

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, October 30, 2017

Board Members Present:

Paula Proulx, Chairman
Neil Johnson, Vice Chairman
Jim Horgan (6:20 p.m.)
Charlie King
Ann Titus

Others Present:

Arthur Capello, Town Administrator
Kelly Heon, Town Assessing Clerk
Chad Roberge, Town Contract Assessor
Dave Connolly, Con Com Chairman
Blaine Cox, Rochester Deputy City Manager
Ian Rohrbacher, City Water Plant Manager
Jon Rice, Chief City Assessor
Peter Nourse, City DPW Director
Mike Bezanson, City Engineer

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). City of Rochester/ Farmington Reservoir Parcels:

Mr. Capello said the City of Rochester officials came to discuss the watershed land surrounding the reservoir in Farmington previously held in Current Use but now must be assessed at market value and to discuss a Payment in Lieu of Taxes (PILOT) agreement with the Town.

Deputy City Manager Blaine Cox introduced Mr. Rice who provided the board with a handout containing maps, state statutes, Farmington tax cards for the relevant parcels, benefits of the Rochester/Farmington partnership and their goals for the discussion.

Mr. Rice said he said he believed some communities are catching up with the watershed properties that were assessed as in Current Use in the past and do not qualify for the Current Use assessment. He said open space land as defined by RSA 79-A:2 does not include any property held by a city or town in another city or town for the purpose of a water supply or flood control for which a payment in place of taxes is made in accordance with RSA 72:11.

He said that RSA 72:11 addresses water works and flood control properties and states that these properties are taxable at the assessed value. He added that section II (a) states the governing body of a city or town holding a property can enter into a PILOT agreement with governing body in which the property is located. Section b states that no agreement shall be valid for more than 5 years but may be renewed and/or amended for any number of

consecutive periods of 5 years or less he said.

Mr. Rice said he provided the assessment record cards for before and after the current assessment was placed on the properties and noted there was a revaluation of the Town during that time period and that the property values are subject to change. He pointed out the drastic increase in value and the changes to the assessment of the land.

He said in most cases he did not dispute the methodology Mr. Roberge used but the front footage added to the parcels is a subdivision potential and he contended that the parcels cannot be subdivided and are not developable except in a very limited use. The total assessed value of the properties increased from \$9,970 to \$1,071,100 and the resulting taxes increased from \$250 to \$26,810 he said.

The packet also contained an excerpt from the Manchester Water Works vs. Town of Auburn NH Superior Court case which involved whether Auburn had properly determined the value of the lake front property on Lake Massabesic according to RSA 72:11. Auburn argued that activity restrictions should not be considered for tax valuation purposes and that the property should be assessed as lake front property with full use of the lake which would result in a 25% increase in value of the water works' property.

The court decided that even if the property were sold, Manchester would still use the lake as a primary water source and the new owner would be subject to the same restrictions. Therefore Auburn had to consider the activity restrictions when determining the true value of the property.

Mr. Rice said that is what is not currently being considered of the Rochester parcels is that the properties use is restricted by state statute because they are water shed properties.

Mr. Capello asked if the parcels are a primary or secondary water source for Rochester.

Mr. Rohrbacher said the watershed properties are a primary water source for the City.

Mr. King asked how it could be considered a primary source when the water runs from Farmington into the Rochester reservoir.

Mr. Rohrbacher said the state set aside the entire watershed area in 1880 for the purpose of securing potable water for what would become the City.

Chairman Proulx asked what would make it a primary water source and if primary means it supplies the largest source of water for the City.

Mr. Rohrbacher said that it does and that the Berry watershed is about 8,000 acres and they harvest water through the reservoir's 6,500 acres all of which are stored in the reservoirs before they are treated at the plant.

Mr. King asked if Rochester is asking Farmington not to consider the resources and any infrastructure on the properties as part of its value and said that the lots are valuable as water front property even if there are restrictions on their use or they can't be subdivided.

Mr. Rice then asked if a watershed property is buildable land.

