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**Town of Farmington**

**Board of Selectmen Meeting**

**Monday, April 27, 2015**

**Board Members Present:**

Charlie King, Chairman  
Brian St. Onge, Vice Chairman  
Paula Proulx  
Jerry McCarthy  
Jim Horgan

**Others Present:**

Police Chief Jay Drury  
Interim Fire Chief James Reinert  
Public Works Director Dale Sprague  
Recreation Department Director Rick Conway  
Residents- Charles Doke, Randi Gallagher, Randy Orvis, Patience Taylor

**Town Staff Absent:**

Town Administrator Keith Trefethen

**1). Call to Order/Pledge of Allegiance:**

Chairman King called the meeting to order at 6 p.m. All present stood for the Pledge of Allegiance.

**2). Approval of Minutes:**

Selectmen did not receive copies of the most recent minutes. The matter was tabled to the next meeting.

**3). Public Comment:**

*A). Town Planner*-Resident Randy Orvis came forward to tell the board that he feels the town needs to hire a full time planner. He said that because sometimes no Planner is available, his client billing is held up as there is no timely response for plans submitted for final review. He said he has been told "I'll get to it sometime next week" by the interim Planner and added that he could go to a Planning Board meeting and get a quicker answer. Chairman King said the Selectmen didn't schedule mandatory office hours for the Planner, but suggested it is maybe something the board should take a look at.

Planning Board Chairman Charles Doke said he is not pleased with the Planner's work so far because it does not meet the Town's needs. He said the Planning Board asked him for assistance with implementing the 79-e District plan, but were told that he is not familiar with implementing the plan. He said he would like to see the Planning Office open five days a week with someone available to answer the public's questions. He added that there are things coming up that have to be done right, such as the implementation of TIF and 79-e Districts and we need to keep the momentum going for economic development in town.

Chairman King asked if the Planning Board has decided to contract with Consultant Jack Mettee for assistance in implementing the districts. Doke said the board has not yet made a decision on the matter but have developed a punch list of things that need to be "straightened up". He told King the list could be found in the minutes of the last Planning Board meeting.

Selectman Proulx asked when the next Planning Board meeting will take place. Doke said the next meeting is scheduled for Tuesday, May 5. She asked Doke to have the Planning Board consider how many hours of the Planner's time they expect to need, give the Selectmen their thoughts about when he is needed and not needed and suggested the Selectmen's Representative to the Planning Board (Jim Horgan) bring their budget information to the next meeting to discuss funds available for consultant/planner needs.

Discussion also included possibly increasing the Planning Board Secretary's hours, estimating of the number of hours needed for setting up the TIF District and making sure the Planning Office is open convenient hours and moving expeditiously with application reviews.

**B). Meet with Dept. Heads-**

**Recreation Dept.-**Vice Chairman St. Onge asked Recreation Department Director Rick Conway if all of the employees and volunteers working with minors for the department has had a background check completed in light of the recent decision to require the checks. Conway said the checks have been performed and even the high school students that volunteer for the department have been checked. He added that most organizations and groups involved with minors perform checks now on all employees and volunteers for liability insurance purposes.

**Fire Dept.-**Selectman Horgan asked Interim Fire Chief James Reinert about the condition of the building where the ambulances are stored. Reinert gave a rundown of the department's vehicles and where they are currently housed. He said the building, known as the Annex, is in rough shape.

Chairman King asked why the building has not been demolished as approved by the board. Reinert said the Town Administrator said the demolition work was not awarded and there is no money available to take down the building. Chairman King then asked if the removal of asbestos from the building has been completed. Reinert said he thinks the removal of the hazardous material has been completed but noted that he not been in the building since he took over the Chief's position. The building is used mainly for vehicle storage he said. Selectman Horgan asked if it would be possible to take the Annex down by a controlled burn. Reinert said he would not recommend it as the building is too close to adjacent structures.

Chairman King then asked for the status of Engine 1 which has been in need of repairs. Reinert said he did not know the current status of the vehicle.

Selectman Paula Proulx asked if the Fire Department needs anything from the Board of Selectmen. Reinert said they do not need anything from Selectmen at this time and told the board that everything is going smoothly. He added that the department is undergoing some personnel changes and has already responded to about 500 calls this year.

Chairman King said he will check with the Town Administrator regarding the status of the annex demolition and Engine 1 and report his findings to the board.

**4). Culvert Issue 1243 Ten Rod Road:**

Public Works Director Dale Sprague and resident Patience Taylor came before the board to discuss Taylor's request to block or remove a culvert in front of her property. At a previous meeting, Taylor stated her concerns that runoff from an orchard across the street may contain materials that could contaminate her well and suggested action be taken to protect her well and property. Sprague suggested the board table the matter until the snow has melted which would allow the highway dept. to assess the condition of the ditches and culverts in the area and allow him to research the driveway entrance installed at orchard.

Sprague told the board that there is no record of a driveway permit and the entrance and culvert there was installed incorrectly. He said the department plans to correct the situation when they are in the area performing work on Russell Lane.

