

**Town of Farmington**  
*Board of Selectmen – Public Meeting Minutes*  
**Monday, June 13, 2016**  
**Selectmen’s Chambers**  
**356 Main Street**

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Board Members Present:

Charlie King, Chairman  
Neil Johnson, Vice Chairman  
Jim Horgan  
Paula Proulx  
Ann Titus

Others Present:

Town Administrator Arthur Capello  
Assessing Clerk Kelly Heon  
Fenton Groen, Jeff Greenhalgh, Groen Construction  
George Sansoucy, P.E., Engineers & Appraisers

Chairman King opened the meeting at 6 p.m.

Non-Public Session A:

Motion: (King, second Titus) to enter non-public session under RSA 91-A: 3 II (a) Compensation passed 5-0 by a roll call vote (King, Johnson, Horgan, Proulx, Titus- yes) at 6 p.m.

Motion: (King, second Johnson) to come out of non-public session passed 5-0 at 6:10 p.m.

Citizen Complaint:

Selectmen discussed a request from a Rochester resident for reimbursement of the insurance deductible and insurance for a rental car following damage to her car caused by a falling tree on Hornetown Road. Discussion included the location of the tree, the location of the town’s right-of-way, and the Public works Director did not recommend reimbursement because he determined the tree is not within the town’s right-of-way. Consensus of the board was to seek legal advice regarding if the town has any liability if a tree in a right-of-way falls and tabled the matter to the next meeting.

Non-Public Session B:

Motion: (King, second Johnson) to enter non-public session under RSA 91-A: 3 II (b) Hiring passed 5-0 by a roll call vote (King, Johnson, Horgan, Proulx, Titus- yes) at 6:20 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 7:15 p.m.

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

Call to Order/Pledge of Allegiance:

Chairman King called the public meeting to order at 7:30 p.m. All present stood for the Pledge of Allegiance.

Public Input: None.

Review of Minutes:

Motion: (Johnson, second Titus) to table the minutes until later in the meeting passed 5-0.

Discussion Regarding Performance Bond:

Fenton Groen and Jeff Greenhalgh of Groen Construction came before the board to discuss their offer to personally guarantee the completion of the Public Safety Building in lieu obtaining a performance bond saving the town about \$97,000. Mr. Groen said the

four major owners of the company would sign a lien on their personal assets to personally guarantee completion of the project. Discussion included the performance bond would also require the top three contractors to be bonded, the bond process, the company's net worth and annual sales, payments are made upon completion of each step of the contract, the Groens are concerned about their reputation as well the money, the company is using reliable contractors and if the bond is eliminated the total cost savings for the project will be about \$120,000 at this point.

Motion: (King, second Horgan) to not require Groen Construction and the subcontractors to be bonded contingent upon a personal guarantee from all shareholders and approval of the agreement by the town attorney passed 5-0.

#### Skip Sansoucy- Utilities Assessment:

George "Skip" Sansoucy and Assessing Clerk Kelly Heon came to the board to discuss the valuation of utility properties in town. Mr. Sansoucy presented a contract proposal to provide engineering consulting and appraisal services from April 1, 2016 to April 1, 2019 for the valuation of utility properties in town. The agreement will include a summary narrative report each year for all of the utilities including additions, deletions, depreciation, use of easements and rights-of-way, and defense of the valuations through the local abatement process at a cost of \$11,500 each year for a total fixed fee of \$46,000. Any defense beyond the local process will require additional charges. Discussion also included the court actions regarding the abatements/appeals filed by utilities, the Senate bill regarding the value of telephone poles signed by Gov. Hassan, "economic obsolescence", his recommendation for towns to work together as a group to settle court cases and cataloging all of the easements/rights-of-way used by the utilities.

Motion: (Johnson, second Proulx) to enter into a contract with George Sansoucy to provide utility appraisal services at a cost of \$46,000 to be spread out over four years passed 5-0.

Motion: (Horgan, second Proulx) to deny the abatement for 2015 for the FairPoint, NH Co-op and Eversource utilities passed 5-0.

#### Review of Minutes:

##### June 6, 2016, Public Session-

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

##### June 6, 2016, Non-Public Session A- add "SEALED" to the title.

Motion: (King, second Horgan) to approve the minutes as amended. Following a brief discussion Chairman King withdrew his motion and Selectman Horgan withdrew his second as the board determined the content of minutes needed to be discussed in non-public session following the public portion of this meeting.

#### Additional Board Business:

A). Public Safety Building- Mr. Capello asked the board for a motion directing him where to take the money from for the groundbreaking ceremony expenses approved at the previous meeting.

Motion: (Horgan, second Johnson) to spend up to \$700 for items related to the groundbreaking ceremony to be taken from the Public Safety Building Capital Reserve Fund passed 5-0.

B). Sale of the Bond- Vice Chairman Johnson told the board the sale of the bond for the Public Safety Building was completed on Wednesday, June 8 and the interest rate will be 2.16 %. The original predicted interest rate was 2.779% and last month the Bond Bank predicted a 2.43% rate. Taxpayers will save approx. \$136,000 in interest costs over the 15 year life of the bond he said.

Mr. Capello said the actual amount of the bond is \$2.115 million and will have a tax rate impact of 55 cents in 2017 which will decrease each year to 33 cents in 2031.

C). RFP for Fire Station lots- Selectmen reviewed the draft Request For Proposals for a contractor to perform a land survey and title search for Map U6, Lots 23, 24 and 25. Consensus of the board was to also require a recordable land survey and a time limit for the survey work to be completed.

Mr. Capello said the responses to the RFP will be due back to the board by July 8, 2016.

Mrs. Titus said some of the abutters in the rear of the fire station property may be willing to exchange some of their space for a right-of-way through the property. She said she told them to put their proposal in writing and submit it to the board for review.

Motion: (Horgan, second Titus) to authorize the Town Administrator to send out the Request for Proposals passed 5-0.

D). Decorating Committee- Mr. Capello said that all of the poles for the Christmas lights and decorations in the downtown area have been installed, the banners have been received and the brackets are expected to be delivered on Wednesday. He added that payment for the items is being withheld until the committee can inspect the items and determine if everything is as ordered.

Motion: (King, second Horgan) to table the remainder of the agenda until the next meeting passed 5-0.

Non-Public Session C:

Motion: (King, second Titus) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 5-0 by a roll call vote (King, Johnson, Horgan, Proulx, Titus- yes) at 9:05 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 9:25 p.m.

Next Meeting: Monday, June 20, 2016.

Adjournment:

Motion: (Horgan, second Titus) to adjourn the meeting passed 5-0 at 9:30 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

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Charlie King

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Paula Proulx

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Neil Johnson

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James Horgan

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Ann Titus