Ms. Proulx said it depends upon what restrictions have been placed on the land.

Mr. Rohrbacher outlined some of the more recent state regulations regarding the protection of the Berry's River and the watershed deeded rights and chartered authority from 1870 through 1885. He said the NH Dept. of Environmental Services (NHDES) Administrative Rules, Env-Dw 902.32 states the precise area of the watershed which includes the area from the diversion dam in Strafford to Blue Job State Forest at the New Durham town line as being within the barrier of the watershed.

Some of the activity restrictions within the watershed area include no touching the water, no fishing, no building within 75' of the water body, no washing or cleaning of any material, persons or food can't enter the river, a seaplane can't land on the water and placement of sawdust or wood shavings in the river is not allowed he said.

The board then reviewed a map of the Berry watershed and noted the two sections of the watershed, the Rochester owned properties, the active rivulets and the conservation lands Mr. King asked if the protection area is within 75' from the water source.

Mr. Rohrbacher said the entire watershed is protected by the NHDES Administrative rules and some of the restrictions are very strict within 75' feet of the water source

Mr. King asked how the rules interact with the current residential structures within the watershed area and any building permitted by Town zoning in the watershed area.

Mr. Rohrbacher said the restrictions are enforced at the state level but he did not know which regulations would take priority or what would happen if someone built a home within the watershed.

Mr. King then said that on one hand the City is saying the properties are not that valuable and on the other hand that they are very valuable to the City as a potable water source and making sure that it is protected.

Discussion also included who enforces the use restrictions on the lands, the City's relationship with the abutters to the watershed properties, Farmington's role as the first wave of enforcement, Rochester's water level management, protection and information programs, Mr. Cox said the situation between Rochester and Farmington is not unique in the state and asked if it known how the parcels ended up in Current Use.

Mr. Rice said one of the parcels transferred at sale in Current Use which may have happened prior to the change in the language of the state law. The remaining properties were approved for Current Use by Selectmen who may not have been aware of the changes after 1994. He said there is no ill intent by the City of Rochester and noted that this is an issue he has been dealing with in other municipalities for the last 3 years.

Ms. Proulx said that she wouldn't ask him how long he has known about the change in the law.

Mr. King asked if the highlighted section of RSA 79-A was in force in 1994.

Mr. Rice said he did not know when the law went into effect.

Mr. King noted the law was amended as late as in 2010 and may or may not have been in effect in 1994. The Selectmen may or may not have allowed the land to be put into Current Use when

it was not allowed and no one on the board now can make a judgment he said.

Mr. Rice said they are not making any judgment on the issue and this is a new understanding for the City.

Mr. King said this issue is going to come down to the evaluation of the property by the Town's professionals. He said the only recommendation he could make as a Selectman was to have the Assessors take another look at the issue with any information provided by Rochester and/or get additional assistance for the Assessor as a second opinion and consider their assessment.

Mr. Johnson asked if Rochester has other water sources from property they own in other towns that the board could review.

Mr. Rice said the City has a water source and a PILOT agreement with the Town of Barrington.

Mr. King said the PILOT agreement is secondary to getting a clear, sound evaluation of the property.

Mr. Cox offered to provide the board with a copy of the Barrington PILOT agreement.

Selectmen said it would be helpful to have a copy of the agreement for review.

Mr. Rice said their goal is to revise the assessment to a value that is more representative of the fair market value. He said if there is a revised assessment they would be willing to waive any interest if there is a refund.

He added they would be interested in getting together and working out a PILOT for 2018.

Mr. Capello suggested that the City file for an abatement of the 2017 taxes before the filing deadline so the paperwork is in process and on time.

Chairman Proulx thanked the Rochester representatives for meeting with the board.

Mr. Roberge said he will review the materials received from Rochester and return to the board for further discussion.

5). Set Tax Rate:

Mr. Capello said the board received the tax rate calculations based on the information submitted to the Dept. of Revenue Administration (DRA) from the Town and the School District, some potential options for consideration and a brief explanation from the Auditor explaining what the undesignated fund balance is.

