

Town of Farmington
Board of Selectmen Meeting Minutes
Monday, September 18, 2017

Board Members Present:

Paula Proulx, Chairman
Neil Johnson, Vice Chairman
Jim Horgan (6:10 p.m.)
Ann Titus

Board Members Absent:

Charlie King

Others Present:

Arthur Capello, Town Administrator
Jason Gagnon, DPW Director

1). Call to Order:

Chairman Proulx called the meeting to order at 6 p.m.

2). Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

3). Public Input: None

4). Review of Minutes:

September 11, 2017- Public meeting minutes

Page 7, line 15- Mr. Johnson said he wanted to clarify that the Town employee he was talking about was the Finance Administrator.

Motion: (Johnson, second Titus) to approve the minutes as written passed 3-0.

Non-Public Session Minutes A- C: No errors or omissions

Motion: (Johnson, second Titus) to approve the Non-Public Sessions A-C minutes as written passed 3-0.

5). Wage Study:

Mr. Capello said that at the last meeting the board asked him to send them the information on the towns that were used for the last wage study and the tax rates for all the towns in the state. He said he gave the board the list of tax rates at the last meeting and send out the list of the towns used for the previous study and a link to the NH Dept. of Revenues Administration's list of tax rates for all towns and cities in the state broken down by municipal, county, state and local portions of the tax rate. He asked the board to compile a list of 10 towns to use for comparison purposes so that he will get at least 6 or 7 communities to respond. He said he plans to send out a questionnaire and look at each community's total package (holiday pay, sick time, vacation time, longevity, insurance, etc.) not just the hourly rate paid to employees. He then asked the board to consider the list of towns compiled by Mr. Johnson for possible use in the study.

Mr. Johnson suggested they go down the list and cross off any community that the board feels does not fit the profile for use in comparison to Farmington.

Ms. Proulx suggested they first establish the profile using the information provided. That information included population, valuation, and a breakdown of the municipal, county, state and local tax rate for each of the towns.

Mr. Capello said one piece of information not included but should be included is the assets held by each of towns such as lakes which effects the valuation of the community. He cited the town of Alton which has less population than Farmington but more valuation due to Lake Winnepesaukee and would not be a fair comparison to Farmington. He said if a town shows \$1 billion of value that tells him there are resources such as lakes or a college in that town.

Mr. Johnson said the list of towns used for the 2010 wage study included some of the towns with high evaluations and suggested that aspect of the profile may not have been looked at closely.

The board then went through the list and discussed whether each community fits the profile for a fair comparison to Farmington. **They chose to include the following communities for the wage study: Barnstead, Chester, Enfield, Epping, Franklin, Gilmanton, Northwood, Plymouth, Ringe, Swanzey and Walpole.** All Maine communities and private entities used in the previous study as well as the following towns were eliminated: Alton, Belmont, Brentwood, Deerfield, Grantham, Milton, New Durham, Newton, Pittsfield, Sandown, Somersworth and Wakefield.

6). Review of New Policies:

Mr. Capello said he made the correction in the Vacation Time Liability Reduction Policy and told any Town employees listening that the board is not looking to reduce their vacation time as has been rumored.

Mr. Johnson made the following additional corrections to the policy:

Third line- add the word “in” following “only”; add a line stating this offer is only for non-union employees after the second sentence;

Request Form: second sentence- add “by the amount specified above” after “balance”; fifth line- add the word “will” to read “and will have a balance of at least 40 hours.... ;

Motion: (Titus, second Johnson) to approve the Vacation Time Reduction Liability Reduction Policy as amended passed 4-0.

7). Committee Appointment:

Mr. Capello said resident Jo Kenney has applied for re-appointment to the Recreation Advisory Committee.

Mr. Johnson said this is not an official Town committee.

Mr. Capello said Selectmen have appointed the members of the committee in the past.

Mr. Johnson then asked if it is an official committee why the meetings are not posted and no minutes of the meetings are being kept. He said he thought this was a group that the Recreation Dept. Director Rick Conway put together to help decide what will go on at the Rec. Dept.

Mr. Capello said the issue can be researched and there may be some confusion as to the actual status of the committee. He said Mr. Conway put the committee together at the direction of the Selectmen and the board picked the members of the committee from a group of interested volunteers. He said he was not sure if the board ever voted to make it an official Town committee.

