

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, March 20, 2017

Board Members Present:

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

Others Present:

Arthur Capello, Town Administrator
Dale Sprague, DPW Director
Residents Sylvia Arcouette, Elizabeth
Johnson, Jo Kenney, Kathy King,
Randy Orvis, Bobbie and Matt
Stormann
David LaRoche
Shelley Hadfield, CDBG Grant Admin.
Rick Aubin, Admin. Services Director
Dana Nute, General Manager,
Resilient Buildings Group

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:

Randy Orvis told the board that he came forward to file a complaint about the amount of processing time and the lack of response from the DPW regarding a driveway permit for a pending 6 lot subdivision in town. He said the initial filing for the 5 town permits took place in December and he has received 4 of the 5 permits he applied for. The DPW then requested additional information on the fifth application which was submitted. He said it has been about 3 or 4 weeks since he submitted the additional information and that he called the dept. with no response.

Ms. Proulx asked what the average amount of time is to receive a permit.

Mr. Capello said the average length of time is 2 to 3 weeks. He said he would look into the matter to find the status of the application and report back to Mr. Orvis within the next few days.

Bobbie Stormann asked the board for clarification on political campaigning at the Town Transfer Station. She said a resident/candidate asked for a copy of a policy regarding political campaigning and the Secretary could not provide one and then asked if such a policy exists.

Mr. Capello said Mrs. Stormann was told that he did not have the authority to allow candidates for office to campaign at the Transfer Station and that the candidates would need to get approval from the Selectmen to campaign on Town property. He added that the some of the candidates went ahead and campaigned at the landfill after being told they needed the board's approval first.

Mrs. Stormann asked if any of the current board members have campaigned at the landfill.

Mr. King said that he campaigned there several years ago but after receiving complaints from the public about political campaigning there he stopped participating in the practice. He added

that the Town does have a policy and application process for the use of Town facilities. Mrs. Titus said she has not and does not intend to campaign there as she tries to “go above what the law says”.

Mrs. Stormann asked if the board intended to discuss/draft a policy to cover campaigning tonight. She added that people waved and seemed to be happy to see the candidates at the landfill and have the chance to talk to them.

Mr. Capello suggested the board could consider the matter but that it was not on the agenda for this meeting.

Sylvia Arcouette said that when she campaigned for State Rep. at the Transfer Station she stayed outside of the facility gates and closer to the road and out of the way of business. She then told the board the Women’s Club would like to feature the “Woman of the Year” at the Town Meeting and that she has had difficulty reaching the Town Moderator. She asked if there was anything the Selectmen could do to get the recognition included at the meeting.

Selectmen said that they don’t have the authority to make changes/additions to the meeting and that she would have to contact the Moderator.

Jo Kenney she said she came to thank the board for their assistance regarding the lack of proper snow plowing on the town owned lots at the old Fire Station site that prohibited her from accessing her driveway/easement. She said that after the last the storm the plowing crew did a “fantastic job” and the situation was properly “taken care of”.

3). Public Hearing: CDBG for the Farmington Child Care Renovation:

Town of Farmington Mid-Grant Public Hearing Notice- CDBG

The Town of Farmington will hold a Public Hearing on Monday, March 20, 2017 at 6 p.m. at the Farmington Town Office, 356 Main Street, Farmington, New Hampshire to advise the public on the progress of the 2016 Farmington Child Care renovations Community Development Block Grant as required under 24 CFR 570.486 and NH RSA 162-L:14. Interested persons are invited to attend.

Chairman King opened the Public Hearing at 6:15 p.m.

Shelley Hadfield introduced herself, Rick Aubin and Dana Nute to the board. She said that one Public Hearing is required by law during the renovations to the Farmington Children’s Center and that the project is close to being completed except for the landscaping planned for the spring. The grant will be closed out once the outside projects have been completed she said.

Mr. Horgan asked about scheduling a tour of the site once the work is completed.

Ms. Hadfield said they would be glad to schedule a time for Selectmen to visit the site.

Mr. King asked about the status of budget for the grant.

Ms. Hadfield said the project came in \$7,000 under budget and they requested permission to use the remainder for landscaping the property. The request was approved she said.

Mr. Johnson asked if all of the planned projects for the building were accomplished.