He said the board has previously used the undesignated fund balance to buy down the tax rate to offset tax increases from other entities. He said this is both a good thing and a bad thing because the Town has been so conservative with budgeting there is no way to replenish the undesignated fund balance with money left over at the end of the year.

He said the positive aspect of this is that the tax payers get to keep the money in their pockets rather than having a budget with \$1 million left over at year end. The board now has to make some hard decisions about whether they want to buy down the tax rate again and dip below the 8% undesignated fund balance which has been the common practice of the Town he said.

Mr. Capello gave the board copies of the preliminary 2017 tax rate breakdown with no buy down and keeping the fund balance at 8% (\$28.40 total tax rate), expend \$100,000 to bring the

fund balance to 7% (\$28.01 tax rate), expend \$240,000 to bring the fund balance to 6.5% (\$27.81 tax rate) and to expend \$250,000 to bring the fund balance to 6% (\$27.78 tax rate). Mr. Horgan asked if the DRA recommends that municipalities retain 12% of their general operating budget and that over the past few years the Town has only retained 8 % of the operating budget.

Mr. Capello said the DRA recommends that a range of 5% to 17 % be retained and that the board's practice has been to retain around 8%.

Mr. King said that typically any funds in excess of 8% were used to buy down the tax rate. He added that 8% represents about one month's worth of the money needed to pay the Town's bills.

Mr. Johnson said the current amount retained is approx. \$1.2 million which represents about 8% of the operating budget. The Town administration budget is about \$3.4 million so the undesignated fund balance is almost 1/3 of the town budget.

Mr. King said the Town has to pay the School District and the Library so the balance swings during the year with the payments to the various entities.

Mr. Johnson said that is correct but those payments are included in the budget and are not unanticipated expenditures.

Mr. Capello read the memo from the Auditor which states the undesignated fund balance can be used to reduce the tax rate or to let the Town Meeting appropriate from. He wrote that the problem with the unassigned fund balance is that it includes tax receivables not yet collected and the Town can run into a cash flow shortage if it takes too much away from the unassigned fund balance.

Mr. King expressed concern about not having enough money on hand to pay some of the bigger bills. He said if the Town "runs too narrow" with the amount of funds on hand it will need to use a tax anticipation note which is where the town borrows money at a higher interest rate and about \$1,500 in fees just to apply for the note.

Mr. Johnson said the problem with using the undesignated fund balance to pay down the taxes is that it artificially lowers the tax rate and is only a one year fix.

Mr. King said there was revenue collected the prior year that was not fully expended and asked why they wouldn't give it back to the taxpayers.

Mr. Johnson said he was not arguing that point but just wanted to make people aware of the issue.

Ms. Proulx said the majority of the board has always been in favor of returning unassigned funds to the taxpayers.

Mr. King said the Town has been trying to hold the line on the Town portion of the tax rate and that every year the Town budgets have gotten very close to amount of expenditures so the amount left is minimal. He said past budgets have had grown by a few percent and they have had that amount to spend or return. This year some of the budgets were fully expended and

there were some unanticipated events that had to be absorbed into the budget he said. Mr. Johnson said the Town did not receive the expected revenues including 4 months of revenue from the solar array facility. He said there was \$20,000 in repairs for the ambulance. Mr. King said there were also some emergency vehicle repairs including a new motor for a DPW truck.

Ms. Proulx asked Mr. Capello to break down the tax rate so people will understand what it is and why the board is really concerned right now.

Mr. Capello said if the board chooses not to buy down the tax rate this year the total tax rate will be \$28.40 up from \$25.03 last year he said.

Mr. King said if the tax rate is not bought down the Town portion of the tax rate will increase from \$6.47 to \$7.56.

Ms. Proulx said that last year the Town's portion of the tax rate started off at \$7.10 and by buying it down with undesignated fund balance it decreased to \$6.47. This year if we do nothing the Town portion of the tax rate will be \$7.56 (46 cent increase) she said.

