

Town of Farmington
Board of Selectmen – Public Meeting Minutes
Monday, May 2, 2016
Selectmen’s Chambers
356 Main Street

Board Members Present:

Neil Johnson, Vice Chairman

Jim Horgan

Paula Proulx

Ann Titus

Board Members Absent:

Charlie King, Chairman

Others Present:

Town Administrator Arthur Capello

Fire Chief James Reinert

Residents Karen Warburton, Elizabeth Johnson

1). Call to Order/Pledge of Allegiance:

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

2). Public Input:

Resident Karen Warburton gave the board copies of a letter outlining her request for information regarding the January Donald Trump campaign event which cost the town approx. \$9,500 in additional police, fire, highway, attorney and sign rental fees. She asked for clarification of who requested the additional security and traffic detail and copies of the invoice sent to the campaign, a detailed breakdown of the personnel involved to reach \$9,500 and any correspondence regarding the event. Selectmen briefly reviewed the letter. Mr. Capello gave Ms. Warburton copies of police and fire services/personnel provided for the event. He said he would review her request and provide public information related to the event.

3). Review of Minutes:

April 25, 2016- Public Session- Correct the spelling of the developer’s name from “Alfrie” to “Allfrey” in list of Others Present and in item #4. Page 2, first paragraph- add “The money comes out of different Enterprise Funds and can’t be used except for sewers. Mr. Allfrey said he didn’t care where the money comes from and agreed they could even waive the building permit fees.”

Motion: (Titus, second Horgan) to approve the minutes as amended passed 4-0.

4). Fire Dept. Lieutenant Position:

Fire Chief James Reinert came before the board to discuss the process for filling the Lieutenant position. Discussion included the number of responses to the opening, how many candidates will be interviewed by the board, the number of

Captains and Lieutenants currently in the dept., having an officer on scene of an incident, assignment of Captains to a specific task, streamlining operations from previous practices and officers must not live more than 15 minutes from town.

Consensus of the board was to ask Chief Reinert to invite the top two candidates to be interviewed during the non-public session at the May 9th board meeting.

5). Policy Manual:

Mr. Capello said town employees reviewed the revised Employee Handbook and suggested some changes to the draft. Selectmen reviewed the suggested changes and also made additional changes as follows:

Page 8, 6d- Dept. Head, continued, top of page- the word “of” is crossed out by mistake, the Public Works Director and Building Inspector are salaried dept. heads and should not be crossed out. Discussion also included a full time Planner would be a salaried position and planned a future discussion on whether the Building Inspector would report to the Planner.

Page 8,6e, Part Time Dept. Head- Selectman Proulx suggested this section be clarified to include the definition of a “case by case basis” to ensure consistency in the way wages and benefits are determined. Consensus of the board was to remove “Board of Selectmen” and replace it with “negotiated contract terms”.

Page 8, 8b Recording Work Hours- Mr. Capello suggested the phrase “by noon time Friday” be stricken as it is almost impossible to have all of the time cards/time sheets signed and submitted by then.

Page 11,9b, Time off Benefits, Accumulation- Mr. Capello said he increased the number of hours an employee can accumulate from 120 to 200 hours to include town employees who have earned more than 120 hours. Discussion included if the board previously voted to change the number of hours that can be accrued, discussions may have taken place at the end of 2014 or in 2015 during Police contract negotiations, should the effective date of accrual of hours begin as of the date of the vote or the date when the manual is adopted. Mr. Capello suggested the Selectmen’s Secretary research the minutes to provide more information on past discussions/actions related to this issue.

Page 12, 9bii Holidays- remove the parenthesis from “pro-rated” and add part time employees will be pro-rated.

Page 14,9b iv, Personal Days- Mr. Capello noted that the Town Clerk does not agree with awarding employees two personal days as she thinks they should be earned. Discussion included the way vacation, personal and sick days are calculated is confusing, the rate of pay for time off, there is no incentive to use sick days, some employees have earned more than two days and to revisit the issue in the future. Consensus of the board was to allow those with more than two personal days to keep them and to review the matter annually.

Page 22, 11c, Fringe Benefits and Eligibility- remove the date “1999”.

Consensus was to adopt the changes as presented and to send manual to town counsel for review. Mr. Capello said he expects the town will receive a reply by July.

6). Merit Policy:

Mr. Capello told the board he made the changes to the merit wage increase policy suggested by the board at the previous meeting and returned the draft for their review. Selectmen reviewed it and noted some typos needing correction.

Merit Adjustment- first line- both will and shall are included. Strike the word “will”.

Procedures- Line 7- change “form” to “from”. Remove the “s” from “years”.

Motion: (Horgan, second Titus) to accept the merit policy as amended passed 4-0.

7). Bridge Flagging Arrangement:

The board received copies of the agreement between the town and the state regarding traffic control during the replacement of the bridge on Route 153/Main Street. Discussion included there is no negotiation of terms as the DOT Commissioner has full authority to control traffic by state law, the town must indemnify the DOT, seeking a legal opinion on the town's liability, the town's insurance will cover the town employees, the bridge work will go out to bid in 2016 and the work is expected to begin in 2017.

After reviewing the agreement, Selectmen signed three copies to be returned to the DOT. The town will then receive a copy signed by state officials for the town records Capello said.

