

**Town of Farmington**  
*Board of Selectmen – Public Meeting Minutes*  
**Monday, October 14, 2014**  
**5:45PM**  
**Selectmen’s Chambers**  
**356 Main Street**

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Farmington Board of Selectmen  
Tuesday, October 14, 2014

Members Present:  
Matt Scruton, Chairman  
Charlie King  
Paula Proulx  
Brian St. Onge

Members Absent:  
Arthur Capello

Others Present:  
Town Administrator Keith Trefethen  
Police Chief Jay Drury  
Fire Chief Peter Lamb  
Public Works Director Dale Sprague  
Recreation Director Rick Conway  
Coast Bus Co. Rep. Amy Vento

1. Call to Order:  
Chairman Scruton called the meeting to order at 5:45 p.m.

2. Non-public Session:  
Motion: (King, second Proulx) to enter non-public session under RSA 91 A:3 II(b) Interview of Animal Control Officer candidate, passed 4-0 on a roll call vote (Scruton, Proulx, St. Onge, King-yes) at 5:50 p.m.  
Motion: (King, second Proulx) to make a conditional offer of employment to Bryant Tremblay as an Animal Control Officer at the starting rate of \$13.50 per hour passed 4-0.  
Motion: (King, second St. Onge) to return to public session passed on a roll call vote (King, Scruton, Proulx, St. Onge-yes) at 6:05 p.m.

3. Call to Order/Pledge of Allegiance:  
Chairman Scruton reconvened the public session at 6:10 p.m. followed by the Pledge of Allegiance.

4. Pinning Ceremony for Police Dept. Promotions:  
Police Chief Jay Drury introduced Scott Orlando who was promoted to Lieutenant on Sept. 22, 2014 and read the definition of a Lieutenant and a brief history of Orlando's accomplishments. The Chief then swore-in Orlando to his new rank and pinned on his new badge. Chief Drury also introduced Ken Tilley who was promoted to Sergeant on Sept. 22, 2014. The Chief read the definition of a Sergeant and a brief history of Tilley's accomplishments. Tilley was then sworn-in to his new rank and was pinned by his daughter, Katy. Selectmen congratulated the officers and thanked them and their families for attending the ceremony.

5. Approval of Minutes:

Selectmen received copies of the minutes of the last meeting with missing pages.

Motion:(King,second Proulx)to table the approval of the minutes of Sept.22,2014 until the next meeting passed 4-0.

#### 6.Public Comment:

Rochester resident Albert Leeman,representing Tracey Leeman,approached the board to discuss the sale of tax deeded property at auction in June.Leeman said the properties were"bid up"by a representative of Waterway Realty LLC,who paid the deposits,but then did not complete the purchases.Tracey Leeman was the second bidder for the Scruton Road property(Map R42,Lot 004)and paid the \$2,500 deposit.A copy of the Agreement and Deposit Receipt was presented to the board for their review. A letter from Leeman's attorney requesting a closing date for the property was also included.Leeman said they received a phone call informing them that Selectmen were reviewing the matter after Waterway Realty failed to complete the transactions.Leeman characterized the lot as "junk",noted that it contained a swamp area and doubted the town would be able to sell it for a better price.He said the property would be used for hunting and requested the town set a closing date so the purchase could be completed.Chairman Scruton said that the board has not decided if they will accept second bidders for the properties or explore other options.He invited Leeman to continue the discussion under this topic later on the agenda.

#### 7.Phase 4 Waste water Treatment Facility Upgrades:

A)Public Works Director Dale Sprague and Wright-Pierce Project Manager Ed Leonard came before the board to review construction bids received for the project.Leonard said that five bids were received,with the lowest bid submitted by Apex Construction(\$446,200). He said the bid package was complete with the exception of the insurance certificates.

The insurance certificates are not normally requested for this type of project,but town's attorney suggested they be included and were provided by Apex on Sept.24.Leonard added that the board could deem the omitting of the certificate as an informality and waive the requirement if they chose to do so. If the requirement is waived,Leonard said he would recommend the contract be awarded to Apex.

Selectmen discussed the company's past performance,whether to require insurance certificates and the ability to approve any subcontractors needed for the project.Motion:(Proulx,second King)to accept Apex Construction's bid of \$446,200 contingent on funding agency approval,being given the right to review and accept subcontractors and waive the requirement for insurance certificates passed 4-0.

