

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, June 26, 2017

Board Members Present:

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

Others Present:

Arthur Capello, Town Administrator
Bill Fisher
Police Chief Jay Drury

1). Call to Order:

Chairman Proulx called the meeting to order at 5:30 p.m.

2). Non-Public Session A:

Motion: (Horgan, second Titus) to enter non-public session under RSA 91-A: 3 II (a, c) Compensation, Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus-yes) at 5:30 p.m.

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

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

3). Non-Public Session B:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A: 3 II (a, c) Compensation, Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus-yes) at 6:10 p.m.

Motion: (Horgan, second Titus) to come out of non-public session passed 5-0 at 6:25 p.m.

4). Non-Public Session C:

Motion: (Horgan, second Titus) to enter non-public session under RSA 91-A: 3 II (a, c) Compensation, Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus-yes) at 6:25 p.m.

Motion: (Horgan, second King) to come out of non-public session passed 5-0 at 7:35 p.m.

Motion: (Horgan, second Titus) to seal the minutes until the process is complete passed 5-0.

Recess: Chairman Proulx called for a 10 minute recess at 7:35 p.m.

5). Public Meeting/Pledge of Allegiance:

Chairman Proulx reopened the public meeting at 7:45 p.m. All present stood for the Pledge of Allegiance.

6). Public Input:

Ms. Proulx apologized for the late start of the meeting and explained the board had 3 important interviews for 2 very important positions so they needed to take their time and do things right.

A).Please Call 911- Mr. Capello asked the public to call the Police if they see someone having an issue with drugs. He said twice over the weekend people in the downtown area stood around and watched while someone was potentially overdosing on drugs. He then urged people to call 911 and don't just sit there and watch it.

Mrs. Titus said the caller will not be charged if they if they are with that person but don't have any drugs as they would be considered a "Good Samaritan".

B).Fireworks- Mrs. Titus said some residents spoke to her regarding personal fireworks that woke them up at 11:30 p.m. Sunday night. She said they complained because people have to get up early to go to work on Monday morning.

Mr. Capello said the Town does not have its own noise ordinance and follows the state rule regarding noise which does not have a specific time limit but goes by the "reasonability" of the noise level. He suggested if the resident knows where the fireworks are coming from to call the Police and they can respond to the complaint. He added that fireworks are illegal in Farmington without a permit from the Fire Dept. They may be legal within the state but each individual town can determine if they are legal within their town he said.

Mr. King asked if he was sure concerning the need for a permit from the Fire Dept.

Mr. Capello then texted the Fire Chief regarding the policy concerning fireworks.

Ms. Proulx asked the individuals setting off fireworks to have some consideration for others while enjoying their fireworks displays.

Mrs. Titus said she loves fireworks as well but asked revelers to be respectful of those people who have to get up early to go to work.

7). Review of Minutes:

Ms. Proulx said the board just received the minutes that day and asked if anyone had a chance to review them. Selectmen said they had not had time to review them.

Motion: (Johnson, second King) to table the review of the June 19 public and non-public meeting minutes until the next meeting passed 5-0.

8). Fire Chief Regarding Billing:

Chairman Proulx said agenda item #8 did not need to be addressed as the Fire Chief reported earlier that the ambulance billing is still under contract with ComStar.

9). Review of 381 Main Street Appraisal Report:

Mr. Capello reminded the board that they signed a contract with the Stanhope Group to conduct an appraisal and suggest potential uses for the old Fire Station property which is actually 3 individual lots. The appraisal has been done and the potential uses are included in the report. He said it is a lot to read and digest and asked if the board would like to take some additional time to read the report before discussing it in detail.

Mr. King said he briefly reviewed the report and noted the report contained a lot of "fillers".

He said based on some of the figures in the report and the public input received he would suggest that the new Town Planner should review it and give the board his thoughts about the report.

He said if the value is only what they say it is in the report, it may be better to look at a redevelopment plan that would benefit the town such as through a CDBG grant and accomplishing what the town needs while still reserving some commercial space there. He suggested they could install a park, re-do the parking lot and put retail space in the back of the lot to be put out for bid or sale at a later time. We may be able to come up with a plan where it would benefit the town with some economic development but retain the parking and revitalize the downtown through grant funding he said.