Motion: (Horgan, second Titus) pending an investigation, to re-appoint Jo Kenney to the Recreation Advisory Committee;

Mr. Johnson said he was not suggesting Ms. Kenney not be re-appointed to the committee only that if it is not an official Town committee there is no need for the board to do so.

Mr. Horgan then withdrew his motion, Mrs. Titus withdrew her second to the motion and the matter was tabled to allow Mr. Capello to obtain more information on the status of the committee.

8). Additional Board Business:

A). Ford Cruiser- Mr. Johnson asked for an update on the cruiser that was totaled in a past accident.

Mr. Capello said the insurance company took the vehicle and the money from the claim was applied toward the purchase of two new cruisers.

Mr. Johnson asked if the new vehicles are cruisers or SUV's.

Mr. Capello said they are all-wheel drive cruisers.

Mr. Johnson then asked about the current fleet and if the Police Dept. is now short one vehicle.

Mr. Capello said the fleet is not short of vehicles because one of the new cruisers replaces the Crown Victoria that was totaled and the second new vehicle will replace the Chief's car although that vehicle will be kept in service as a back-up vehicle and for details. Both new vehicles were 100% paid for with money from the insurance claim and the Police Outside Details Special Revenue Fund he said.

Mr. Horgan asked if the former Chief's car will be seen out as a patrol car.

Mr. Capello said it may be seen out during the winter as it has four-wheel drive but it will not normally be used as a front line car. He said the car is inspected and mechanically sound but is old and has a lot of miles on it.

B). Police Dept. Openings- Mr. Johnson asked if there are any vacancies in the Police Dept.

Mr. Capello said technically there are currently no openings at the dept. as one officer is going through the grievance process and one officer is resigning next month. There will be one opening beginning in October he said.

C). Resignation- Mr. Capello said the board received copies of Officer Justin Doty's resignation letter in their packets for review and asked if the board would officially accept his resignation.

Motion: (Johnson, second Titus) to accept with reluctance the resignation of Officer Justin Doty from the Farmington Police Dept. effective October 7, 2017 passed 4-0.

D). Transfer Station Hours- Mr. Johnson said that last year when they changed the Transfer Station hours of operation to Friday through Monday they planned to review how it is working at some point in the future.

Mr. Capello said he has not received any more or any less complaints than he did with the previous hours of operation.

Mr. Horgan asked if there has been any increase in the amount of volume being brought into the site for disposal.

Mr. Capello said it appears that the volume previously received on Saturday has leveled out because people can now come in on Sunday too. The landfill staff is not being "slammed" by the volume from open to close like they were on Saturdays before the hours of operation were

changed. He said there has been somewhat of an increase because previously people could not dispose of materials on Sundays.

Ms. Proulx asked how the hauling, cleanouts and pickups of materials by the disposal companies have been working out with the new hours of operation.

Mr. Capello said there have been no issues with the pickup of materials. He added there is an extra container at the site if the regular containers become full during an extra busy weekend.

E). Joint Meeting- Mr. Johnson said that at last Tuesday's joint boards meeting with the Economic Development Committee, Planning Board and Selectmen, Town Planner Dan DeSantis told the members the Town is applying for a Municipal Technical Assistance Grant (MTAG) and asked if more information could be provided to board regarding the grant.

Mr. Capello said the grant money is to provide assistance with the cost of updating the Master Plan and that he thought the amount applied for will be \$20,000. He said he will contact the Planner and get more information for the board.

F). Public Safety Building- Mr. Horgan asked if there is any unfinished business, issues or remaining problems at the new building.

Mr. Capello said there are no issues except with an incorrect invoice which he took care of. He explained that he did not agree with the bill and wrote on it that he did not agree with it and for the company to set up a meeting with him to discuss it and sent it back to the company.

Mr. Horgan asked if all of the issues with the internal systems at the building have been resolved and if the money being held for successful resolution of the problems has been paid to the company.

Mr. Capello said the previous issues have been resolved and the money being withheld has been paid. He said the Town received a second bill for a service call which is the one he refused to pay and sent back to the company about three weeks ago. He said he has yet to be contacted by the company.

Mr. Horgan asked if there have been any issues with the floors or any leaking at the building.

Mr. Capello said there have been no recent issues and the previous issues were addressed by the builder quickly and correctly.

Ms. Proulx asked when the one year builder guarantee for the building ends.

Mr. Capello said the guarantee ends March 1, 2018.

Ms. Proulx said she felt they should keep a close eye on things at Sally Port so if there any problems they can be addressed by the builder before that date.

