

Town of Farmington
Board of Selectmen – Public Meeting Minutes
Monday, October 19, 2015
Selectmen's Chambers
356 Main Street

Board Members Present:

Charlie King, Chairman
Paula Proulx, Vice Chairman
Jim Horgan
Neil Johnson
Jerry McCarthy

Others Present:

Town Administrator Arthur Capello
Police Chief Jay Drury
Fire Chief James Reinert
Public Works Director Dale Sprague
Fenton Groen, Groen Builders
Residents Resta Detwiler, Tom DeJulio, Alex Morin

1). Call to Order:

Chairman King called the meeting to order at 7:05 p.m.

2). Non-Public Session A :

Motion: (King, second Johnson) to enter non-public session under RSA 91-A:3 II (a) passed 5-0 by roll call vote (King, Proulx, Horgan, Johnson, McCarthy-yes) at 7:05 p.m.

Motion: (King, second Johnson) to come out of non-public session passed 5-0 at 7:07 p.m.

Motion: (King, second Johnson) to seal the minutes until the matter is resolved passed 5-0.

3). Non-Public Session B:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A:3 II (d) passed 5-0 by a roll call vote (King, Proulx, Horgan, Johnson, McCarthy – yes) at 7:08 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 7:40 p.m.

Motion: (King, second Johnson) to seal the minutes until negotiations are completed passed 5-0.

4). Call to Order/Pledge of Allegiance:

Chairman King opened the meeting to the public at 7:45 p.m. All present stood for the Pledge of Allegiance.

5). Review of Minutes:

September 28, 2015- Public Session- Page 3, #8 Ambulance Mutual Aid- change “responses to Rochester” to “responses in Rochester”.

Motion: (Johnson, second King) to accept the minutes as amended passed 5-0.

September 28, 2015- Non-Public Sessions A-D:

Motion: (Johnson, second King) to accept the minutes as written passed 5-0.

October 5, 2015- Public Session- Page 3, #12 Budget Update- amend the second sentence to read “up to” \$15 an hour.

Motion: (Johnson, second King) to accept the minutes as amended passed 5-0.

October 5, 2015- Non-Public Sessions:

Sessions A-F -

Motion: (Johnson, second King) to accept the minutes as written passed 5-0.

Session G- Second sentence- Amend to read he “drove by” the property.

Motion: (King, second Proulx) to accept the minutes as amended passed 5-0.

5). Public Comment:

Resident Alex Morin asked Selectmen why it was necessary to send uniformed Police Officers to deliver documents to his home. Town Administrator Capello replied that it is because the Dept. of Labor requires signed receipt of the documents and to ensure the documents were delivered within the 48 hour deadline. The documents were delivered during their normal rounds in the area as has been done in the past..

Police Chief Jay Drury reported a successful and informative roundtable on drug abuse/addiction issues was held at the Fire Station. He said another discussion with an attorney is planned for the Nov. 2 School Board Meeting. Chief Drury said he also plans to hold a breakfast discussion/training session where participants would be taught how to administer Narcan. The date and location for the breakfast have yet to be determined he said. Discussion included difficulty obtaining Narcan for first responders’ use, residents’ voluntary financial donations to obtain a supply and waiting for a response from Frisbie Hospital and Walgreens Pharmacy for inclusion in their Narcan programs.

6). Public Safety Building Review:

Fenton Groen came before the board to review the progress on plans for the proposed new building. He said the building will be located about 100 feet back from the road at the best location for the most optimum line of sight. The four corners of the building have been staked and the location of wetland and a cemetery were also noted he said. Discussion included topography of the site, access around the building, steepness of the slopes, use of materials cut at the site for fill and whether to pave the parking lot. Groen asked for more direction on the number of parking spaces. Selectmen determined 35 to 40 spaces should be included at the site and that the areas be paved. Public Works Director Dale Sprague also pointed out that there is an existing water main that runs from across the street up one side of the lot to the location of the original town well.

Discussion then moved to the interior of the building. Groen said an adjustment was made to move a bathroom closer to the booking area as requested by Chief Drury. Groen also provided a copy of the electrical and plumbing conceptual layouts for review. Additional discussion included if the building location was measured from the center or the edge of the road, if the entryways are single or double doors, the width of the entries and estimated total cost for the project. Groen said he hopes to have a “hard number” for the cost by the end of the month. Town Administrator Capello said the next step is to determine the total cost for the building and continue with the bond process.

7). Public Safety Building Bond:

At the previous meeting, Selectmen discussed applying for grants to help with the building and equipment. The board wanted to know if an item is included in the overall bond and then a grant is received for the item, can the grant be used to pay down the bond. Capello reported the bond attorney said if the town uses the bond bank the bond can’t be prepaid using funds from a grant. He said the town could issue a short or long term bond for the item from private bank that allows prepayment and if the grant does not come through the town could then go the bond bank to issue a long term bond for that piece. Discussion included the cost of the generator for the building, turn-around time for a grant, funds available from Homeland Security, funding for crisis management supplies, grants to update computers, funding source for bunk room furniture and using the square footage at the new building as the town’s portion of a 50/50 matching grant for an Emergency Operations Center.