She said the local school portion of the tax rate started at \$13.31 in 2016 and has increased to \$15.78 this year which is a \$2.47 increase. The state education portion of the tax rate was \$2.43 in 2016 and has decreased by nine cents to \$2.34 this year.

The county portion of the tax rate was \$2.82 in 2016 and has decreased by 10 cents to \$2.72 this year she said.

Ms. Proulx said if there is no buy down this year taxpayers will see an increase of \$3.37 per \$1,000 of assessed property valuation so for someone with a home worth \$200,000 that would be an increase of approx. \$670 in taxes owed by the property owner.

Mr. King asked for the current percentage of the undesignated fund balance.

Mr. Johnson said the fund balance is currently at 8.04%.

Mr. Capello said if the board chose to expend \$100,000 of the undesignated fund balance to reduce taxes it would bring the fund balance to approx. 7.5 % and bring the overall tax rate down to \$28.12.

Ms. Proulx said in the past the board has looked at the potential for possible inclusion of funds into the undesignated fund balance.

Mr. Capello estimated that \$250,000 would be the maximum amount left over from this year's budget that could be going into the undesignated fund balance for next year. He said the amount that may be left over is unpredictable depending on unforeseen events such as the storm that occurred overnight that maxes out overtime for some of the Town depts.

Mr. King said the school numbers were based on what they have left in their unassigned fund balance and asked who reviews the school numbers to make sure there aren't any additional revenues that could be going back to the taxpayers.

Mr. Capello said the School District is returning approx. \$174,000 to the Town to reduce taxes.

Mr. Johnson said it is the responsibility of the School Board and the Selectmen to review their

budgets.

Mr. Horgan added that the School District also has a financial person for review of their budget. Ms. Proulx said there is a potential for \$250,000 being left in the budget at year end and the undesignated fund balance is currently at 8.04%.

Mr. Johnson suggested the board expend \$240,000 to bring the undesignated fund balance down to approx. \$1 million (6.5%) since there is potential to restore that amount to the budget. He also proposed the Town present an extremely aggressive budget for 2018.

Mr. King suggested we may be “cutting off our nose to spite our face” because we are trying to absorb increases on the School District side and noted that whenever the Town budget has gotten below a reasonable amount it causes problems paying bills on time, the need to move money around and asking entities if payment can be delayed.

Ms. Proulx said she didn’t have a problem asking the School District for a delayed payment based on the increases occurred.

Mr. Johnson said he usually agrees with Mr. King’s position on the budget but due to the unanticipated expenses incurred by the Town this year, that the board could insulate the taxpayers from that portion of the increase.

Mr. King said they are hoping next year will be better and the budget will be replenished and if it isn’t replenished then we are looking at 2 years of not enough cash on hand to do business.

Mr. Capello said if the board chooses to buy down the tax rate today it may be the last year with the ability to buy down the tax rate.

Ms. Proulx said running a tight ship depends on what is asked for, what is utilized and what can be returned so the tighter you are the closer your budget.

Mr. King said the Town is still going to have to put fuel in the trucks, insure the vehicles, pay health insurance, increased wages, etc. and all of these costs go up so what may happen is the need to cut staff and reduce services.

He said he didn’t see any supporting documents showing the potential for the undesignated fund balance to be replenished at year end and that they are asking him to accept the premise on faith alone. He said unless someone could prove they would not be digging a hole they can’t get out of he planned to vote against buying the tax rate down.

Ms. Proulx said there is potential to replenish the fund balance unless there is a catastrophic event and they are usually very conservative when estimating revenues to the Town.

Mr. Capello said he asked the Financial Director to run a budget analysis and found that there is \$1,137,984 in anticipated expenses between now and the end of the year. This leaves about \$430,000 remaining in the budget at year end. He said he is predicting there will be about \$250,000 to try to account for unanticipated expenses such as overtime, vehicle issues, etc.

Mr. King asked about revenues that were projected to come in by the year end and to identify the projected revenues.