Mr. Johnson asked when the board will start receiving a breakdown of the utility costs for the building.

Mr. Capello said he planned to give a report on the costs at the end of year during budget season. He said the costs for the building will only reflect a partial year and there will be some utility costs related to the old Fire and Police Stations.

Mr. Johnson said the information will be needed when it comes time to develop the Town budget and that he will be requesting it as a member of the Budget Committee.

Mr. Horgan said Mr. Capello and Mr. Johnson did an excellent job of working with the

contractors, staying on top of things and bringing the project to a successful conclusion. Mr. Capello said the building has become a show piece for Groen Construction and joked that the Town should get a commission on all the contracts the builder has received after showing the building to potential clients.

Mr. Horgan asked about the use of the Community Room in new building.

Mr. Capello said the room has been used several times by several groups and organizations. He said that typically the Town would receive free seats in a class/training seminar in exchange for hosting a class at the building.

Mr. Johnson said Chief Drury told him that when a Police seminar is held at the building he is usually getting 2-3 free seats at the class and saving money on training for the dept.

Mr. Capello said the same thing is happening with the Fire Dept., two successful blood drives have been held there and the Boy Scouts have met there.

Mr. Horgan said the Conservation Commission also used the room as a staging/refreshment area for the Fall Clean Up held the previous day.

G). Police Presence Downtown- Mr. Horgan said Mrs. Titus previously spoke about an issue regarding the lack of Police presence downtown recently and asked for an update on the issue. Mrs. Titus said someone complained to her about the lack of Police presence downtown before the last meeting.

Mr. Capello said he disagreed and said he has a Police radio in his office and every day there is a Police patrol downtown.

Ms. Proulx asked about their presence at night.

Mr. Capello said he could not attest to the amount of coverage at night since he is not in his office at night.

Mr. Horgan said it is good that the Officers are there but that they need to make their presence known and instill a little confidence in the downtown area. He said there apparently doesn't seem to be a very high confidence level that some of the issues that are taking place there on a regular basis are being addressed.

Mr. Capello said the Police Dept. has been short 3 Officers the last few weeks and that could be part of the issue. He said he will discuss the matter with Chief Drury.

Mrs. Titus said she has seen the Officers there during the day on patrol and during meal breaks. She said some of the business owners have expressed interest in having them be more visible around the downtown area.

H). Ambulance Response- Mr. Johnson asked if it is dept. policy for the Police to go out each time the ambulance goes out on a call.

Mr. Capello said it depends on the type of the call received. When Strafford County tones out the ambulance they also tone the Police Dept and the Officer makes the decision whether to respond to the call as well. He said if it is a call where additional assistance may needed such as when the lift is being used the Officer will usually respond also. If it is a call where additional assistance is not needed the Officer will not respond to that call he said.

Mr. Capello said the board received copies of a complimentary letter from a Selectmen and a

citizen about the professionalism of the Fire Dept. personnel who responded to a fall by an elderly person at the Selectman's home.

Selectmen agreed about the dedication and professionalism of the Town's first responders. Mr. Capello said he would put the Farmington volunteers up against 90% of the paid depts. in other areas and they would come out ahead.

The letter was passed on to Fire Chief James Reinert he said.

Recess- Chairman Proulx then called for a recess to allow the DPW Director time to arrive at the meeting to present a proposal to the board.

Motion: (Johnson, second Titus) to take a 10 minute recess passed 4-0 at 6:50 p.m. The meeting reconvened at 7 p.m.

9). Town Administrator's Business:

Mr. Capello said the Town received a little over \$141,000 from excess state highway funds that can be used similar to the way Highway Block Grant funds are used. He said the board previously voted to spend the money for paving but Mr. Gagnon has a second option regarding the purchase of equipment for the board's consideration. He added the reason this information was not available for the board's previous vote was because the state only recently definitively decided what could be done with the money in terms of equipment purchases.

Option One- Mr. Gagnon said the first option is to take the \$141,000 and add it to the 2017 budgeted paving scope (reclaim, re-grade, re-pave with base course for Silver Street and Waldron and Bay Roads) and add additional paving work that would include a top coat for Silver Street and re-claim, re-grade and install a single course binder on Ten Rod Road from Hornetown Road to just the other side of Flowing Brook Road.

Advantages of this option include current favorable paving prices, extending the life of the new surface on Silver Street by 10-15 years by adding the top coat and addressing a poor section of pavement on Ten Rod Road.