Mr. Aubin said they accomplished everything they set out to do including a new heating system, windows, doors, roof and repaving the driveway/parking area. He added the building is more

energy efficient and the parents of children attending the center are “thrilled” with the improvements.

Mrs. Titus asked if the renovations will allow more children to attend the programs at the center.

Mr. Aubin said the Head Start classrooms were gutted and re-done with an eye toward increasing their capacity.

Mr. King said the board had requested an annual report from the administrators of the center and asked when the board could expect to receive it.

Mr. Aubin said they agreed to provide the report but he would have to ask the Chief Executive Director Betsy Andrews-Parker when the report would be ready.

Chairman King then opened the hearing to public comment.

Mr. Orvis said that a new septic system had to be installed at the center about 18 months ago after the existing system failed. He said that he wanted the public to be aware that the system should have lasted longer and that it failed because one of the tanks had never been pumped and the leach field became root bound when trees growing in the area were only trimmed back instead of removing the trees and their roots.

There were no other questions/comments from the public.

Mr. King then closed the public comment portion of the hearing

Additional discussion included scheduling a date and a time for Selectmen and the Children’s Center representatives to tour the renovated center and the new Public Safety Building.

Motion: (King, second Horgan) to close the Public Hearing passed 5-0 at 6:20 p.m.

Ms. Hadfield said she will return to the board when the project is completed.

4). Review of Minutes:

March 13, 2017- Public Meeting Minutes- Page 3, 6th line- amend “He said he” to “Mr. Capello said he” would address the issue with the builder.

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

March 13, 2017- Non-Public Sessions A & B- No errors or omissions

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

5). Town Administrator’s Business:

A). Sewer Abatement Request- Mr. Capello told the board the DPW Director Dale Sprague would like to discuss a request for a sewer abatement.

Mr. Sprague said there was a water leak under the mobile home located at 26 Green Street and the owner, David LaRoche applied for an abatement of the sewer portion of the bill. He said he suggested that Mr. LaRoche come to the meeting to support his request.

Mr. Sprague said Mr. LaRoche owns 2 mobile homes at the site and that the rear unit experienced a substantial water leak which was repaired by Mr. LaRoche. He said he did not see the leak or the repair. He also did not see any evidence of the repair work such as a receipt for parts or for hiring a contractor.

In a memo to the board, Mr. Sprague wrote that the large increase in water usage, approx. 170,073 gallons more than the historical average use for the property, occurred between July and September 2016 and that all of the water went through the meter at the site. The increase was brought to his attention following the resolution of the problem and receipt of the bill he said.

Mr. Capello asked how long the water would have to run to have used that many gallons.

Mr. Sprague estimated the water may have been leaking for months and that it ran into the ground which consists of a lot of gravel there. He suggested that the copper feed line running to the meter may have become frozen and broke off.

Mr. King asked Mr. Sprague for his recommendation regarding the abatement request.

Mr. Sprague said that since the water leaked into the ground and did not enter the sewer system that he would recommend the sewer portion of the quarterly bill be abated to Mr. LaRoche.

Mr. Capello suggested the board not take any action until there is more information available from the owner.

Mr. King suggested the board could conditionally approve the abatement based on receipt of some evidence, such as a visual inspection as to what happened and that the problem was properly repaired.

Mr. LaRoche arrived at the meeting and explained that the water line running under the home was corroded and broke off resulting in the large amount of water usage. He said he was not aware of the problem until the tenants contacted him and said they had been without much water pressure for 2 days. He said it was a simple fix where he removed the corroded portion of the line and replaced the fitting himself.

Motion: (Johnson, second Titus) to conditionally approve the abatement of the sewer portion only of the Q3, 2016 water/wastewater bill totaling \$1,634.40 for 26 Green Street contingent upon an inspection by Mr. Sprague or water dept. member passed 5-0.

Selectmen then signed the request which will be held by Mr. Capello pending completion of the inspection.

B). Encumbrances- Mr. Capello said the one item was mistakenly left off the list of encumbrances from the 2016 budget. He said the Fire Dept. antenna for the Public Safety Building was included in the Fire Dept. budget but not figured into the total encumbrances. The board previously approved \$46,618 in encumbrances and an additional \$6,082.59 was added bringing the total to \$52,796.59. He requested the board approve the new total amount.

Motion: (Horgan, second Titus) to authorize the encumbrance of \$52,796.59 from the 2016 budget passed 5-0.