Mr. Capello said the Town property put out for bid at Places Crossing Lane is not included in the

projected revenues as it is unknown as to when it will sell. The property located on Hornetown Road has sold, the sale has closed and the payment is included in the projected revenue amount.

Mr. Horgan asked if Mr. Capello was anticipating \$250,000 would be left in the budget at year end giving the town a \$150,000 "cushion".

Mr. Capello said \$150,000 may seem like a lot of money to some people but it really isn't when it comes to the heavy equipment the Town has and employee overtime costs.

Mr. Johnson asked if there was a previous discussion about expending \$240,000 to \$250,000 of the undesignated fund balance.

Ms. Proulx said she asked Mr. Capello to provide the different scenarios regarding the effect on the tax rate by using various amounts to buy down taxes so the board would know exactly what they would have to work with and find a conservative number they would be comfortable with.

Mr. Capello cautioned the board that there could be a big jump in the tax rate next year because the teachers' contract that passed was only a \$90,000 "hit" this year but is a \$257,000 expense next year.

Ms. Proulx said the Town has given back practically every dime that was not utilized so the Town side was brought down enough to be able to handle everything else. She said this tax rate will be a significant jump for a lot of families in this town and there has to be some kind of explanation, such as a statement in the newspaper to give taxpayers a heads up so they know what is going on.

Mr. King suggested the people would know what is going on as they are the ones who passed the last budget that caused this increase.

Ms. Proulx estimated there were about 50 people present at the School District Deliberative Session.

Mr. Capello said he feared the board will buy down the tax rate this year and then next year there will be a huge increase that they will not be able to do anything about on the Town side.

Ms. Proulx suggested this needs to be part of the statement to taxpayers and that there needs to be some kind of reckoning. She said she values education however we have to budget within our means on both sides. She said she understood wanting to be one of the top 10 schools in NH but when your demographics show that you cannot support it financially we are in trouble to keep asking people.

Mr. Capello said he found that as of April 2017 the state poverty rate is about 8% and the poverty rate in Farmington is about 14%.

Mr. Johnson said he is against using the buy down but was considering supporting it this year because the board anticipated an approx. 50 cent increase on the municipal portion of the tax rate this year based on Town Meeting. He said without a buy down the Town portion of the tax rate will go from \$6.47 to \$7.46 which is a \$1.09 increase. If we bought it down by \$240,000 that would bring the increase down to within 50 cents and keep the commitment we made to

the taxpayers he said.

Mr. Capello said with a \$240,000 buy down the overall tax rate would increase by \$2.78 from \$25.03 to \$27.81.

Mr. King said he felt they would be bringing the fund balance down too far but that Mr. Johnson had a good point in that is what was stated to the taxpayers (the 50 cent increase). He said if that is what they need to put in to do what they said they were going to do then he would be in agreement with Mr. Johnson's suggestion.

Motion: (Johnson, second King) to buy down the tax rate in the amount of \$240,000;

Discussion: Mr. Capello said the overall tax rate would be \$27.81 which will be a \$2.78 increase overall.

The Town portion tax rate will go from \$6.47 to \$6.97 which is a 50 cent increase.

Mr. Johnson said the overall tax increase was 51 cents at Town Meeting and this keeps the fund balance within the state minimum/maximum for undesignated fund balances.

Mr. King said the Town is going to have to tighten its belts for the balance of this year and consider how to cut costs for next year's budget.

Mr. Capello said the Town has a tight belt now and that anticipating \$250,000 left over at year end from a \$4 million budget is "pretty good".

Mr. King said he was looking at what can be carried forward and what services can be provided in next year's budget. He said if some changes aren't made they may not be able to get to that \$250,000 amount to put in the fund balance.

Mr. Johnson said they may not be able to do this again is what it comes down to.

Mr. Capello said he would bring the board the tightest budget he can and then the board would have to take it from there.

Vote: The motion passed 5-0.

Consensus of the board was to ask Mr. Capello to put out a public notice concerning the tax rate increase including the local newspapers, local Cable TV channel and the Town website.

Mr. King also suggested a handout be available with a breakdown showing where the increases have taken place.

