

Town of Farmington  
Board of Selectmen Public Meeting Minutes  
Monday, March 13, 2017

**Board Members Present:**

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

**Others Present:**

Arthur Capello, Town Administrator  
Elizabeth Johnson  
Michelle Elbert  
Matt and Bobbie Stormann

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

Chairman King called the meeting to order at 6:08 p.m. All present stood for the Pledge of Allegiance.

**2). Public Input:**

Election and Town Meeting Changed- Mr. Capello said he wanted to inform the public that the date for the local elections and Town Meeting has been changed to Tuesday, March 28 and Wednesday, March 29, 2017 due to the impending snow storm. His said the discussion began when he asked the Town Clerk what would happen if the Governor declared a State of Emergency due to the storm expected to hit the area on the scheduled election date of Tuesday, March 14. He said that RSA 40:4 states that the Moderator can change the date for the elections due to any unsafe conditions and that the Moderator decided to move the elections and Town Meeting from Tuesday and Wednesday of this week to Thursday and Friday this week. The Deputy Secretary of State said the decision was illegal but several Town Attorneys disagreed saying the Deputy Secretary of State had no authority over the Town Moderators. A conference call with the Governor and the Secretary of State was held that afternoon and the discussion centered on the definition of "voting" and "electing" and conflicting RSA's. The Governor then recommended towns with elections scheduled for March 14 not change the date but he would not mandate the elections be held on that date. Mr. Capello said the Moderator's decision to move the civic events out 2 weeks was a good one as it gives residents more time to cast an absentee ballot if qualified.

Mr. King asked how many towns had elections scheduled for March 14.

Mr. Capello said that about 50-60 communities had elections scheduled for that date and have re-scheduled their elections.

Mr. King asked what means will be used to notify the public of the date change.

Mr. Capello said an announcement will be made on WMUR-TV, NPR radio, by e-mail blast, on Face Book, on the Town website, Cable TV Channel 26 and by posted notices at the polls. He said he would also try to get it included on Foster's online site.

Mr. Johnson said the Union Leader website has also been covering the issue.

**3). Review of Minutes:**

March 6, 2017, Public Meeting Minutes – Page 1, item #3- amend "DART" to "DHART".

Page 2, paragraph 7, line 6 – add "Mr. Johnson said that he believed Mr. Moody was referring to the cracks in the stress release in the bay floors" after the 6<sup>th</sup> line.

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

March 6, 2017, Non-Public Sessions A & B- No errors or omissions

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

Motion: (Titus, second Johnson) to unseal March 6, 2017 Non-Public Session B passed 5-0.

#### **4). Town Meeting Prep:**

Mr. King said there was nothing new to discuss on this topic except the date changes as discussed earlier in the meeting.

#### **5). Appointment to Boards:**

Selectmen reviewed an application for re-appointment to the Planning Board as a regular member for a 3 year term submitted by Martin Laferte. Mr. Laferte was also nominated by the Planning Board and requested appointment as a Farmington representative to the Strafford Regional Planning Commission for a 4 year term. Mr. Horgan said Mr. Laferte is a very reliable and active board member and attends almost all of the meetings. Mrs. Titus agreed.

Motion: (Horgan, second Titus) to appoint Martin Laferte to the Planning Board and to Strafford Regional Planning Commission passed 5-0.

#### **6). Strafford Regional Planning Commission:**

Resignation- Mr. Capello told the board that Senior Regional Planner Liz Durfee is resigning her position at SRPC and will no longer serve as the Town's Interim Planner effective March 17, 2017. He said he met with SRPC Executive Director Cynthia Copeland to discuss a possible replacement for Ms. Durfee. It was determined that the current Planning Dept. Secretary could handle some of her tasks until a successor is chosen and that the Town can also use the resources provided by the SRPC as a member town. He said the Town has a 1 year contract with the SRPC ending in December and requested they attempt to find a replacement within the next 3 weeks.

Selectmen discussed the possibility of hiring a full time Planner with economic development experience, posting the position to outside sources, paying the full time salary and benefits, if there is currently enough work to keep a full time Planner busy, expanding a part time position to full time when needed and developing a plan for the position.

Selectmen's Rep. to the Board of Trustees- Mrs. Stormann asked when the Selectmen's Rep. to the Farmington Library Association Board of Trustees would be renewed.

Mr. King said board and committee assignments are normally made at the next board meeting following the election in case the election results change the composition of the board but it could be as long as 10 days after the election if there is challenge to the election results.