Disadvantages include the additional state funds would not be used to leverage a higher return value to the Town as in option 2 and an additional \$63,000 would be needed to apply a top coat to Ten Rod Road to protect the lifespan of the base course within the next two years.

Option Two - Mr. Gagnon said option two would involve purchasing a new three cubic yard wheel loader with snow plow and wing at an estimated cost of approx. \$190,000. He said there is a state grant program called the NH Clean Diesel Grant with the goal of taking old diesel engines off the road and replacing them with cleaner, more efficient diesel engines. If approved, the Town would receive a grant of 25% of the purchase price of the loader (approx. \$47,500) which when added to the \$141,000 highway funds would result in total cost of about \$1,500 to the Town for a new loader he said.

Advantages of this option include replacing an aging wheel loader with a new loader that will serve as the front line loader and removing an unreliable truck from snow removal duty, higher level of snow removal in tight areas such as around the schools and neighborhoods on either side of Main Street, a new loader has an approx. service life of 20 years which is more than the service life of a newly paved road, increases the value of the \$141,000 to \$188,500 of value from

the state and eliminates using the grader to push back snow banks on dirt roads increasing the life of the grader.

Mr. Gagnon said some disadvantages include not addressing the poor pavement on Ten Rod Road and the cost to address Ten Rod Road and the overlay of Silver Street will need to be borne by future Town budgets.

Discussion also included what will happen to the 20 year old loader, repair costs for current equipment, average lifespan of loaders, getting a firm price for a new loader, how roads are prioritized for work, the balance between fixing bad roads and keeping good road from going bad, getting the most bang for the buck by fixing roads that get the most traffic and would benefit the most people.

Mr. Gagnon said he recommended the board choose option two and said that the life span of a loader is a better return for the Town's investment than the lifespan of road paved only with a base course.

Mr. Johnson recalled that when the board previously discussed using the highway funds to purchase equipment that Selectman King was adamantly against spending the money on equipment and strongly in favor of spending it on roads. He said the board voted to spend the money on roads and questioned if they would be going back on their word by changing their decision at this point.

Chairman Proulx said the board has received new information since then and that they did not know about the grant program or the state's decision about purchasing new equipment with the highway funds at that time.

Motion: (Johnson, second Proulx) to rescind the previous motion to spend the \$141,000 grant on paving passed 3-1 (Titus opposed).

Motion: (Johnson, second Proulx) to authorize the DPW Director to proceed with the application for the NH Clean Diesel Grant for the purchase a loader to replace one of our existing loaders to be determined passed 4-0.

Mr. Gagnon said he would provide bids and specifications on the new loader when they are received and keep the board informed as the process moves along.

10. Non-Public Session A:

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (a, c) Compensation, Reputation passed 4-0 by a roll call vote (Proulx, Johnson, Horgan, Titus-yes) at 7:50 p.m.

Motion: (Johnson, second Titus) to come out of non-public session passed 4-0 at 8:20 p.m.

11. Non-Public Session B:

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 4-0 by a roll call vote (Proulx, Johnson, Horgan, Titus- yes) at 8:20 p.m.

Motion: (Johnson, second Titus) to come out of non-public session passed 4-0 at 8:44 p.m.

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

12). Non-Public Session C:

Motion: (Johnson, second Horgan) to enter non-public session under RSA 91-A: 3 II (d) Acquisition, Sale or Lease of Property passed 4-0 by a roll call vote (Proulx, Johnson, Horgan, Titus-yes) at 8:44 p.m.

Motion: (Johnson, second Titus) to come out of non-public session passed 4-0 at 8:48 p.m.

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

13). Non-Public Session D:

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 4-0 by a roll call vote (Proulx, Johnson, Horgan, Titus-yes) at 8:48 p.m.

Motion: (Horgan, second Titus) to come out of non-public session passed 4-0 at 8:50 p.m.

14). Non-Public Session E:

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (e) Litigation passed 4-0 by a roll call vote (Proulx, Johnson, Horgan, Titus-yes) at 8:50 p.m.

Motion: (Horgan, second Johnson) to come out of non-public session passed 4-0 at 8:55 p.m.

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

15). Next Meeting: Monday, Sept. 25, 2017

16). Adjournment:

Motion: (Titus, second Horgan) to adjourn the meeting passed 4-0 at 8:55 p.m.

Respectively submitted
Kathleen Magoon
Recording Secretary

Paula Proulx, Chairman

Neil Johnson

Jim Horgan

Ann Titus