6). Review of Minutes:

October 23, 2017- Public Meeting Minutes- No errors or omissions

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

Non-Public Session A – No errors or omissions

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

Motion: (Johnson, second Titus) to unseal Non-Public Session A passed 5-0.

7). Possible Conservation Deed – Pound Road:

Mr. Connolly said he came before the board to request that another piece of Town property contain conservation wording within the deed. He said the property (Tax Map R38, Lot 015)

where the Town pound is located, was deeded to the Town in 1975 by the Raab family with the purpose and intention to convey to the Town the old cattle pound along with the land under and around the pound. He said he would like to include wording that places the property under conservation to ensure the forever protection of the property.

Mr. Capello said that back in 1968 at Town Meeting a Historic Commission may have been approved by the town but there are no minutes of the meeting.

Mr. Connolly said that in 1993 the Con Com applied to have the property placed in the National Historic Registry. He said he has a copy of the Conservation Commission report and the application and acceptance into the Registry which was signed on behalf of the Con Com.

Mr. Capello said he was not expecting any problem with conveying the land to the Town through the Con Com as the property was accepted as a Historic Place through the Con Com.

Mr. Connolly read Article 30 of the 1968 Town Warrant which sought to establish a Historic District and a Historic District Commission to prepare policy and regulations regarding the district for subsequent approval by the town.

Mr. Capello asked the board if there is a difference between warrant articles submitted by request or by petition.

Selectmen did not know if there is any difference between the two phrases.

Mr. Horgan noted that the establishment of the Con Com had to be approved by the Town because it has its own rules and authority they would not have as a committee.

Ms. Proulx said the property was officially accepted as a Historic Place but seems to have been sitting there with no one overseeing it because there is no Historic District Commission in Town.

Mr. Connolly said he understood that the Historical Society periodically visits the site to monitor it and clean up trash, etc.

Ms. Proulx said they are not commissioned to care for the property. She asked if the Con Com is asking to become the overseers of the property.

Mr. Connolly said that is correct.

Motion: (King, second Johnson) to convey the property to the Town of Farmington through its Conservation Commission passed 5-0.

8). Possible Recreation Software: Withdrawn from consideration

9). Wage Study:

Mr. Capello gave the board copies of the information received from the four towns who have responded to the request for wage information. He said that currently each town is on a separate spreadsheet and asked how the board would like the information compiled.

Mr. Johnson suggested combining all of the towns into a single spreadsheet listing the job title, minimum/maximum salary for each position, average salary for each position based on the responses and the salary for the comparable position in Farmington.

Mr. Capello said he would include the number of towns used to calculate the averages as not

every town has all of the same positions (ex. Some towns have a landfill, some do not). He said he would wait one more week to receive responses before compiling the data. Ms. Proulx suggested Mr. Capello send out a “gentle reminder” to the towns that have yet to respond to the request for wage information.

10). Town Administrator’s Business:

A). Review of RFQ for Master Plan- The board reviewed the Request for Qualifications written by Town Planner Dan DeSantis.

Mr. Capello said he planned to bring forward a warrant article seeking to update the Master Plan for inclusion on 2018 Town Meeting warrant and this would give the board an idea of the cost to prepare the update to the plan.

Ms. Proulx said that on Page 2, first paragraph needs some consistency with the way the percentages are written in the description of the races living in town.

Mr. Capello said he also found a few grammatical mistakes as well.

Consensus of the board was to allow the RFQ to be sent out once the corrections are made.

B). EOC Generator-Mr. Capello said the grant application for the generator for the Emergency Operations Center has been accepted and it appears the Town will need to come up with approx. \$5,000 to \$6,000 fulfill the Town’s match for the funding. He said they originally estimated the Town’s portion would be about \$18,000.

Mr. Johnson said the grant is for \$94,328 to purchase and install a generator at the Public Safety Building.

Mr. Capello said this represents the amount the state is giving to the Town and the Town makes up the difference in the cost for the generator which was estimated to be approx. \$100,000.