Sprague said he is concerned that plugging or removing the culvert in front of Taylor's property could result in washing out the road in the event of a flood or heavy rains. Water runoff from the orchard could inundate the ditches and cause flooding conditions he said.

Discussion included installing a weir or small dam in the culvert and a manhole for overflow, not allowing water to collect on private property, discuss plans for the orchard entrance with the owner, clean /unblock the culvert in front of the orchard and the possibility of changing the direction of the flow toward Russell Lane.

**Motion:** (Horgan, second McCarthy) to instruct the Public Works Director as an interim measure to correct the trench on the Cardinal property side of the road and install a diverter in the culvert in front of the Taylor property failed 2-3 (Horgan, McCarthy- yes, Proulx, King, St. Onge- no).

Additional discussion included how long is "interim", water rising above the diverter could flow onto Taylor's property, plugging the culvert in such a way to allow the plug to be removed and the culvert to be used if needed, and the need to fix the road sag if the culvert is removed.

Sprague said there are two issues to be resolved; 1. take out or fix the driveway on Cardinal's property and reset the ditch and culvert there so water flows down the ditch line and 2. diverting the culvert in front of Taylor's property.

**Motion:** (King, second St. Onge) to authorize the Public Works Director to resolve the access/drainage issues on the Cardinal property side of the road and plug the culvert on the Taylor property side of the road passed 4-1 (Horgan opposed).

Sprague said the work would be done in about one month.

**Patch Work-**Selectman McCarthy asked Sprague about the patching work going on in the Main Street area. Sprague said the state is doing the patch work in preparation of the paving scheduled for this summer. He added that there is a conflict in the plan as the crosswalk plan shows that paving will be installed from Central Ave. down Main Street, but the written explanation does not say that. He contacted the state DOT to obtain a clarification of the plan, but had not received an answer as of the meeting. There is a meeting in Durham to discuss the paving plans and Sprague said he would attend to meeting to get answers if he does not receive a call back before the meeting occurs.

**Crosswalk Removal-**Sprague also discussed the state's plan to remove the crosswalk from in front of Crowley's Variety and Grill. He said the state has determined that an island or curbing must be installed on the variety store's end of the crosswalk to protect pedestrians or the crosswalk will not be allowed to remain there. Selectman Horgan noted that the town could not install either item without taking on liability issues.

**Truck Purchase-**Sprague also told the board that USDA Rural Development has approved the grant for purchase of the new dump truck as approved by the board at the previous meeting.

**Bridge Research-**Selectman Horgan noted receipt of an e-mail from the DOT regarding photo and archival research of the Main Street Bridge "before it disappears".

#### **5). Farmington Pay Plan Planning Document:**

Due to the absence of the Town Administrator, the board decided to table this issue to the next meeting.

**Motion:** (McCarthy, second St. Onge) to table the issue passed 5-0.

#### **6). Recording Site Plan Authority:**

**Motion:** (King, no second) to record the site plan review authority contingent upon legal review.

Discussion included when the subdivision authority was recorded, what year the site plan review authority was granted to the Planning Board, no notice received regarding the recording of the site plan review authority, having the town attorney review the matter, researching town reports from the 1980's to determine the correct wording from the warrant article and the correct wording for the notice of recording.

Chairman King's motion did not receive a second and was withdrawn. The matter was tabled by consensus of the board.

#### **7). Spike Mat:**

A). Police Chief Jay Drury told the board that he applied for a grant to purchase a spike mat for placement in the Supervisor's car. On April 8 the grant was approved and the dept. will receive \$262.50 for the purchase. The board then asked about the use of the mat and if there are enough incidents in town to warrant the purchase.

Chief Drury explained that the 12 foot long mat covers one travel lane, has a cord attached that allows the mat to be moved if the driver attempts to go around it and causes the vehicle's tires to deflate slowly after driving over it. He said two weeks ago, there was an incident where a spike mat would have been useful in stopping a high speed chase from Rochester toward New Durham over Route 11.

**Motion:** (McCarthy, second Horgan) to approve spending up to \$262.50 for the purchase of a spike mat passed 5-0.

**B). Chimney at Police Station-**Selectman Horgan then asked the Chief about the condition of the chimney above the Police side of the building. Chief Drury said the chimney is in rough shape after many years of inattention. Horgan added that if the chimney should come down it may come right through the roof.

Chairman King asked if the chimney is used by the heating system. Chief Drury said he did not know and added that he has requested the Public Works Director take a look at it. He will report back to the board with his findings.

C). Ford Explorer-Chairman King also asked the Chief about the repairs to the Ford Explorer. Chief Drury said that a re-manufactured engine was installed in the vehicle at a cost of \$4,900. The engine has a 6,000 mile warranty he said. The original motor had 101,000 miles on it, but the body is in good shape.

Chief Drury added that he obtained an estimate to repair the rust spots on his Crown Victoria for \$2,200. He said he is also looking into doing the work in-house.

D). Application for Part-Time Officer- Chief Drury reported receipt of an application for part-time Police officer from Tom Hebert. He asked the for the board's approval to begin the background check and come back to the board and put him on the list of officers available for part time work if everything checks out. Consensus of the board showed Selectmen approved his request.