Vice Chairman Proulx then reminded the board that the Fire Chief had yet to be appointed as the Emergency Management Coordinator.

Motion: (Proulx, second Horgan) to appoint Fire Chief James Reinert as the Emergency Management Coordinator passed 5-0.

8). Christmas Lights:

Capello told the board he received an e-mail from DOT Engineer James Hewitt regarding the boundaries for the state's right-of-ways in the downtown area. Hewitt wrote that the Right-of-Way Bureau researched the history of Route 153 and Central Avenue and found that these two roads were laid out by the town. In the early 1900's some improvements were made and then the state took over the maintenance of the roads. He said NH DOT has no records for that would help establish the right-of-way boundaries for these roads and suggested the town conduct additional research and consult with a licensed surveyor to determine the r-o-w boundaries. Discussion included being able to defend the locations of poles installed by the town, resolving the issue by hiring a surveyor, possibility the state may disagree with the surveyor, finding the r-o-w by measuring 33 feet from the center of the road, locations of road surfaces and right-of-ways may have shifted over time and not putting the burden on private property owners to defend placement of the poles.

Resident and Decorating Committee Chairman Tom DeJulio told the board some information was found in the town records showing some of the downtown easements on Rt. 153 may be wider than 33 feet. He added that Rep. Joshua Whitehouse researched DOT archives in Concord and came back with approx. 100 pages of information on the issue. Additional discussion included obtaining the cost of a surveyor, available public records of the Main Street bridge easements, putting records and information together to lower surveying costs and where the funds for the surveying work will come from. Selectman Horgan suggested the town may be able to fund the surveying work from funds approved by voters at Town Meeting for the purchase and installation of the poles.

Chairman King asked if the easements from property owners willing to allow the installation of poles on their property are ready to be signed. DeJulio said the documents are ready but he has not collected all of the signatures yet. He added that he has not been notified if the TD Bank is willing to let the town hang Christmas lights from their building.

9). Policies:

A). Revised Fire Inspection & Permit Policy- Fire Chief Reinert presented a "cleaned up" and easier to read version of the policy. Discussion included that the policy has not been updated since 2004, if missed or no show fee should be removed and the addition of a page showing the date the policy was adopted and the board's signatures.

Motion: (Johnson, second Horgan) to approve the policy as presented passed 5-0.

Chief Reinert also gave the board a copy of the present roster for the department. Chairman King asked if the list included any new hires. The Chief said the roster includes three new members and he is currently considering two other candidates. Discussion also included the different levels of responders and recent changes to the licensing terms.

Selectman Horgan asked about the status of Firefighter Rob Richer who previously suffered a severe stroke. Chief Reinert said he is out of the hospital and has begun a long recovery process at Colonial Hill in Rochester.

Chairman King then recognized resident Resta Detwiler who is an applicant to the Planning Board.

Motion: (King, second McCarthy) to appoint Resta Detwiler as a regular member of the Planning Board for a one year term passed 5-0.

Capello then added the Zoning Board of Adjustment is also looking for new members and urged any interested residents to contact Planning Office Secretary Bette Gallagher for information on how to apply.

B). Purchasing Policy- Capello said he added exemptions for credit cards, gas cards and payroll as suggested at a previous meeting. Selectmen said a signature page and date of adoption should be included in the documents.

Motion: (Johnson, second King) to accept the policy as presented passed unanimously.

C). Credit Card Use Policy- Capello told the board he made the following revision after the previous meeting: Page 1, Section 3B- deleted "but cannot be used to purchase" and inserted "and" between "goods" and "services"; Section F- deleted the entire section which deals with the use of credit cards for meals as it was redundant and Section I- deleted "Dept. Head". Selectmen asked to have Section F and "Dept. Head" in Section I put back into the policy.

Capello said he will make the requested amendments and return the policy to the board for further review.

D). Capital Assets and Depreciation Policy-

Motion: (Johnson, second Horgan) to approve the policy as amended passed 5-0.

E). Fraud Policy- Capello said he deleted the word “or” from the second section under Definition of Misconduct on Page 1 and added “to the Town Administrator will immediately notify the Board of Selectmen” on Page 3, Section 1.

Motion: (Johnson, second Horgan) to approve the policy as amended passed 5-0.

F). Amended Approved Policies- Selectmen signed the previously reviewed and approved Policy for Use of Social Media and the Vehicle Proper Care Policy.

