

2010 FARMINGTON TOWN MEETING MINUTES
March 10, 2010

Emanuel Krasner, Moderator, opened the meeting at 7:05 with the Boy Scouts leading us in the Pledge of Allegiance. Manny made a couple of announcements regarding procedure. He then read the results of the ballot (see attached) on March 9, 2010, which included Article 1 and 2 and the School District ballot.

Article 1. Election of Officers

To choose two Selectmen for three years; three Budget Committee Members for three years; one Treasurer for one year; one Trustee of the Trust Fund for three years, one Trustee of the Trust Fund for two years, one Supervisor of the Checklist for six years, one Moderator for two years and one Town Clerk –Tax Collector for three years. **(Official Ballot)**

Article 2. – Zoning Amendments

Amendment 1

Are you in favor of the adoption of Amendment 1 as proposed by the Planning Board for the Town Zoning Ordinance as follows: Amend Section 1.14 (Definitions) to amend the definition for Home Occupation. To also create a new section of the Zoning Ordinance to provide standards for Home Occupation (Section 5.01).

Yes No

Amendment 2

Are you in favor of the adoption of Amendment 2 as proposed by the Planning Board for the Town Zoning Ordinance as follows: Amend Section 1.14 (Definitions) to amend the definition for Home Business. To also create a new section of the Zoning Ordinance to provide standards for Home Business (Section 5.02).

Yes No

Amendment 3

Are you in favor of the adoption of Amendment 3 as proposed by the Planning Board for the Town Zoning Ordinance as follows: Amend Section 4.01 (Aquifer Protection Overlay District) of the Zoning Ordinance by removing the space and bulk standards, permitted uses, and non-conforming use sections. To also change the reference map that establishes the district's boundaries, to modify the prohibited uses section and establish language to allow increased impervious coverage on a lot in the district providing certain standards are met.

Yes No

Amendment 4

Are you in favor of the adoption of Amendment 4 as proposed by the Planning Board for the Town Zoning Ordinance as follows: Amend Section 4.02 (Watershed Protection Overlay District) of the Zoning Ordinance by adding language to allow increased impervious coverage on a lot in the district providing certain standards are met.

Yes No

Prior to commencing with Article 3 Manny deferred to the Board of Selectmen for a presentation. Chairman, Paula Proulx presented a pewter platter to Kathy Seaver for her 35 years of service to the town.

Arthur Capello made a motion to move to Article 17, seconded by Mike Morin. Being no discussion, it was approved by a show of cards vote. (see article 17)

Article 3 Operating Budget

To see if the Town will vote to raise and appropriate the sum of **\$ 5,612,657 (Five Million, Six Hundred and Twelve Thousand, Six Hundred and Fifty Seven Dollars)** for the operation, expenses, and commitments of Town Government which represents the bottom line of column No. 6 (The Budget Committee's Budget) in the posted budget (MS-7). This appropriation does not include any of the appropriations presented individually in Articles 4 through 13. **(Majority Vote Required)**

Richard Stanley made a motion to approve as written, seconded by Steven Henry. There was no discussion. John Scruton made a motion to call the question, duly seconded and approved by a show of cards vote. Article 3 was approved by a show of cards vote.

Article 4 Emergency Medical Motorized CRF

To see if the Town will vote to raise and appropriate the sum of **\$15,000.00 (Fifteen Thousand Dollars)** to be added to the previously established Emergency Medical Motorized Equipment Capital Reserve Fund. **The Selectmen and Budget Committee recommend this appropriation. (Majority vote required)**

Arthur Capello made a motion to approve as written, seconded by Mike Morin. Being no discussion, Article 4 was approved by a show of cards vote.

Article 5 Public Buildings Maintenance CRF

To see if the Town will vote to raise and appropriate the sum of **\$10,000.00 (Ten Thousand Dollars)** to be added to the previously established Public Buildings Maintenance Capital Reserve Fund. **The Selectmen and Budget Committee recommend this appropriation. (Majority vote required)**

A motion to approve as written was made by Tracy Cameron, seconded Joan Funk. Being no discussion, Article 5 was approved by a show of cards vote.

Article 6 Recreation Equipment CRF

To see if the Town will vote to raise and appropriate the sum of **\$3,500.00 (Three Thousand Five Hundred Dollars)** to be added to the previously established Recreation Equipment Capital Reserve Fund. **The Selectmen and Budget Committee recommend this appropriation. (Majority vote required)**

Eric Martin made a motion to do Articles 6-10 in one vote, duly seconded and approved by show of cards vote. John Scruton asked for an explanation on Article 9 and he was told that it was basically for liabilities for when employees separate from town. We are using the 3 longest serving employees as a guideline. Eric Martin made a motion to call the question, seconded by Chris Somma and approved by show of cards vote. Articles 6-10 were approved by a show of cards vote.