E). National Night Out- Chief Drury reported his intention to participate in the National Night Out program. The event is held on the first Tuesday in August and is an opportunity for community-police awareness-raising. This year's event takes place on Tuesday, August 4, 2015. The Chief said it will be an opportunity for residents to meet the officers, see and touch Police vehicles (similar to Touch-a-Truck run by the Fire Dept.) and other activities to be announced. The Chief said he expects to receive the paperwork for the event sometime next week.

### **8). Safe Routes to School:**

The board discussed finding a replacement for a plan administrator for the program following the resignation of Town Administrator Keith Trefethen. Chairman King said the plan administrator must attend a class and become certified to administer the plan and handle grant funds. He added it should be a full time staff member and suggested Code Enforcement Officer Dennis Roseberry fill the role. **Motion:** (King, second Horgan) to authorize Dennis Roseberry to become certified as the plan administrator passed 5-0.

Selectmen also discussed Roseberry's temporary position as interim part-time Building Inspector for New Durham. Board members said the additional position should end before Trefethen steps down on May 22, 2015.

**Motion:** (McCarthy, second Proulx) to have the Town Administrator notify the Town of New Durham that the Building Inspector will no longer be available effective May 23, 2015 passed 5-0.

### **9). Any Further Business:**

List of Pending Issues- Selectman Horgan presented an updated list of pending issues with no priority order to the board. Some of the 19 items on the list were addressed during the meeting and he turned his attention to those items on the list that were not mentioned to determine the status/intentions on the issues as follows:

- 1). Scheduled repairs to the Town Hall, Municipal Office Building and the Annex.
- 3). Plans for the second floor of the Municipal Building including renovations per ADA requirements to bathrooms and the doors at the top of stairs which open out to the stairs.
- 5). Policy/status regarding trash cans in the downtown area.
- 6). Consider if there is enough reduction in the number of students following Middleton's departure to split Farmington students into two locations at the high school and elementary schools and turn Henry Wilson Middle School into a Public Safety Building. (Grades K-6 at Valley View and Grades 7-12 at Farmington High School).
- 11). Downtown area parking/sidewalk/traffic calming measures.
- 12). Intentions for surplus equipment and vehicles.
- 13). Inadequate arrangement with interim Planner. Need for a full time Planner with economic development, grant writing and program management experience.
- 14). Return the Capital Improvement Plan to the Planning Board. Selectman Proulx said the CIP committee was formed when the Planning Board did not address the issue. The plan is almost complete. They are awaiting the Town Administrator's attendance at their next meeting to discuss information he provided to the committee she said.
- 15). Use Municipal Resources, Inc. and the Local Government Center to assist with an interim/full time Town Administrator. Chairman King said the board has already put out an ad for Trefethen's replacement and noted that a recruiting company would want to be paid to assist in the process.

Discussion also included allowing the Budget Committee Chairman to sit in on the interviews, status of the childcare

center, modification of the Planning Board Secretary's hours, bringing in a consultant to educate board members about managing the TIF District and finding a contact person at the state level for grants and other funding.

**10). Non-Public Session RSA 91-A: 3 II (c):**

**Motion:** (King, second Horgan) to enter non-public session under RSA 91-A: 3 II (c) passed 5-0 on a roll call vote (King, St.Onge, Proulx, McCarthy, Horgan- yes) at 7:46 p.m.

Chief Drury informed the board of the status of the case against the former Fire Chief. The board had a discussion regarding receiving the paperwork on the investigation.

**Motion:** (King, second Horgan) to come out of non-public session passed 5-0 at 8 p.m.

**11). Non-Public Session RSA 91-A: 3 II (b):**

**Motion:** (King, second Horgan) to enter non-public session under RSA 91-A:3 II (d) passed 5-0 on a roll call vote (King, St. Onge, Proulx, McCarthy, Horgan-yes) at 8:06 p.m.

The board discussed the issues of the contract with the daycare center. The board indicated that it wanted to meet with the daycare in non-public session at its next meeting to discuss the issues.

**Motion:** (King, second Horgan) to come out of non-public session passed 5-0 at 8:40 p.m.

**12). Non-Public Session RSA 91-A: 3 II (b):**

**Motion:** (King, second Horgan) to enter non-public session under RSA 91-A: 3 II (b) passed 5-0 on a roll call vote (King, Proulx, St. Onge, McCarthy, Horgan-yes) at 8:42 p.m.

The board discussed the current hiring process for the Town Administrator and the Fire Chief. Based on the discussion, changes were made to the current process.

**Motion:** (King, second Proulx) to come out of non-public session passed 5-0 at 9:05 p.m.

**13). Adjournment:**

**Motion:** (King, second St. Onge) to adjourn the meeting passed 5-0 at 9:07 p.m.

Respectively submitted,  
Kathleen Magoon  
Recording Secretary

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Charlie King

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Paula Proulx

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Brian St. Onge

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James Horgan

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Gerry McCarthy