

Town of Farmington  
Board of Selectmen Public Meeting Minutes  
Monday, October 23, 2017

**Board Members Present:**

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

**Others Present:**

Arthur Capello, Town Administrator  
Dave Connolly, Con Com Chairman  
Tom DeJulio, FIPO  
Bill Fisher  
Debra Van Gelder, Town Players

**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 the Allegiance.

**3). Public Input:**

**A). Christmas Tree or a Birdfeeder?** - Tom DeJulio said he came to the meeting to find out if the Town is putting up a birdfeeder or a Town Christmas Tree. He said last week he received board approval for students to decorate the Town Tree with handmade ornaments but they received a phone call telling them that the only ornaments to be allowed on the Town Tree are those made with biodegradable materials like popcorn, cereal and peanut butter. He said the kids had a different idea in mind and asked the board if the kids can continue to decorate the trees as planned.

Mr. King said it seems something changed from last week to this week and asked Mr. Capello to update the board on what happened.

Mr. Capello said Mr. DeJulio gave the school information without first checking with the Recreation Dept. Director who is in charge of the Town Christmas Tree. He said the Rec. Director asked that only biodegradable decorations be used on the Town Tree on Central Street in order to be environmentally conscious. He said he spoke with Lauryl Vachon and it was resolved so that the students would decorate the tree in front of the Municipal Office Building and the building's front windows.

Mr. King asked where the Rec. Director got that direction and said at the previous meeting they discussed using the students' handmade Christmas ornaments on both trees.

Mr. Capello said the kids will still decorate a tree using their ornaments but pointed out there can't be multiple conversations without them going through the Town first.

Mr. Horgan asked for clarification as to what will happen with the downtown tree.

Mr. Capello said the Rec. Director will take care of the downtown tree and the kids will take care of the Municipal Building tree and its front windows.

Mr. Horgan said then the students' ornaments will not be going on the downtown tree.

Mr. Capello said that is correct.

Mr. King recalled that the board gave approval for the students to decorate both trees at the last meeting.

Mr. Capello said the students do not want make anything biodegradable for the Town trees.

Mr. Johnson said then they should not make anything biodegradable and asked why the Town was going in this direction.

Mr. Capello said the matter had been resolved but Selectmen said the issue had been resolved differently than what they had previously approved.

Chairman Proulx asked the board if they wished to stand on what was approved the previous week. She suggested that any ornaments that the kids make be done well and tied securely to the trees and do not have to be made of biodegradable materials.

Mrs. Titus said she thought there was some miscommunication going on and that the students should be allowed to decorate the trees with their choice of biodegradable or non-biodegradable ornaments.

Mr. Horgan said if the board had had this discussion then it would be different story as to what is allowed but since they didn't have that discussion and voted on using the kids' ornaments then the kids' ornaments should be used.

Mrs. Titus asked if Mr. DeJulio was dealing with one group of students for this project and the Rec. Director was dealing with a second group of students possibly causing the confusion.

Mr. DeJulio said he is dealing with the person in charge of the Honor Roll Society for grades 1 through 8 and that the Rec. Director was dealing with the representative of the elementary school classes that he usually deals with.

Ms. Proulx asked Mr. DeJulio to streamline things through the Town Administrator to avoid future miscommunications. She noted that the board had said they wanted the student decorations on both trees and invited the board to make a motion, if they chose to do so, to state that the ornaments can be made of anything the students wish to use.

Mr. Horgan said the motion made at the previous meeting still stands so the kids are authorized to put ornaments on both trees and decorate the Municipal Building front windows.

Mr. Capello said the Rec. Director asked the students to make the ornaments for the Town tree biodegradable and Ms. Vachon said they would not deal with that and they would just decorate the Municipal Building tree.

Mr. King said the Rec. Director's decision should have been vetted because it may not be what the board expected was going to happen.

Chairman Proulx asked Mr. DeJulio to go through Mr. Capello for matters involving the Town and asked Mr. Capello to inform Ms. Vachon and the Rec. Director of the board's decision.

