

Town of Farmington
Board of Selectmen Meeting Minutes
Monday, February 27, 2017

Board Members Present:

Charlie King, Chairman
Neil Johnson
Paula Proulx
Ann Titus

Board Members Absent:

Jim Horgan, excused

Others Present:

Arthur Capello, Town Administrator
Mike Morin, Town Moderator
Linda McElhinney
Randy Orvis
Laura Bogardus
Tom Sorenson
Elizabeth Johnson
Kathy King
Michelle Elbert
Bobbie and Matt Stormann

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). Public Input:

A). Incident Training- Mr. Capello told viewers that an incident training session including a DART helicopter would take place at Farmington High School the next day. He said he planned to attend the exercise and that the Police Chief invited the board to attend.

B). Fly-Over Request- Resident Tom Sorenson requested permission to fly his drone over the Public Safety Building and take pictures of the new facility before the radio antennas are set up. Mr. Capello suggested the board require Mr. Sorenson sign a general release form to protect the Town from any liability. He also volunteered to be present when the photos are taken.

Mr. King asked if the drone would only fly over Town property.

Mr. Sorenson explained that the photos would be taken during two 20 minute flights. One flight would begin by coming in over the golf course for a “pan” shot and the other shots would come across Main Street for a “pull and draw” of the front of the property. He added the drone would stay within the 250 foot minimum height as required by state law.

Ms. Proulx added that she enjoyed the photos of the construction of the building recently posted on Face Book that gave the viewer a view of the construction “from the ground up”.

Mr. Johnson said the time lapse photography of the construction was created by Groen Construction using footage from the on-site security cameras.

Consensus of the board was to permit Mr. Sorenson to photograph the Public Safety Building by drone and to request that Mr. Capello work with Mr. Sorenson to obtain a signed liability waiver and to set up a date for the photos.

3). Review of Minutes:

February 20, 2017, Public Meeting Minutes- Page 5, Item #10, Goodwin Library, first sentence-strike “by \$10,000” and amend to read “to \$271,450”.

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

Mr. Johnson noted that 2 statements were recorded as stated at the meeting but were inaccurate and he would like to correct the statements as follows:

Page 6, Public Safety Building Update, Line 2- Mr. Capello said the LED fixtures have photo cells which shut off during daylight hours.

Mr. Johnson said the lights do not have photo cells but do have timers that are set to turn on and off at 4:30 p.m. and 7:30 a.m.

Line 15- "the grand opening is planned for April". Mr. Johnson said the grand opening ceremony for the building has been moved to May to allow for the landscaping to be completed.

February 20, 2017, Non-Public Sessions A & B- No errors or omissions found.

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

4). Town Meeting Prep:

The board discussed any necessary preparations for March 15, 2017 Town Meeting. Mr. Capello said he contacted NH Solar Gardens and they agreed to make a presentation regarding installation of a solar array at the landfill.

Selectmen said they will discuss the "State of the Town" at the meeting to update residents on several topics of interest.

Town Moderator Mike Morin asked if the Power Point presentations are complete, who the "projector person" will be and if there are any planned speakers to speak to any of the warrant articles.

Mr. Capello said the only Power Point presentation will be by NH Solar Gardens and they will supply and run the presentation. He said Selectmen will speak to the warrant articles first and followed by the Budget Committee if they choose to do so.

Mr. Morin said he had not yet reviewed the articles and asked if there are any bond issues requiring a public hearing. He said bond issues require a ballot vote and the polls must be open for 1 hour and should be placed at the head of the warrant.

Mr. Capello there are 2 articles related to bonds, one for the proposed asset management program and to appropriate the interest earned from the Public Safety Building bond to pay debt service on the bond and do not require a public hearing as determined by NH DRA.

The board also discussed providing a new ballot box and determining the best type of container to use.

5). Possible Logging Ordinance:

Selectmen discussed requiring trucks to post a bond when working over Town roads which would be returned when the work is completed and no damage is done to Town roads.

Mr. King said all temporary entrances could be required to obtain a permit and would be prohibited between March 1 and April 30. He asked if any other local Towns require road bonds.