C). Withdrawal of Funds from CRF- Mr. Capello requested approval to withdraw funds from the Public Safety Building CRF to pay for cleaning supplies and materials for the new building.

Motion: (King, second Titus) to authorize the withdrawal of \$728.31 from the Public Safety Building and Equipment Capital Reserve Fund to pay Central Paper passed 5-0.

6). Additional Board Business:

A). Town Facility Use Request- Selectmen reviewed a Facility Use application submitted by Bobbie Stormann on behalf of candidates Michelle Elbert, Penny Morin and Linda McElhinney seeking permission to campaign inside the gates at the Transfer Station on March 25 and 26. Mr. Horgan said he would favor letting the candidates campaign inside the gates if they stayed in a designated area and let interested voters come to them.

Mr. Johnson said he thought it would be better to restrict them to an area outside the gate so as not to create any hazardous situations.

Ms. Proulx said she could see the possibility of creating liability for the Town and that people stopping to talk to candidates could restrict the flow of traffic, especially on Saturday causing

some people to “get ugly”. She said she was torn and could go both ways on the subject. Mr. King and Mrs. Titus who are both on the ballot said they would recuse themselves from voting on the matter.

Mrs. Stormann noted there is not enough room to park 4 cars outside the gate at the Transfer Station.

Mr. Johnson said allowing political campaigning inside the landfill gates could look like the Town is supporting particular candidates.

Mr. Horgan said this has been allowed in the past.

Discussion also included if campaigning would be allowed inside/outside other Town buildings/property, exposing the Town to liabilities for injury or damages, what state law says about campaigning, public employees campaigning and that Town and School District employees can’t campaign on Town and School District properties.

Ms. Proulx then said that a Town employee would be prohibited from campaigning at the Transfer Station by law which would allow some candidates more exposure than other candidates. She said it is not fair that it would be okay for some candidates to campaign at the landfill and not allowed for others. “Fair is fair” she said.

Mr. Johnson suggested the board should draft a policy regarding this issue.

Motion: (Horgan, second Johnson) to authorize election campaigning outside the Transfer Station gate on the left side of the gate;

Mr. Johnson then offered a friendly amendment to the motion to allow campaigning outside the Transfer Station gate on both sides of the gate.

Mr. Horgan accepted the amendment.

Vote: The motion passed 2-1-2 (Horgan, Johnson- yes, Proulx-no, King, Titus-abstained).

B). Recognition Request – Ms. Arcouette asked if the Town planned to place the flags at half staff in recognition of the service to the Town and the country by Veteran, resident and Planning Board Chairman Charlie Doke who passed away Sunday night. She said there will be no services held for Mr. Doke as per his request.

Motion: (Horgan, second Johnson) to approve placing the Town flags at half staff for 1 week in recognition of Mr. Doke’s passing passed 5-0.

Selectmen expressed their condolences to Mr. Doke’s family and friends.

C). Election and Town Meeting- Mr. King reminded residents that the date for Town Elections and the Annual Town Meeting were rescheduled to Tuesday, March 28 for the election (polls open from 8 a.m. to 7 p.m.) and Wednesday, March 29 for Town Meeting beginning at 7 p.m.

D). New Members Needed - Mr. Capello said the Planning Board is in need of new members as the board is now down to 4 members. Interested residents should contact the Town Municipal Office Building for information on how to apply to become a board member.

7). Non-Public Session A:

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 6:50 p.m.

Motion: (Horgan, second Titus) to come out of non-public session passed 5-0 at 7:08 p.m.

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

8). Old Fire Station Property Parking:

Mr. Horgan said a resident suggested Selectmen consider closing off a portion of the left end of

the parking lot to provide leased parking for the tenants of the apartments there. Discussion included the apartments were approved based on providing parking for the tenants, if the board has the authority to lease the spaces, to suggest that the landlord purchase the parking spaces, wait until the RFP for the best use of the property comes back and leasing parking on the lots could devalue the property. Selectmen took the suggestion under advisement and will return to the discussion after the RFP's have been received.

9). Adjournment:

Motion: (Horgan, second King) to adjourn the meeting passed 5-0 at 7:25 p.m.

Respectively submitted
Kathleen Magoon
Recording Secretary

Charlie King, Chairman

Neil Johnson, Vice Chairman

Jim Horgan

Paula Proulx

Ann Titus