**B). Halloween-** Ms. Proulx asked for the date and time for Trick or Treat and the Halloween Parade.

Mrs. Titus said the parade will be held from 4 to 5 p.m. and Trick or Treat is from 5 to 7 p.m. on Oct. 31.

Mr. Capello asked if the review of minutes could be temporarily postponed to allow Ms. Van Gelder to address the board.

Motion: (King, second Horgan) to waive the review of minutes until later in the meeting passed 5-0.

**C). Farmington Town Players-** Mr. Capello said Ms. Van Gelder provided an application to waive rental fees and a letter requesting to waive the staffing fees and a request to obtain a key to the Town Hall building for scheduled rehearsals. He said a copy of the group's insurance binder has also been provided to the Town.

Ms. Proulx asked if the group received the guidelines for facility use usually attached to the rental fee waiver application

Mr. Capello said the guidelines were provided to the group.

Mr. King asked if the request was to waive rental and staffing fees for rehearsals only and they will pay the rental and staffing fees for the performances.

Mr. Capello said the group is requesting to waive the rental fee for everything and the staffing fees for rehearsals. He said there is no actual waiver form for staffing fees so the request was in the letter submitted by Ms. Van Gelder.

Mr. Horgan asked if currently when the Town Hall is rented, a check is taken for deposit, the key is issued and staffing is not provided for the rental use.

Mr. Capello said staffing is provided for the renter's event and there was a policy change 3 or 4 years ago to prohibit handing out keys to users. He said in this case there is someone stepping up to take responsibility for the key.

Motion: (Johnson, second Horgan) to waive the application fee for rehearsals and performance nights for the Town Players;

Discussion- Mr. King what application fee the motion referred to.

Ms. Proulx said the application is to waive the facility rental fees. She said that usually she stands on policy and makes sure the regulations are followed but this situation was viewed as a partnership for a lengthy period of time so there is some lenience to be put in place as far as trying to make corrections to something that happened a long time ago that none of the present participants had any control over. She said the Players had been viewed as part of the Rec. Dept but new information has been brought to light from the Auditor and that this is the best way to rectify an "extremely special" situation.

Mr. King said the organization has shown over the many years that they have used the Town Hall that they are capable of handling the responsibility.

Vote: The motion passed 5-0.

Motion: (King, second Titus) to waive the staffing fees for the rehearsals;

Mr. Johnson then offered a friendly amendment to the motion to include that the Town Players agree to pay for the staffing on performance nights.

Mr. King and Mrs. Titus accepted the amendment to the motion.

Vote: The motion passed 5-0.

Motion: (King, second Johnson) to authorize that a key be given to Debra Van Gelder, representative of the Town Players, for use during rehearsals and the key is to be given on an as needed basis and to be returned immediately after the final night of the production passed 5-0.

Ms. Van Gelder said the group is working on obtaining their 501c3 non-profit status and moving their funds from the Town checking account into their own account.

#### **4). Review of Minutes:**

**October 2, 2017- Public Session-** No errors or omissions

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

Non-Public Sessions A & B- No errors or omissions

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

Motion: (Johnson, second Titus) to seal Non-Public Session B until the issue is resolved passed 4-0 (Horgan abstained).

**October 16, 2017- Public Session-** No errors or omissions

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

Non-Public Session A – No errors or omissions

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

#### **5). Possible Conservation Deed:**

Conservation Commission Chairman Dave Connolly told the board he has been working with the Assessors to clean up some deed language on Town owned properties. The parcel, (R50, Lot 28) is located on River Road and is part of a subdivision known as Mad River Estates done by Northern Land Traders in 1980 he said.

Mr. Connolly said the last paragraph of the deed that states that the property is “conveyed to the Town of Farmington as a public recreational area...” and requested it be changed to read “conveyed to the Town of Farmington through its Conservation Commission...” He said the purpose of the request is for the continued and guaranteed protection of the Mad River and to run contingent with the other properties between that side of the road and the river.