Mrs. Stormann asked if a property owner who needed their lot cleared to build a home would be expected to absorb the expense of the road bond.

Mr. Capello said that would be something the landowner could work out with the contractor.

Mrs. Stormann asked if any contractors have refused to work in a Town with a requirement for a road bond.

Mr. Capello said any reputable company would not refuse work based solely on a road bond.

Resident Randy Orvis said he came to the meeting because the agenda said the board was considering a logging ordinance and noted that it should include all trucks not just logging

trucks. He asked if it is the state's responsibility to enforce best management practices and if so if it is hard to get the state to enforce them.

Mr. Capello answered yes to both questions.

Mr. Orvis said a \$500 bond would not be unreasonable and may keep the contractor from breaking up the edges of the roads and tracking mud a half mile down the road.

Mr. King said that the Town's DPW has recommended a road bond on a case by case basis but it has been inconsistent over the years.

Mr. Capello said a written ordinance would take the issue out of a gray area.

Mr. Orvis, who is member of the Conservation Commission, said that by the time the Cons Com sees an Intent to Cut Notice the work has already been completed.

Mr. Johnson said that the Town could require a surety or a check instead of posting a bond.

Mr. King asked Mr. Capello to ask neighboring towns within a 30 mile radius how they handle temporary construction entrances and protect Town infrastructures.

Mr. Orvis said some restrictions may make it difficult to conduct a test pit or soils testing and this type of work is needed to pull a building permit.

Mr. King suggested the ordinance needs to be specific about what will trigger the requirements.

Mr. Capello said the Town is not looking to prohibit access to people's property but to protect the Town's interest.

Mrs. Titus suggested they get information from loggers and other truckers and ask them to attend a meeting.

Mr. Capello said the meetings are open to the public and have a public comment portion so they can come to any meeting they choose.

Mr. Orvis said the agenda for this meeting stated "logging ordinance" and other contractors may not pick up on that it relates to all trucks.

Mr. King said the agenda would be clarified when the matter is discussed again.

Mr. Morin asked if \$500 is enough to pay for road repairs.

Mr. King said that would not be enough to make repairs in all cases and it is an option to put in a specific number that would be required to obtain a permit.

Mr. Orvis said \$500 would not be enough to make the repairs but it might be an incentive to want to get their check back.

Mr. Morin suggested using a percentage of the cost for reimbursement by the insurance company.

Mr. King said the contractor would have to purchase an insurance policy which would not be reimbursable if no damage occurred.

Mr. Morin said the ordinance should really give an incentive to be careful on Town roads. He said that \$500 wouldn't cover the cost of cold patch asphalt.

Ms. McElhinney asked if dirt roads in Town would be exempted from the ordinance.

Mr. Capello said he would have even more concern about damage to dirt roads and would not recommend exempting them from the requirements.

Mr. King then said he has been asked if the Town will be posting the roads for limited weight use soon due to the recent warm temperatures.

Mr. Capello said the staff is discussing the matter.

Mr. King said the weather will turn cold again.

6). Board Appointments:

A). SRPC Nomination-Mr. Capello reported the Planning Board nominated John Law as a Commissioner on the Strafford Regional Planning Commission and requested Selectmen appoint him to the SRPC.

Motion: (King, second Titus) to appoint John Law to the Strafford Regional Planning Commission passed 4-0.

Mr. Johnson asked about Mr. Law's attendance record from the last time he was a commission member.

Mr. Capello said his attendance record was good having attended almost all of the meetings.

B). EDC Application- Mr. Capello said resident Sharon McKenney applied for appointment to the Economic Development Committee as a regular member.

Mr. Johnson said Ms. McKenney was on the committee previously but had an issue with attendance. He said she missed 17 meetings with 15 of the absences unexcused over a 2 year term. He added that she never submitted a resignation and just stopped showing up for meetings.

Selectmen discussed if there are attendance requirements included in the committee's bylaws.