Mr. Capello suggested that the Town Assessor also look at the report as he is familiar with this type of information.

Mr. King added if the town had a good plan and qualified for a \$500,000 grant it may take a year or 2 to accomplish the plan but that he was willing to volunteer some of his personal time to help achieve the goal.

Mr. Horgan said the old Fire Station lots may need to be redefined and that a lot line adjustment may be necessary to complete the plan.

Mr. King suggested the lots could be merged and possibly be sold as one lot.

Mr. Horgan said the portion being considered for retail sale may need to be split from the rest of the parcel to sell it.

Mr. King said based upon the estimated values in the report the board may want to look at what other options exist for the property.

Mr. Horgan said they would need to consider the cost of tearing down and removing the old Fire Station from the site.

Mr. King said the town could directly market the building but it may not be in the best long term interest of the town to directly market the property and have the buyer use the existing structures.

Ms. Proulx said it would take a special entity to go in and make that building suitable for use as it is an old Fire Station.

Mr. King said someone with a small plumbing or service business that wants to keep all of their vehicles indoors could be interested in the existing building. He said he wasn't saying the property is not valuable but didn't know if it would bring the value they think they could get for it.

Mr. Horgan asked if the building integrity was included in the appraiser's report. He suggested that information be known before putting anyone in that building.

Mr. King said that it is not the town's responsibility unless the Town was to occupy the building.

Mr. Johnson noted the structural issues on the second floor of the building.

Ms. Proulx said the appraiser did address that and the Americans with Disabilities Act issues in the building.

Ms. Proulx asked Mr. Capello to contact the Town Assessor and Town Planner and request that they supply the board with their thoughts on the appraiser's report. The board will revisit the issue when the Assessor and Planner have provided the information requested by the board.

10). Town Administrator's Business:

A). Forestry Consulting Services Contracts- Mr. Capello said Cons Com Chairman Dave

Connolly forwarded copies of the contract extensions with B.H. Keith Associates for the management plans for the French, Dubois and Town Forest properties.

Mr. Johnson asked if the funding for the contracts comes from the conservation fund.

Mr. Capello said that is correct.

Ms. Proulx asked if the policy regarding contracts/contract renewals have been followed here.

She asked when they would look at another perspective regarding the cost.

Mr. Capello said they can look at that any time they want to.

Mr. Johnson said he recalled that Chairman Connolly sends the proposals out to bid periodically.

Mr. Horgan said it depends on the number of years in the contract agreement and noted that the agreement was first established as a 5 year management plan. He added Mr. Connolly stays right on top of these things.

Ms. Proulx said she just wanted to make sure the policy was being followed in case someone was to question her about it. She said she hasn't seen any bidding process for the Conservation Commission and just wanted to be sure.

Mr. Capello said the board wouldn't necessarily see when Mr. Connolly puts things out to bid but that he has seen it as sometimes the bidders mistakenly send the bids to him instead of to Mr. Connolly.

Motion: (King, second Horgan) to approve the contract extensions as presented passed 5-0.

The board then signed the contract extensions.

B). Raffle Permit Application- Mr. Capello said he received a raffle permit application from the Friends of the Goodwin Library which is a non-profit group. He said they are looking for a one year permit as they like to do different events throughout the course of the year.

Mr. Fisher they conduct basket raffles every few months and plan to hold more raffles connected with certain holidays throughout the rest of the year. He said the group just found out about the requirement for a permit and are trying to follow the rules.

Motion: (Horgan, second Titus) to approve the application for a one year raffle permit for the Friends of the Goodwin Library

Mrs. Titus asked why they were asking for the permit now when they have been doing raffles right along.

Mr. Horgan said it is because the Town now has a policy requiring the organizations to obtain a permit.

Mr. Capello said the Town policy is similar to the state law which has been in effect for a long time.

Mr. Johnson said the Town just didn't know about the state law until recently.

Mr. Fisher outlined some of the group's other fund raising plans in an effort to provide services to the Town without charging the taxpayers for those services.

Ms. Proulx asked if the Town normally gives permits for a year at a time or if it usually per event.

Mr. Capello said this is the first time the Town received a request for 1 year and said he thought that the policy allows a raffle permit to be approved for up to 1 year.

