \$10,000 deposit has been paid. The remaining \$59,800 is still owed to the town. Trefethen added that buyer's attorney was confused about some issues pertaining to the closing but had not contacted the town. Selectmen noted that the buyer was already 10 days past the deadline to close on the properties and discussed whether they should give the realty company any more time to straighten out any confusion and pay the remaining amount or offer the lots to the under bidders. Discussion also included putting the lots back out to auction or to return to the sealed bid process for each lot. Motion (King, second St. Onge) to give Waterway Realty until Friday, August 15 at 5 p.m. to complete the transaction or forfeit the terms of the auction on all five lots passed 4-0.

9. Any further business:

a. Trefethen reported that the Conservation Commission is seeking approval to apply for a grant from the Moose Plate program which is available to municipalities and conservation groups. Selectmen approved the

request and asked the Town Administrator to check to make sure that there is no competition between town staff and town boards for the same grant and if any recurring expenses are involved in accepting the grant.

b.The SAU held a meeting to discuss the financial impact of the withdrawal of the Middleton School District from SAU 61. Selectmen were unable to attend due to a scheduling conflict.Members asked the Town Administrator to invite the SAU and School Board members to the Selectmen's meeting scheduled for August 25 and requested they be placed first on the meeting agenda.

c.Trefethen told the board that after a discussion with Code Enforcement Officer Dennis Roseberry,that it may not be possible to provide comparable cost estimates for renovating or constructing a new facility for Police Dept. use at the Farmington Children's Center as requested by the board at an earlier meeting.Roseberry said it would be difficult to provide estimates without knowing the scope of the project or having any actual plans.Fire Chief Peter Lamb said the board could asking staff to compare apples to oranges when considering whether to retrofit the existing building for a use it was not designed for and suggested this could be more expensive than building a new facility due to the number of "unknowns" that could be involved.Selectmen said they are first interested in obtaining a conceptual layout for police department use to find out if the department's needs would fit in the existing building,if there are any special considerations for their uses and what would be needed to bring it up to code for a safety complex building.If the space does not satisfy the town's needs,it would not make sense to spend the money to hire a professional to assess structural,electrical or other changes needed members said. Motion (King,second Proulx)to request the Police Chief to work with the Code Enforcement Officer to provide a conceptual layout of the existing building to use for future contracted services passed 4-0.

d.Selectman King told the board that the Planning Board had voted to have Martin Laferte represent them on the Economic Development Committee.

10.Non-public session:

Motion(King,second Proulx)to enter non-public session under RSA 91 A:3 II (e)(the levee)passed by a roll call vote (King,Proulx,St.Onge,Scruton-yes) at 7:25 p.m.

Motion(King,second Proulx)to adjourn non-public session passed by a roll call vote at 7:45 p.m.(Scruton,King,Proulx,St.Onge-yes).

Motion(King,second St.Onge)to enter non-public session under RSA 91A:3 II(e)to discuss the investigation of the possible theft of revenues from the town passed by a roll call vote (Scruton,King,Proulx,St.Onge-yes)at 7:45 p.m. Selectman Arthur Capello joined the discussion at 8:05 p.m.

Motion(Capello,second King)to adjourn non-public session passed by a roll call vote(Scruton,St.Onge,Proulx,King,Capello-yes)at 8:10 p.m.

Motion(King,second Capello)to enter non-public session under RSA 91 A:3 II (a)Personnel issue passed by a roll call vote (Scruton,King,Capello,St.Onge,Proulx-yes)at 8:13 p.m.

Motion(Capello,second St.Onge)to adjourn non-public session passed by a roll call vote(Scruton,King,St.Onge,Proulx,Capello-yes)at 8:19 p.m.

Motion(Capello,second St.Onge)to adjourn the meeting passed 5-0 at 8:36 p.m.

Respectively submitted,
Kathleen Magoon
Recording Secretary

Chairman, Matt Scruton

Paula Proulx

Arthur Capello

Brian St. Onge

Charlie King