Article 7 Fire Vehicle/Equipment CRF

To see if the Town will raise and appropriate the sum of **\$7,500.00 (Seven Thousand Five Hundred Dollars)** to be added to the previously established Fire Vehicle/Equipment Capital Reserve Fund. **The Selectmen and Budget Committee recommend this Article. (Majority Vote required)**

See Article 6.

Article 8 Water Infrastructure Replacement CRF

To see if the Town will raise and appropriate the sum of **\$10,000.00 (Ten Thousand Dollars)** to be added to the previously established Water Infrastructure Replacement Capital Reserve Fund. **The Board of Selectmen and Budget Committee recommend this Article. (Majority Vote Required)**

See Article 6.

Article 9 Town Employee Financial Obligation CRF

To see if the Town will vote to raise and appropriate the sum of **\$7,500.00 (Seven Thousand Five Hundred Dollars)** to be added to the previously established Town Employee Financial Obligation Capital Reserve Fund. **The Board of Selectmen and Budget Committee recommend this Article. (Majority Vote Required)**

See Article 6.

Article 10 Highway Equipment CRF

To see if the Town will vote to raise and appropriate the sum of **\$11,000 (Eleven Thousand Dollars)** to be added to the previously established Highway Equipment Capital Reserve Fund **The Board of Selectmen and Budget Committee recommend this Article (Majority Vote Required)**

See Article 6.

Article 11 Bay Road Bridge Project

To see if the Town will vote to raise and appropriate the sum of **\$375,000 (Three Hundred and Seventy Five Thousand Dollars)** for the design work and replacement of the Bay Road Bridge. The Town will have already spent **\$75,000 (Seventy Five Thousand Dollars)** towards the project making the total bridge replacement cost **\$450,000 (Four Hundred Fifty Thousand Dollars)**. Under the NH DOT Municipal Bridge Aid program the State reimburses 80% of the total cost of the project; therefore the town will be reimbursed the **\$375,000 (Three Hundred and Seventy Five Thousand Dollars)** upon application. **The Selectmen and Budget Committee recommend this Article (Majority vote required) (This article has no tax impact).**

Tracy Cameron made a motion to approve as written, seconded by William Cameron. No discussion. Eric Martin made a motion to call the question, seconded by Chris Somma and approved by a show of cards vote. Article 11 was approved by a show of cards vote.

Article 12 Landfill Closure Special Revenue Fund Amendment To see if the Town will vote to amend the purpose of the Landfill Closure Special Revenue Fund (SRF) previously created per RSA 31:95-c, to the Landfill Closure Transfer Station SRF meaning to include the purpose of construction of a transfer station/recycling facility as part of the landfill closure. **(2/3rds Majority, Ballot Vote required) (No Tax Impact)**

Tracy Cameron made a motion to approve as written, seconded by Mike Morin. Being no discussion, the Supervisors set up for a ballot vote. The results of the ballot vote were: Yes 62 No 0

Article 13 Landfill Closure Transfer Station Special Revenue Fund To see if the Town will vote to raise and appropriate up to the amount of **\$1,000,000 (One Million Dollars)** for the landfill closure and transfer station construction, by authorizing the withdrawal up to that amount from the Landfill Closure Transfer Station Special Revenue Fund created and amended for those purposes. This Article is null and void if Article 12 fails. **The Selectmen and Budget Committee recommend this Article. (Majority vote required) (This article has no tax impact).**

Mike Morin made a motion to approve as written, seconded by Arthur Capello. Barry Elliott asked if we take this out how much would be left. John Scruton, pointed out that full closure will not happen until 2011 and we will have to take more out then. Article 13 was approved by a show of cards vote.

Article 14 Municipal Waste Recycling Revolving Fund

To see if the Town will vote to establish a **Municipal Waste Recycling Revolving Fund** pursuant to **RSA 31:95-h** for the purpose of operating and maintaining the Town transfer/recycling center. The money received from trash bag stickers and associated recycling revenues shall be allowed to accumulate from year to year, and shall not be considered to be part of the Town's general fund/unreserved fund balance. The Town treasurer shall have custody of all monies in the fund, and shall pay out only on order of the Public Works Director (no further Town Meeting approval required). These funds may only be expended for recycling purposes and no expenditure shall be made in such a way as to require the expenditure of other town funds which have not been appropriated for that purpose. **This fund will become operational on December 31, 2010. (Majority Vote Required) (This article has no tax impact).**

A motion was made to approve as written by Arthur Capello, seconded by Chris Somma. Mike Morin asked why pay out would be under the Public Works Director and not the Board of Selectmen/TA. Recycling comes under domain of Public Works Director. John Scruton said he would think Board of Selectmen do have the ultimate authority and should have the authority. Discussion ensued on whether it could be used just for recycling fees or if it could be used to offset trucking costs and tipping fees as Joel Moulton suggested. John Scruton said he still thought the change was premature and we could have the sticker revenue go into the general fund and just have it cover the costs directly or make it a capital reserve fund. Charlie King stated that, by the end of the year we will have to have something in place for recycling. Barry Elliott stated that he really feels uncomfortable with having the Public Works Director be the one to expend. John Scruton made a motion to table, seconded by Paul Parker. The motion failed by a show of cards vote. Mike Morin made a motion to remove trash bag stickers from the article, seconded by Arthur Capello. Rachel Burke asked what was going to happen with the sticker money. Chis Somma made a motion to call the question, seconded by Richard Staney and approved by a show of cards vote. The amendment was approved by a show of cards vote. Jackie Capello stated for clarification that next March we should have a clearer idea of tipping fees, meanwhile trash bag sticker money is going into the closure fund. Article 14, as amended, was approved by a show of cards vote.