Mr. Orvis said he has only been a member for about 1 year and the Chairman for about 2 months and was not completely familiar with all of the bylaws. He added the committee is scheduled to review the bylaws at their next meeting.

Mrs. Titus who is also a member of EDC said the bylaws do contain attendance requirements but that she did not bring them to the meeting. She said if the bylaws do not significantly address attendance the members can revise them.

Mr. Capello advised the committee to mirror the state law regarding committee bylaws and to plan to hold a public hearing if they are making changes to their bylaws.

Mr. King said a member can be removed for lack of attendance through the bylaws if they address it or by state law.

Motion: (King, second Titus) to appoint Sharon McKenney to the Economic Development Committee for a 1 year term passed 4-0.

7). Update on Sale of Town Lots:

Selectmen reviewed the spreadsheet provided by Town Clerk/Tax Collector Kathy Seaver containing the payoff calculations for five of the tax deeded properties recommended to be put up for sale first by Mr. Capello.

Mr. King asked Mr. Capello which property he would recommend should be put up for sale first.

Mr. Capello said he would recommend attempting to sell the Tappan Street property first as it has a house that is in the best shape of the Town owned properties.

Mr. King suggested the property be sold by sealed bid to the highest bidder with no conditions and by a quit claim deed "where is, as is". He asked Mr. Capello for the assessed value of the property.

Mr. Capello said the land/building is assessed at \$188,400.

Mr. Johnson said approx. \$56,000 in back taxes and interest are owed on the property.

Mr. Capello said he planned to advertise the property for 1 month on the Town website, the local cable TV access channel, with a sign on the property and on Craig's List if there is no charge to post it there.

Discussion included the ability to reject a bid for any reason, bidding/closing deadlines, require a non-refundable deposit, proof of financing, site walks/property showing and setting a realistic minimum bid.

Consensus of the board was to request Mr. Capello draft an RFP and return it to the board for review and approval.

8). Update on Cost of Industrial Park:

Mr. Capello told the board the Town of Wakefield responded to Administrative Assistant Erica Rogers' inquiry about the sale of property in their industrial park. In a memo to Mr. Capello Mrs. Rogers stated that Wakefield owns 1 parcel in their industrial park and the others are privately owned. She said the last lot that was sold in the park was 1 acre in size and sold for \$110,000. She noted that Wakefield uses a realtor when marketing lots for sale.

Mr. King asked if the board wished to continue to wait for a response from Milton and Somersworth regarding the sale of commercial properties for Economic Development in those municipalities.

He said commercial lots in the Granite State Business Park adjacent to the Skyhaven Airport in Rochester sell for about \$25,000 with slope and ledge challenges while lots with frontage on the state road sell for higher prices. He suggested the Town owned lots in the Sarah Greenfield Business Park carry a minimum \$20,000 to \$25,000 as a starting price.

Mr. Capello suggested the starting price be calculated as per "usable acre". He said the largest lot in the Sarah Greenfield Business Park is aprox.2 acres in size. He added he would like the board's approval to purchase a professional For Sale sign to advertise sale of the lots at the park.

Motion: (Johnson, second Proulx) to set the price for the lots at \$22,000 per usable acre passed 4-0.

Mr. King suggested the For Sale sign be re-useable and moveable for use at other lots for sale. Mrs. Titus suggested the sign have movable letters so it can be used for other purposes. She said she will supply the board with pictures and quotes of the type of sign she is suggesting.

9). RFP of Use of Property:

Postponed to allow more time for response.

10). Public Safety Building Update:

Mr. Capello announced the Town received the Certificate of Occupancy and became the official owners of the Public Safety Building today.

Mr. King asked if there are any outstanding issues with the building.

Mr. Capello said there are no issues and noted that MetroCast Cablevision is scheduled to complete installation of the video/Internet service on Wednesday.

Mr. King asked for the official date that the Police and Fire Depts. will begin working out of the new building. He suggested the public should be notified when they should go to the new building if they are looking for assistance.

Mr. Johnson said he thought the plan was phase in the dept.'s operations.

Mr. Capello said he will check with the Chiefs to get the official date and then post the information on the Town website.