Motion:(King,second St.Onge)to authorize the Town Administrator to sign the contract documents on behalf of the Board of Selectmen passed 4-0.

B)Selectman King advised the board that PSNH had notified the Planning Board of their intention to reset some of their poles in town and were advised to contact the Public Works Director.King said one of the poles to be reset is located in a graveled area next to the Farmington Children's Center.He said the town may decide to mine the gravel at some point in the future and suggested the utility company agree not to charge the town if the pole needs to be moved to allow the site to be mined.Sprague said he has seen crews around town testing the bases of poles for rot,but he has not been contacted by PSNH.

#### 8.Review and Consider Second Bidders of Land Auction:

Town Administrator Trefethen reported that following Waterway Realty's refusal to close on the five properties bid on at auction,Selectmen asked to review the second bidders.He contacted James R.St.Jean Auctioneers and requested they contact the second bidders to determine their interest in purchasing the properties.Two of the three bidders came forward and expressed interest in continuing to purchase the lots. Bidder Susan Gill seeks to purchase sale #5 on Merlin Road,(Tax Map R-06,lot 213)for \$6,600 and sale #6 on Squire Road(Tax Map R-06,lot 217)for \$7,000.Bidder Tracey Leeman seeks to purchase sale #9 on Scruton Road(Tax Map R-42,lot 004)for \$11,000.Bidder Robert William,who bid on sale #8 on Ten Rod Road(Tax Map R-23,lot019)and sale #10 on Meaderboro Road(Tax Map R-43,lot 2)did not respond to St.Jean's inquiries.

Chairman Scruton recused himself from the board. Discussion included bids for these lots submitted by Waterway Realty, developing a list of all tax deeded properties with notes describing how they were acquired and options available should the board decide not to sell to the second bidders. Trefethen said the bidders meet the requirements for closing and that the properties would be conveyed by Quit Claim Deed. Motion: (King, second St. Onge) to authorize the Town Administrator to enter into purchase and sales agreements with the bidders for lots with sale number 5, 6 and 9 passed 3-0-1 (King, St. Onge, Proulx-yes, Scruton-abstained). Chairman Scruton returned to the board. Selectmen then discussed how to proceed with the remaining lots with no second bidders. Suggestions included a sealed bid process, setting a minimum bid, reserving the right to reject any and all bids and advertising on the local cable TV channel. No further action was taken. Selectmen plan to continue the discussion at the next meeting.

#### 9. Signatures/Easement Deed 500 Boys and Girls Club:

Trefethen suggested the board table the matter as a Notary Public was not available to witness the signing of the easement documents. Selectman Proulx requested a description of the easement property to include the tax map, lot number, road, meets and bounds and adjacent parcels to better define the easement parcel from the parent parcel.

Selectmen also discussed keeping a copy of the documents on file at the municipal building. No action was taken.

Selectmen briefly revisited item 8. The board discussed authorizing the Town Administrator to put the properties without a second bidder out to bid in an effort to "move ahead" in the process. Selectman King suggested taking a look at existing restrictions and potential addition of restrictions to allowed uses of the lots. Trefethen said he would provide draft documents for review at the next meeting.

#### 10. Policy Changes-Recreation Advisory Committee:

Selectmen reviewed the proposed changes to the town policy document relating to the Recreation Advisory Committee with Recreation Director Rick Conway. Suggested amendments include page 31, section 4-change commission to committee, section e, page 31-add "or recommend additions or changes to".

Motion: (King, second Proulx) to approve changes to town policy as amended passed 4-0. Conway then recommended Selectmen appoint all four applicants to the new committee. Motion: (King, second Proulx) to approve and appoint four applicants to the Recreation Advisory Committee as follows: Kristina Pelletier for a three-year term, Jo Kenney for a two-year term, Rose Muisse for a two-year term and Marion Gray for a one-year term passed 4-0. If a fifth applicant is received, s/he will be appointed to a one-year term Selectmen said. Conway said a Pumpkin Festival will be held on Saturday, Oct. 18 from 2-5 p.m. at Fernald Park. Participants will be able to purchase a pumpkin for \$5. Pumpkins may be carved or painted.

Concessions, games, contests, crafts and Touch-a-Truck will be available Conway said. Resident Hiram Watson will also be available for photos with his award-winning pumpkin.