#### **7). Public Safety Building Update:**

Mr. Capello said all of the depts. are in the new building and in the process of unpacking and setting up their equipment.

He said he visited the building following a resident's concerns expressed at the last board meeting about some items he said were improperly completed at the facility. He said he did not find any of the issues as described by the resident.

Mr. Horgan asked about the installation of the heat tape to deal with water shedding off the roof and pooling and freezing in front of the bays. He said the heat tape has only been installed on

the Police Dept. side of the roof and not on the ambulance side of roof. He wondered if the builder doesn't expect the water to drain on both sides of the roof as the right side does not have heat tape, a gutter or a downspout.

Mr. Johnson said he thought the plan was to feed all of the drainage through the gutters into one downspout which would drain into a trench and then out to the swale area. Mr Capello said he would address the issue with the builder.

Mr. Horgan asked if the Fireman's Association still exists.

Mr. Capello said the Association is still in existence.

Mr. Horgan said the Association owns antique fire engines and asked if they could be brought to the new building for storage.

Mr. Capello said he did not think there is room in the bays to store the vehicles and that the Town could be liable for any damage to the vehicles while stored on Town property.

Mr. Horgan said the Association maintains their own insurance coverage on the vehicles and suggested there is enough room on the property to store the vehicles outside the building.

Mr. King said the Association should present the Selectmen with a request for what they want to do with the vehicles.

Mr. Horgan then asked what will happen to the Conex storage container at the old site.

Mr. Capello said it will be "going away" as it contains the air packs the Town is donating to Ecuador.

Mr. Horgan asked about the location of the Police and Fire Dept. signs that were mounted at the old stations.

Mr. Capello said they were taken along to the new building and will be installed there.

Mr. Capello asked the board what they would like to do with the old boiler and generator which are in working condition. He suggested they be kept in cold storage as potential back-ups.

Selectmen agreed to keep the items in storage.

#### **8). MetroCast Cablevision Franchise Fee:**

Selectmen received copies of a letter to Mr. Capello from MetroCast Vice President Brian Earnshaw containing the gross revenues (\$1,473,087) and franchise fees remitted to the Town (\$51,558) in 2016.

Mr. King suggested that if the amount of fees received continues to increase past the point of what is budgeted for expenses for the coming year that the remainder could be placed in the general revenues account.

Mr. Capello said that since the fees are now placed in a Capital Reserve Fund and used to pay the Cable TV Coordinator's salary, equipment and licensing fees the board would have to make the request through a warrant article next year at Town Meeting.

Mr. King asked if the warrant article could be worded to put "up to" a certain dollar amount or percentage of the fees collected into the CRF.

Mr. Capello said the state DRA no longer allows use of the term "up to" in warrant articles requesting funding.

Mr. Johnson noted that a lot has been spent to update the equipment over the last 2 years and that this is an issue the board could consider annually.

#### **9). Town Administrator's Business:**

Mr. Capello asked to discuss a matter in non-public session.

**10. Additional Board Business:**

Economic Development Committee Meeting- Mrs. Titus reported that at the their previous meeting the committee decided to make changes to Article II, #11 and Article III, #5 of their by-laws to better address member attendance issues. She said the by-laws also need to be signed by the current Selectmen.

Mr. King asked that the committee provide the recommended changes in writing for the board to review.

Elections/Town Meeting Reminder – Mr. King reminded residents that the date for the election has been changed to March 28 and the Town Meeting date is re-scheduled to March 29.

**11. Next Meeting:** Monday, March 20, 2017

**12. Non-Public Session A:**

Motion: (King, second Johnson) to enter non-public session under RSA 91-A: 3 II (d) Sale of Property passed 5-0 by a roll call vote (King, Johnson, Horgan, Proulx, Titus- yes) at 6:45 p.m.

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

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

**13. Non-Public Session B:**

Motion: (King, second Johnson) 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 7 p.m.

Motion: (King, second Johnson) to come out of non-public session passed 5-0 at 7:20 p.m.

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

**14. Adjournment:**

Motion: (King, second Titus) to adjourn the meeting passed 5-0 at 7:30 p.m.

Respectively submitted  
Kathleen Magoon  
Recording Secretary

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Charlie King, Chairman

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Neil Johnson, Vice Chairman

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Jim Horgan

\_\_\_\_\_  
Paula Proulx

\_\_\_\_\_  
Ann Titus