Mr. King also suggested signs should be put up to notify the public of the move to the new

building.

Ms. Proulx suggested the notice be put on the information sign at the old Fire Station.

Mrs. Titus asked if the Police and Fire Depts. will keep their current phone numbers at the new location.

Mr. Capello said they will keep their current phone numbers.

Ms. Proulx said some GPS systems show the speed limit in the area of the new building has been changed to 15 M.P.H.

Mr. Capello said the Town can't change the speed limit there as it is a state road (Route 153/Main Street).

Mr. Capello then added that things are going "swimmingly" at the building site.

Mr. Johnson said the project is about \$90,000 under budget.

Mr. King said that money will be used to pay the bond for the project.

Mr. Capello said the first year payment for the bond is \$254,000 which will be absorbed in the budget. He added that a \$50,000 bond for one of the DPW vehicles will "fall off" (be paid) next year.

Mr. Johnson said Mr. Groen told him he estimates it will not cost the Town more than \$5,000 to heat the building and the board budgeted \$15,000 to cover heating costs.

Mr. Capello said the building was built so efficiently that the heaters probably would not kick on unless the responders were constantly going in and out of the building.

Ms. Proulx noted that a little bit of planning goes a long way.

11). Town Administrator's Business:

A). Safe Routes to School- Mr. Capello said the RFP for the Safe Routes to School Infrastructure Program has finally gone out after about 12 years "in the making". He said the Town received a copy of the invitation for contractors to bid on the construction of sidewalk tip downs, crosswalks and the installation of 2 flashing beacons.

Mr. King said the Town would have been better off to do the work ourselves than to wait for the federally funded program to begin.

Mr. Capello said it also probably would have been less costly as the price for the engineering alone is over \$100,000.

B). Response to Previous Public Comment- Mr. Capello said he met with the Deputy DPW Director Jason Gagnon and they visited the old Fire Station to discuss snow plowing in that area. He said Mr. Gagnon now has a clearer understanding of the issues there and where to direct the crews to plow.

Mrs. Titus said the City of Somersworth conducts snow removal during the day.

Mr. Capello said he also discussed that issue with Mr. Gagnon and daytime snow removal will be conducted as possible during low traffic hours.

12). Additional Board Business:

A). Silver Street- Mrs. Titus said she was contacted by a resident about the condition of Silver Street and asked if it is included on the list of road repairs for this year.

Mr. Capello said Silver Street is scheduled for grinding and repaving this year.

Mrs. Titus asked if the road work list could be made available to the public.

Mr. Capello said the list is public information and has been talked about in public. He said the list is available to the public.

Mr. King suggested that as we get closer to spring, the list could be broadcast on the Cable TV access channel.

Mr. Capello suggested the notice should also include a note that the list could change due to unforeseen/emergency circumstances.

B). No More Chairman King- Mr. King told the board there are 2 more meetings before elections/Town Meeting and notified them that he would not accept a nomination for Chairman following the annual meeting. He said this would give the board time to consider who should fill the position.

13). Next Meeting: Monday, March 6, 2017.

14). Non-Public Session A:

Motion: (King, second Titus) to enter non-public session under RSA 91-A: 3 II (d) Sale of Property passed 4-0 by a roll call vote (King, Johnson, Proulx, Titus- yes) at 7:20 p.m.

Motion: (King, second Johnson) to come out of non-public session passed 4-0 at 7:37 p.m.

Motion: (King, second Johnson) to seal the minutes until the matter is resolved passed 4-0.

15). Non-Public Session B:

Motion: (King, second Johnson) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 4-0 by a roll call vote (King, Johnson, Proulx, Titus-yes) at 7:37 p.m.

Motion: (King, second Johnson) to come out of non-public session passed 4-0 at 7:50 p.m.

Motion: (King, second Johnson) to seal the minutes passed 4-0.

15). Adjournment:

Motion: (Johnson, second Titus) to adjourn the meeting passed 4-0 at 7:50 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

Charlie King, Chairman

Neil Johnson, Vice Chairman

Paula Proulx

Ann Titus