10). Budget Update:

A). Assessing Company Contract- Selectmen signed the contract with Avitar Associates of New England, Inc. for one year of assessing services at a cost of \$13,656. Capello said he notified the current assessing company that their services will no longer be needed when the new contract takes effect on Jan. 1, 2016. Chairman King suggested the Assessing Clerk make sure she has all needed documents and information before the current contract ends.

B). Payroll Company Contract- Capello recommended the town change the payroll company currently in use due to issues including a lack of timely responses from the present company and not receiving information requested. He said that he, the Finance Administrator and the Selectmen’s Secretary met with four payroll companies, he checked their references and then chose Paychex, Inc. to recommend to the board. The new company contract represents a 3% increase or about \$400 more a year. Some benefits of changing to Paychex include an online link from the company to the town’s payroll system; direct reporting to the NH Retirement System and online access to W-2’s and new hire forms. Selectman Horgan then suggested a substitute be planned as a back-up for when the Finance Administrator is absent from work.

Motion: (Johnson, second Horgan) to approve the change to Paychex, Inc. at a cost of \$14,855.14 for a one year contract passed 5-0.

11). Town Administrator’s Report:

A). Global Data Systems- Capello told the board the transition to the new computer server and updated software is underway. The town has already seen some savings on the necessary licenses and the transition to the new server should be completed by the end of the week he said.

B). Expand Gas Card Program- Capello recommended the board approve extending the use of the fleet cards to the Fire Dept. Discussion included how to use the cards, misuse of cards is covered under the town Credit Card Policy, if the goal is to eventually stop storing fuel for town vehicles, the card is assigned to the vehicle, ability to track the history, mileage and location of vehicles, they can only be used at stations selling national brands and saving fuel costs by locating the best prices.

Motion: (Horgan, second Johnson) to authorize the Town Administrator to expand the use of fleet cards to the Fire Department passed 5-0.

C). MS-535- Selectmen signed the 2015 Financial Report of the Town Budget used to report the year-end financial status of the budget to the NH Dept. of Revenue Administration.

D). Roads Scholar Program- Capello congratulated Eric Elliott for achieving the level of Roads Scholar One which is an educational program for people who work in Public Works sponsored by the Federal Highway Administration and the NH DOT.

E). SAU Meeting- Capello informed the board that the issue of moving the SAU Office from its present 60 Charles Street location to the upstairs portion of the Municipal Building has been placed on the agenda for the next SAU meeting. Discussion included if whole board wished to attend the meeting or send the Town Administrator on behalf of the board, where the issue is on the agenda and the need to post the meeting if the entire board attends the meeting. Consensus of the board was to request that the issue be the first item for consideration on the agenda and

for the whole board to attend the meeting if possible. Capello will attend if board members are unable to attend.

F). Cleaning Position-The Town Administrator reported that he has received several applications for the position and noted that one of the applicants is his son. He asked the board how to proceed with the interview process. After some discussion, the board decided to ask Police Chief Drury and Recreation Director Rick Conway to conduct the interviews and send a recommendation to the board.

12). Additional Board Business:

A). Police Training Range- Chief Drury told the board he intends to seek their approval to set up a training range in an unused gravel pit on Route 11. The pit is below ground level and is surrounded by a berm he said. The Chief will return to the next meeting with a draft proposal for the project.

Selectman Johnson suggested the board address the following issues; development of an ambulance fee waiver policy, set the dates for town budget presentations and public hearings, estimation of repairs needed for Engine One and the outcome of the Library Trustees meeting.

Chairman King asked for the status of the TIF District warrant articles for Town Meeting in March 2016.

Vice Chairman Proulx asked when the tax rate will be set. Capello said it is scheduled to be set in about three weeks. She then asked if he had addressed the prohibition against smoking in town vehicles with employees. He said dept. heads were advised to review the matter with employees and require them to sign and submit acknowledgement forms. Proulx also asked about the condition of the paving on Chestnut Hill Road. PWD Dale Sprague said the area near the Rochester town line was only shimmed and not overlayed in an attempt to get more time between resurfacings.

13). Next Meeting- Monday, October 26, 2015 at 6 p.m.

14). Non-Public Session C:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A: 3 II (c) passed 5-0 by a roll call vote (King, Proulx, Horgan, Johnson, McCarthy- yes) at 9:30 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 9:40 p.m.

15). Non-Public Session D:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A: 3 II (a + b) passed 5-0 by a roll call vote (King, Proulx, Horgan, Johnson, McCarthy – yes) at 9:40 p.m.

Motion: (King, second Johnson) to come out of non-public session passed 5-0 at 9:50 p.m.

Motion: (King, second Horgan) to seal the minutes until the hiring process is completed passed 5-0.

16). Adjournment:

Motion: (Johnson, second King) to adjourn the meeting passed 5-0 at 9:55 p.m.

Respectively submitted
Kathleen Magoon
Recording Secretary

Charlie King

Paula Proulx

Neil Johnson

James Horgan

Jerry McCarthy