Selectman St. Onge asked if the Rec. Dept. rented out Bounce Houses for private parties and events. Conway replied that the dept. does rent bounce houses, but does not set them up. The renter is given a blower, shown how to inflate the house and instructed to tie it down. The renter is also required to sign a liability waiver. St. Onge also asked if the houses were licensed and inspected, which may be required by state law. Conway said he would research the waiver, licensing and inspection requirements. Fire Chief Lamb suggested the matter would be a good first assignment for the Recreation Advisory Committee.

Selectman King asked Conway if the board would receive an event report on the Hay Day celebration. Conway said he is awaiting some vendor payments and would provide a report as soon as all the information has been received.

#### 11. Donation of Fire Equipment:

Fire Chief Lamb told the board that while cleaning out the shipping container the department uses for storage, old equipment that no longer meets NFPA standards for use was found. The obsolete equipment includes boots, helmets, coats, air pacs and an air compressor. Lamb said he gave some of the coats to the

highway department for use in bad weather and attempted to find a market for the rest of the equipment. Safety standards require equipment be replaced every 10 years, so results of an on-line search provided no interest in purchase or donation of the 1970's vintage materials. Chief Lamb said a representative of a technical college in Sanford, Me. has inquired if the town would donate or loan them some of the equipment which would be used in their Fire Fighter Apprentice program. The college would agree to sign a hold harmless agreement with the town he said. Selectmen said that although the materials may not have resale value, they may be of historical value, which they did not want to see lost. Lamb said his dept. recognizes the historical value of many of the items that have been found at the fire station and have begun collecting some items in a glass display case. Motion: (King, second Proulx) to donate all of the obsolete equipment except for the eight helmets to the technical college contingent on a legal review and acceptance of the hold harmless agreement passed 4-0.

#### 12. Appointments of Health and Deputy Health Officer:

The Town Administrator said that he recommended a re-appointment of Dennis Roseberry to another three-year term as Health Officer as well as the new appointment of Tyffany Spear as the Deputy Health Officer. He said the new position is intended as a back-up to Roseberry when he is unavailable. Spear will not receive a stipend, but training for the position will be provided by the town. Motion: (King, second St. Onge) to make the two appointments as recommended by the Town Administrator passed 4-0.

#### 13. Speed Consideration/Hornetown Road:

T.A. Trefethen reported that a Hornetown Road resident has expressed concerns about some drivers' high rate of speed coming down the hill following paving the road and asked Selectmen to consider lowering the speed limit. Police Chief Jay Drury said the road presently has a 35 m.p.h. speed limit and Selectmen may change the limit if they determine the present speed is unsafe based on an engineering or traffic study as outlined under RSA 265:63. Chief Drury agreed that the portion of the road that runs from Cardinal Hill to River Road may be of concern, although there does not seem to be a lot of accidents or traffic activity there. The Chief suggested a traffic investigation of the road through an increase in police patrols and placement of the radar trailer which will generate a report for board review. Selectman King asked Chief Drury to compile a summary of the information from the traffic reports on town roads onto spreadsheets which would allow board members to get quick answers to questions about traffic counts and other issues. The information could also be used for road maintenance policies and planning King said. Chief Drury agreed to return to the board when the traffic study is completed.

#### 14. Any Further Business:

A) Public Safety Building update-Selectman King reported on his tour of the Police station with Chief Drury to discuss the problems and deficiencies at the present location, along with the department's needs in a future facility. King said he took along the plans from Madbury's Safety Complex and discussed the likes and dislikes of that plan with the Chief. King said he is working on a conceptual layout aimed at providing multi-use areas, looking at common uses between the departments and avoiding redundancies. The goal is to develop a bid package that includes the conceptual layout, floor plan, roof line and desired construction materials for the building. The package would also allow for addendum in case the town wished to add more bays or other uses. Once the package is completed, the next step is to get a budgetary number and then move forward to the design build stage. King said he planned to meet with the Fire Chief next week to tour the fire station and discuss his department's needs.

B) The Town Administrator reported receipt of two responses to the RFP to take down the Fire Dept. Annex building. Chairman Scruton opened the bids and presented the following bids: 1. JTI Site Development of Lebanon, Me. - \$29,400 (includes demolition and debris removal, but does not include service disconnections, asbestos or foundation removal) 2. All Ways Recycling, - \$12,950 (includes demolition, foundation and debris removal). Selectmen asked the Town Administrator to determine if town staff could perform the demolition and the cost to have Waste Management remove the debris. Trefethen said he would provide the information at the board's next meeting. The matter was tabled to the next meeting.