Mr. King asked Mr. Connolly to identify the tract on the Site Plan provided to the board.

Mr. Connolly pointed out Tract II on the plan which 4.25 acres in size.

Mr. Johnson asked how much contiguous land the Town has running along the Mad River.

Mr. Connolly said the parcels along that side of road include Cameron, French, Ronci and Cardinal properties and the Dubois property on the other side of the road.

Mr. Capello asked for the current number of acres of conservation land in Town.

Mr. Connolly said current Town owned and privately owned conservation lands total more than 2,500 acres in Farmington. He added there are about 200 more acres with pending conservation status.

Mr. King asked for the total acreage of the town.

Mr. Capello said there is a total of 37.2 miles of land area in Farmington.

Mr. Horgan asked about the wording in the last paragraph of the deed stating the land is reserved for the benefit of the purchasers of the lots in the subdivision.

Mr. Connolly said each of the property owners has rights to the tract given to them by the Town for recreational uses.

Mr. Horgan asked if those uses are based on the standards determined by the Town for recreational use.

Mr. Connolly said that is correct.

Mr. Johnson asked if the Town would have to file a new deed with the Registry of Deeds with the corrected wording.

Mr. Connolly said it would be necessary to file a new deed.

Motion: (Horgan, second Johnson) to allow the Conservation Commission to modify paragraph 5 of the deed to reflect that the property is conveyed to the Town through the Conservation Commission passed 5-0.

Mr. Capello said that Mr. Connolly plans to return to review another property with the board.

#### **6). Next Town Property for Bid:**

Mr. Capello told the board he closed on the sale of the Worster Street property and deposited a check for \$27,000 in the Town account.

He recommended that a 12 acre parcel located at 16 Places Crossing Lane (Map R03, Lot 15) in the Commercial Business zone with frontage on Route 11 be the next Town property to be put out for bid proposals.

Mr. King recused himself from the board as he is an abutter to this property.

Mr. Capello said the land is currently assessed at \$113,200 with some miscellaneous dilapidated structures on the lot. He said the Town took the lot for approx. \$15,000 in back taxes and recommended the minimum bid be set at \$40,000.

Mr. Horgan asked about the value of the property and the recommended minimum bid.

Mr. Capello said Selectmen are free to set whatever minimum bid they like but he is a firm believer in just getting the property back on the tax rolls.

Mrs. Titus said the recommended \$40,000 minimum bid is too low.

Mr. Johnson asked about the structures on the property and if the lot needed to be cleaned up.

Mr. Capello said he did not have any specific information about the structures and they are not visible from the road. He said he did not think the lot needed to be cleaned up.

Ms. Proulx asked what the average price is for a piece of property in that area.

Mr. Capello said he didn't know and could only go by the assessed value and the market rate.

Mr. King said he bought the adjacent parcel which consists of 92 acres for less than the assessed value of the property.

Mr. Johnson noted the back of the tax card shows that a Hawkers and Peddlers' License was assigned to the property last year and asked if the Town just recently took the property.

Mr. Capello said the property was taken by the Town many years ago and said he would have to find out about the license.

Mr. Horgan asked if there were a couple of trailers on the property for a while.

Mr. Capello said there are a couple of dilapidated trailers there. He said the license application would need to be approved by the board and it may have been a situation where the applicant received the license and never did anything with it.

Ms. Proulx then asked Mr. Capello how he came up with the \$40,000 minimum bid.

Mr. Capello said he based the amount on the property value and that the property is located on Route 11 and added that anything the Town can get is profit at this point.

Mr. Johnson asked what is known about the site conditions such as if it is swamp land or is buildable.

Mr. Capello said he doubted it is swamp land based on the assessed value.

Mr. Horgan said he recalled the lot has quite a few sloped areas.

Ms. Proulx cited the Granite Ridge shopping mall as an example that anything is buildable.