8). Agreement Regarding Ian's Way Water Issue:

Mr. Capello gave the board copies of the agreement and release between the town and New Style Homes, Inc. regarding the lack of public water to lots on Ian's Way. Discussion included waiving the building fees up to \$6,000, attorneys for both sides made changes and clarifications and the final proposal had just arrived that afternoon. Following a review and brief discussion the following motion was made:

Motion: (Johnson, second Horgan) to accept the agreement regarding the Ian's Way water issue and authorize the Town Administrator to sign it and upon receipt of signatures by both sides the agreement will be recorded with the deeds passed 4-0.

9). Additional Board Business:

A). Coast Bus Rep. - Selectman Horgan asked if there has been any contact from the Farmington rep. to the bus company board. Mr. Capello said he has not received a response from attempts to contact the representative. Mr. Horgan suggested it may be time to look for a new rep and asked the Town Administrator to advertize the opening. Mr. Capello also asked the Cable TV Coordinator to advertize the position on the Community TV channel. Mr. Capello added that Coast Bus Director Rad Nichols is scheduled to attend the May 9th board meeting.

B). Data Back Up System- Vice Chairman Johnson said he discussed the installation of a fire rated cable for data back-up system in the Municipal Office safe with a representative from Tech Soup 2 Nuts, LLC. He said the rep agreed to include the cost of the electrical work needed in the proposal price. Mr. Capello said the electrician was scheduled to begin work on Friday and added that the Town Clerk is looking into money available for dry records retention systems.

10). Town Administrator's Business:

A). TIF District- Selectmen reviewed the postcard compiled by Interim Planner Liz Durfee seeking property owners inside and outside of the district to join the Advisory Board. The card outlines the objectives of the TIF District and the purpose of the Advisory Board. Consensus of the board was to approve the content and sending the cards to residents/business owners within the district and adjacent properties.

B). Timecard Signatures- Mr. Capello said that following a previous discussion on the matter, he found that state law does not require employees to sign their timecards. He said there is a regulation requiring a signature or initialing for any changes made to their timecard/sheet. Supervisors are required to sign timecards he said.

C). Pay Study- Selectmen received the results of the 2016 Town of New Durham Total Compensation Survey for review. The handout also contained the Farmington pay plan adopted in 2012 after a study was conducted by Municipal Resources. Consensus was to table the matter and discuss it when Chairman King returns from vacation.

D). Housing Complaint- Selectmen received copies of a letter from Building Inspector Dennis Roseberry to the owner of a property located on Ten Rod Road regarding a complaint that he has been renting out a camper on the property where residential use is not permitted except as temporary living quarters for recreational use. The letter required the occupants to vacate the premises immediately and inspection to verify the vacancy must be conducted by the Building Inspector by May 2.

E). Rental Agreement with Grace Community Church- Mr. Capello gave the board copies of the facilities rental agreement, a list of proposed renovations to be conducted by the church and a memo from the Building Inspector Dennis Roseberry stating the Town Hall basement improvements planned would be a good improvement to the facility at no cost to the town. Discussion included a more specific description of the space to be used by the church, if the town can bump the renter out if the space is needed by the town, clarify if the gym will be used by the church, Page 2, Section 9.1- add “by” the renter to the last line, Page 3, Section 9.6- add alcohol use is not permitted, Page 4, Section 9, Insurance- add the renter will provide a copy of the general liability insurance policy to the town, inclusion of an opt-out or catastrophic clause so the town is not obligated to provide other space or monetary compensation in the event the space is unavailable due to damage or destruction to the building and all items installed become the property of the town except for the tables and chairs. Consensus was to postpone further discussion until Chairman King returned to the board.

F). Transfer Station Discount- Mr. Capello reported auditors recently discovered that a local business has been receiving a monthly \$45 credit for bringing cardboard to the recycling facility. He said the records indicate the “deal” was conducted at the dept. level under a previous Road Agent. Selectmen reviewed the records showing the practice has been going on for several years without the board’s knowledge or approval. Selectman Titus asked if a policy was needed to disallow dept. heads to make deals. Mr. Capello said dept. heads are already not allowed to make deals as Selectmen are the only authority to reach agreements on behalf of the town. Consensus of the board was to put a stop to the practice immediately.

G). Town Credit Card- Mr. Capello said the application process for the town credit card through Citizens’ Bank has been completed and we are now waiting receipt of the cards. He said the plan involves a rebate for use of the cards and only he and the Finance Administrator will have access to the cards.

H). Public Safety Building Update- Mr. Capello said Groen Construction has received the bids from the various contractors for the project. Selectmen requested to be notified of the contractors chosen by the construction company. He added a response from the DOT regarding the permit application is expected within the next week, the architectural plans have been completed and groundbreaking is on track for June 1 providing the DOT permit is received soon.

I). Annex Demo Update- Vice Chairman Johnson reminded the board the site walk of fire dept. annex building with the demolition company rep. will take place on Thursday at 10 a.m. Discussion included getting a firm date to begin the demolition work, below ground portions of the building are included in the demo contract, all materials have been removed from the building and to provide notice to abutting residents and business owners who use part of the lot for parking

11). Next Meeting: Monday, May 9, 2016.

12). Non-Public Session:

Motion: (Horgan, second Titus) to enter non-public session under RSA 91-A:3 II (b) Hiring passed 4-0 by a roll call vote (Johnson, Horgan, Proulx, Titus – yes) at 7:10 p.m.

Motion: (Horgan, second Titus) to come out of non-public session passed 4-0 at 7:40 p.m.

Motion: (Horgan, second Johnson) to seal the minutes until the next meeting passed 4-0.

13). Adjournment:

Motion: (Titus, second Horgan) to adjourn the meeting passed 4-0 at 7:42 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

Charlie King

Paula Proulx

Neil Johnson

James Horgan

Ann Titus