- C)Transfer Station/Waste Management Contract- Trefethen told the board that he plans to meet with a representative from Waste Management on Thursday to discuss the possible renewal of the contract for the town's waste removal services.The original contract expired in 2013 and a one-year extension is currently in effect.He added that he is considering placing the waste removal service out to bid.Selectmen requested Trefethen obtain quotes for both a three-year and five-year contract to try to save money for the taxpayers.
- D)Sale of Town Vehicles- TA Trefethen reported receipt of one bid for the sale of two Ford Crown Victoria sedans.Chairman Scruton opened the bid and told the board the bid was submitted by Ernie Downing offering \$776 for both vehicles.A minimum bid of \$350 per vehicle,which is the estimated scrap value,was required.Motion:(King,second Proulx)to sell the two Crown Victorias to Ernie Downing for \$776,buyer must pay with a bank check,money order or cash and the vehicles must be removed within three weeks of the time of purchase passed 4-0.
- E)TA Trefethen advised the board that the municipal office would close at 12:30 p.m. on Friday,Oct.17 to allow work to begin re-finishing the floors in the building.The work will continue throughout the weekend he said.
- F)Selectman Proulx asked Trefethen to check into an apparent significant increase in gas and waste water usage by the town during the previous month.He will report his findings at the next meeting.
- G)Selectman Proulx inquired if a date has been chosen to set the new tax rate. Trefethen explained that the town MS1 has been completed,but school district budget documents have not been received.The revaluation of the town is complete and resulted in about a \$35 million reduction in value,which means the town may be looking at a tax increase of about \$1.90 per thousand.He said he has been reviewing year-end reports to find any non-essential items,items that could be frozen and advising department heads to remain on track with their budgets.Trefethen said he would report back to board as soon as the new tax rate has been received.
- H)Coast Bus stop compliant- Selectman Proulx reported receipt of a complaint regarding the Coast Bus stop at 486 Main Street,near the Masonic Building.The bus stops in the alley next to the building and there is no shelter or place to sit while waiting for bus Proulx said.Residents and business owners have complained of blocking the steps to the building,loitering and littering in area.Discussion included relocating the stop,ways to provide better services to users and more police enforcement to stop the loitering and littering. Farmington representative to Coast Bus Company Amy Vento said the bus uses the alley because a safe place for the bus to pull over is required for a bus stop.She added that a second stop located at fire station is just a short distance away from the Main St. stop and may be a better location to provide service and shelter to riders. Vento said she would recommend consolidating the two stops into one stop by eliminating the 486 Main Street stop.Motion:(King,second Proulx)to recommend that the Coast Bus Co. relocate or remove the 486 Main Street stop passed 4-0.
- I)Selectman King asked the Town Administrator to determine if there are any town contracts that are due to be renewed in the next 12 months.He said he was particularly interested in upcoming changes in health insurance coverage due to the Affordable Care Act.He said the board should be informed about options,changes and costs in order to make sound decisions.

#### 15.Non-Public Session:

Motion:(King,second Proulx)to enter non-public session under RSA 91 A:3 II (c) Discussion with the Fire Chief passed on a roll call vote 4-0(Scruton,King,Proulx,St.Onge-yes)at 8:45 p.m.

Motion:(Proulx,second King)to come out of non-public session passed 4-0 on a roll call vote(Scruton,King,Proulx,St.Onge)at 9:25 p.m.

Motion:(King,second Proulx)to seal the minutes of the non-public session until the misappropriation of funds case is completed passed 4-0.

#### 16.Non-Public Session:

Motion(St.Onge,second King)to table non-public session under RSA 91 A:3 II (c)Discuss Teamster's Negotiations passed 4-0.

17. Non-Public Session:

Motion: (King, second Proulx) to enter non-public session under RSA 91 A:3 II (d) Land Swap with Cameron's passed on a roll call vote 4-0 (Scruton, King, St. Onge, Proulx) at 9:25 p.m.

The board wished to have conveyance of the land in Cameron's land swap by Warranty Deed.

Motion: (King, second Proulx) to come out of non-public session passed 4-0 on a roll call vote (Scruton, King, St. Onge, Proulx - yes) at 9:28 p.m.

18. Adjournment:

Motion: (Proulx, second St. Onge) to adjourn passed 4-0 at 9:46 p.m.

Respectively submitted,

Kathleen Magoon

Recording Secretary

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Chairman, Matt Scruton

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Paula Proulx

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Arthur Capello

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Brian St. Onge

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Charlie King