Mr. Johnson said the board had previously discussed granting the permits per instance and mentioned some of the organizations that tend to hold multiple fund raising events throughout the year. He suggested the policy could include annual renewals for permits upon review.

Ms. Proulx asked Mr. Capello to review the policy and if he determines it doesn't allow for one year permits to inform the board for further review of the matter.

Vote: The motion passed 5-0.

C). Withdrawal Authorization- Mr. Capello asked the board to authorize the withdrawal of \$17,250 from the Town Employee Financial Obligation Capital Reserve Fund. He said the board is agent to expend the funds and there is currently approx. \$33,000 in the account. The funds are to be paid to DPW Director Dale Sprague upon his retirement in July.

Motion: (Horgan, second Titus) to approve the withdrawal of \$17, 250 from the Town Employees Financial Obligation Capital Reserve Fund passed 5-0.

11). Additional Board Business:

A). Public Safety Building Update-Mr. Horgan asked if the systems and landscaping work has been completed.

Mr. Capello said the landscaping has been completed and the systems are for the most part completed. He said he met with Howard Systems to get more details on the billing and that he anticipated having about \$5,000 left when everything is completed.

Mr. Horgan asked if the work has been completed as the Town has been holding payment to Howard Systems pending completion of the work.

Mr. Capello said about 95% of the work has been completed and said he told them they would not be paid until the work was completed and the billing is in the proper format.

Chief Jay Drury arrived and Mr. Horgan asked him if he was happy with the systems installed at the Police Dept.

Chief Drury said things seem to be working better and are moving right along toward completion.

Mr. Horgan said the board wants to be sure everything is working by the book before the money is released.

Ms. Proulx asked Mr. Capello to make sure things are also working properly on the Fire Dept. side of the building.

Mr. Capello said the remaining \$5,000 left after payment could be applied to the \$18,000 of the Town's portion of the cost for the emergency generator.

Mr. Johnson asked about the status of the impound lot.

Chief Drury said they were supposed to have a meeting about the lot during the Public Safety Building Open House but that they did not get to it that day. He suggested the board take a field trip to the proposed site at the building and discuss what the board would like to do about the impound lot.

Mr. Horgan asked who will install the impound lot.

Chief Drury said he has received a few quotes for the project but the contractor has not been chosen.

Mr. Capello said the issue is the location of the impound lot because there is much more backyard there than originally thought.

Mr. Horgan suggested they could plant some trees around the fenced areas to make it look better. Chief Drury agreed it could be spruced up a little and suggested they cross that fence when they come to it. He said there is no rush on the project and that the dept. can survive without for a little longer if necessary.

B). Street Lights- Ms. Proulx asked for an update on the list of non-working street lights in town.

Chief Drury said he gave the list of the non-functioning lights to the Selectmen's Secretary. Ms. Poulx asked to have an update on the lights as an agenda item for the next meeting.

12). Next Meeting: July 10, 2017. There will be no meeting July 3 due to the Fourth of July holiday.

13). Consult with Legal Counsel:

Motion: (Horgan, second Johnson) to take a recess to consult with legal counsel passed 5-0. The Attorney consultation was then moved to 8:50 p.m. to allow time for the Town Attorney to arrive.

14). Non-Public Session D:

Motion: (King, second Titus) to enter non-public session under RSA 91-A: 3 II (c, a) Reputation, Compensation passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus-yes) at 8:15 p.m.

Motion: (Johnson, second Titus) to come out of non-public session passed 5-0 at 8:20 p.m.

15). Non-Public Session E:

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (a, c) Compensation, Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus-yes) at 8:20 p.m.

Motion: (Johnson, second Titus) to come out of non-public session passed 5-0 at 8:40 p.m.

16). Non-Public Session F:

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus-yes) at 8:40 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 8:50 p.m.

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

17). Consult with Legal Counsel:

Selectmen met with the Town Attorney from 8:50 p.m. until 9:45 p.m.

18). Non-Public Session G:

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

yes) at 9:45 p.m.

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

19). Adjournment:

Motion: (Johnson, second Titus) to adjourn the meeting passed unanimously at 10 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

Paula Proulx, Chairman

Neil Johnson, Vice Chairman

Jim Horgan

Charlie King

Ann Titus