Motion: (King, second Johnson): The Town of Farmington Board of Selectmen, in a majority vote, accepted the terms of the Emergency Management Performance Grant (EMPG) as presented in the amount of \$94,328.00 for the purchase of a generator for the Emergency Operations Center (EOC). Furthermore, the Board acknowledges that the total cost of this project will be \$188,656.00, in which the Town will be responsible for a 50% match (\$94,328.00). Further, the Board authorizes the Town Administrator to sign all documents related to the grant.

Vote: The motion passed unanimously.

C). Non-Public Session Canceled- Mr. Capello said the first Non-Public Session regarding the open Lieutenant’s position scheduled for after the public meeting has been canceled due to Firefighters’ fatigue after responding to storm related issues all day.

D). Resignation- Mr. Capello asked the board to accept the resignation of Diane Carrier who is retiring from the Farmington Fire & Rescue.

Motion: (King, second Johnson) to accept the resignation of Diane Carrier with regret passed 5-0.

E). Lighting Rebate- Mr. Capello provided the board with copies of a memo from Eversource

Program Administrator Mark Toussaint that contained a check for \$10,900 for participating in the Lighting Rebate Program by installing LED lights at the Public Safety Building.

11). Additional Board Business:

A). Flags- Ms. Proulx asked about plans to reinstall the American flags that were dislodged from the poles by the recent storm.

Mr. Capello said a bunch of the flags were either ripped down or destroyed by the storm and the Town is aware of it and it will be taken care of as soon as the priority items related to the storm have been addressed. He said if anyone has a flag that came down from one of the poles to bring it to the Municipal Office Building.

Ms. Proulx said before the storm the Town also received notice about a flag that was twisted in front of Lorraine Myer's property and will be taken care of at the same time.

B). Rec. Dept. Closings- Mrs. Titus said the Rec. Dept. was closed today and asked if when there is no school if there are no rec. programs.

Mr. Capello said there is no after school program when school is closed and the Director was absent today due to a power outage at his home.

Mrs. Titus said she mentioned it because there were many people downtown with no place to go and suggested they might drop in to the Rec. Center if they needed something.

Mr. Capello said people are not allowed to just drop in even when the Director is present. The high school has an emergency generator and is the designated emergency shelter he said. He added that as of 5 p.m. the Rec. Center did not have electricity.

C). Halloween - Mrs. Titus then asked if the Halloween Parade and Trick or Treat is still scheduled for Tuesday.

Mr. Capello said he plans to reevaluate the situation with the Police Chief on Tuesday but as of now they are still scheduled for Tuesday.

D). Road Repairs- Mrs. Titus asked if the scheduled road maintenance/repairs will be delayed due to the storm.

Mr. Capello said that unless the paving company gets called out on an emergency call they are still planning to complete the road work as scheduled. He added that Farmington was fortunate in that it didn't lose any roads due to the storm.

12). Non-Public Session A:

Motion: (King, second Titus) to enter non-public session under RSA 91-A: 3 II (d) Acquisition, Sale or Lease of Property passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus-yes) at 7:50 p.m.

Motion: (King, second Titus) to come out of non-public session passed 5-0 at 8:30 p.m.

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

13). Non-Public Session B:

Motion: (Horgan, second Titus) to enter non-public session under RSA 91-A: 3 II (d) Acquisition, Sale or Lease of Property passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus-yes) at 8:30 p.m.

Motion: (Johnson, second Horgan) to come out of non-public session passed 5-0 at 8:45 p.m.

14). Non-Public Session C:

Motion: (Johnson, second Horgan) to enter non-public session under RSA 91-A: 3 II (d, c) Acquisition, Sale or Lease of Property, Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus- yes) at 8:45 p.m.

Motion: (Titus, second Johnson) to come out of non-public session passed 5-0 at 8:55 p.m.

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

Respectively submitted

Kathleen Magoon

Recording Secretary

Paula Proulx, Chairman

Neil Johnson, Vice Chairman

Jim Horgan

Charlie King

Ann Titus