Mr. Horgan said he felt a minimum bid of \$55,000 was a more reasonable bid for the property based on its location and the land value. He said one of the problems with the lot is that it is cost prohibitive to bring the road up to Town standards.

Mrs. Titus said she felt that \$50,000 to \$55,000 was closer to a fair price.

Mr. Johnson said he wasn't sure about the value of the lot but suggested they set the bid at \$55,000 and if no bids are received the minimum bid can be reduced and the lot can be re-bid.

Mrs. Titus asked if when Town properties are put out to bid if the RFB (Request for Bid) is put on the MLS (Multiple Listing Service) for the area so other businesses could see it.

Mr. Capello said the RFB is usually put on the Town website, sent out in an e-mail blast and advertised in the newspaper and on Craig's List. He said he did not know if the Town has the ability to send RFB's to the MLS listings as the Town is not a realtor.

Mrs. Titus suggested the RFB be sent to realtors and determine their interest in the property.

Mr. Capello asked how it would be determined which realtors would receive the RFB.

Mrs. Titus suggested the RFB be sent to all of the realtors by e-mail and offered to provide him with a list of Farmington and Rochester realtors.

Discussion included how to get more exposure for the sale of property, the cost of advertising, advertising the sale to other businesses, if the parcel is included in the TIF District and requesting assistance from the Economic Development Committee.

Mr. Fisher came forward and showed the board satellite imagery of the parcel on his phone.

Ms. Proulx suggested Mrs. Titus could bring the RFB information to the EDC as the liaison to the Board of Selectmen and discuss it with the Committee.

Consensus of the board was to request that Mr. Capello conduct the usual RFB process and to work with the EDC to obtain additional contacts/assistance in getting more exposure for the sale.

Mr. Capello said he would contact EDC Chairman Randy Orvis and discuss the matter with him.

Motion: (Johnson, second Titus) to set the minimum bid for Map R03, Lot 15 at \$55,000

Discussion: Mr. King suggested the submittal deadline of 11/03/17 be changed because there would not be time to receive communications, send out the RFB's and submit bids by that date.

Mr. Capello said he will change the submittal deadline date on the RFB before it is sent out.

Vote: The motion passed 4-0.

Mr. King rejoined the board.

## **7). Wage Study:**

Mr. Capello said he has received responses from Franklin, Swanzey, Northwood and Epping so far and is in the process of compiling the wage information received.

**8). Town Administrator’s Business:**

**Rental Fee Waiver-** Mr. Capello said the Grace Community Church is seeking renewal of approval to use the Town Hall gym for their Community Supper held weekly on Wednesdays. The church also submitted a request to waive the rental fees for the weekly use he said. Mrs. Titus asked if it was necessary to submit a yearly application for facilities use/fee waiver. Mr. Capello said that the church group must reapply yearly if they wish to continue use of the building and request a fee waiver.

Motion: (Johnson, second Titus) to grant a waiver for the Grace Community Church for Wednesdays from 4:45 to 7 p.m. from Nov. 1, 2017 to April 25, 2018 for their Community Dinners passed 5-0.

Chairman Proulx read aloud the information provided on the Application to Waive Rental Fees which states the group serves a free community meal each week during the cool/cold weather with the goal of connecting community members to each other and to the church.

Motion: (Johnson, second Horgan) to grant a waiver passed 5-0.

**9). Additional Board Business:**

**Safe Routes to School-** Ms. Proulx asked if the infrastructure project work has been completed. Mr. Capello said the work is complete and they are working on finishing the billing process.

Mr. Capello then left the meeting.

**10). Non-Public Session:**

Motion: (Horgan, second King) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Hogan, King, Titus-yes) at 6:50 p.m.

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

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

**11). Adjournment:**

Motion: (Johnson, second Titus) to adjourn the meeting passed 5-0 at 8 p.m.

Respectively submitted  
Kathleen Magoon, Recording Secretary

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Paula Proulx, Chairman

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Neil Johnson, Vice Chairman

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Jim Horgan

\_\_\_\_\_  
Charlie King

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Ann Titus