Article 15 Discontinue Revaluation CRF fund

To see if the Town will vote to discontinue the Revaluation CRF which was last used in 1997 and which contains no monies. **(Majority vote required) (No Tax Impact)**

John Scruton made a motion to approve as written, seconded by Mike Morin. Being no discussion, Article 15 was approved by a show of cards vote.

Article 16 Discontinue Landfill Closure Study CRF

To see if the Town will vote to discontinue the Landfill Closure Study CRF, which was established in 1986 and whose monies were later rolled over into the Landfill Closure Special Revenue Fund which

was established in 2004; this is an administrative correction, no monies are involved. (**Majority Vote required**) (**No Tax Impact**)

Arthur Capello made a motion to approve as written, seconded by Mike Morin. Being no discussion, Article 16 was approved by a show of cards vote.

Article 17 Single Stream Recycling

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a 15 year contract with the Concord Regional Resource Recovery Coop for the purpose of single stream recycling. (**Majority Vote required**)

Arthur Capello made a motion to approve, seconded by Mike Morin. A representative from Resource Recovery Coop presented a power point presentation (see attached). Several questions were asked of Jim related to the length of the contract, tipping fees, estimated shipping costs vs. what we will recover, etc. Sylvia Arcouette asked the Board of Selectmen to express their opinions of the endeavor. Eric Martin asked if other places had been investigated? Joel responded that they had and this was the closest. John Scruton questioned the connection of this with Article 14 and the need for both articles. Barry Elliott questioned if we go with the coop and then we have to search for someone else for general garbage so shouldn't we be looking for someone to do both. After much discussion concerning revenues, Rachel Burke asked if this facility was open yet. It is in the planning stages and they are looking for the tonnage needed to start to build. However, we have to stop at the end of the year and recycling will be a problem for short period of time. John Cardinal made a motion to call the question seconded by Eric Martin, and approved by a show of cards vote. Article 17 was approved by a show of cards vote.

Article 18 Ethics Ordinance

To see if the Town will vote to adopt an Ethics Ordinance for all Town Officials. This ordinance will outline disqualifications for all Town Officials in voting matters wherein there are conflicts of interest. It will also outline the procedure for stepping down when such a conflict does occur. (See single page document inserted into Town Report) (**Majority Vote Required**)

Barry Elliott made a motion to approve as written, seconded by Arthur Capello. The Selectmen were asked how they felt about this. They are all in favor. After a discussion on Roberts Rules and whether they are just guidelines for running meetings or if they include ethics, Arthur Capello asked if LGC or Town Council had looked at it. They did. Jackie Capello made a motion to call the question, seconded by Chris Somma and approved by show of cards vote. Article 18 was approved by show of cards vote.

Article 19

To see if the Town will vote to authorize the Selectmen to sell to the highest bidder municipal vehicles and other equipment no longer needed as determined by the Selectmen, with proceeds to go into the General Fund. (**Majority Vote Required**)

Fred Pitman made a motion to reopen Article 12 to include the purpose of construction and operation of a transfer station/recycling station. This was seconded by Arthur Capello. Stephen Henry offered a friendly amendment to add payment of tipping fees. John Scruton pointed out that this is a motion to reconsider. Charlie King felt that it could cause a lot of legal complications for a short 3 month window. Pat Friscilla made a motion to call the question to reopen, seconded by Chris Somma which was defeated by a show of cards vote.

Mike Morin made a motion to approve as written, seconded Jackie Capello. Being no discussion, Article 19 was approved by a show of cards vote.

Warrant Articles by Petition:

Article 20

To see if the Town will vote to approve the following resolution to be forwarded to our State Representatives), our State Senator, the speaker of the House, and the Senate President.

Resolved: the Citizens of New Hampshire should be allowed to vote on an amendment to the New Hampshire constitution that defines “marriage”. **(Majority Vote Required)**

Kathy King made a motion to approve, seconded by Brian St. Onge. Both Richard Stanley and Chris Somma spoke passionately against it. Kathy King said she had not understood what the article was calling for and she withdrew her motion. Mike Morin made a motion to table, seconded by Arthur Capello and approved by a show of cards vote.

Article 21 To transact such other business as may legally come before this meeting. **(Majority Vote Required)**

A motion to adjourn was made by Arthur Capello, seconded by Chris Somma at 9:45. This was approved by a show of cards vote.

Respectfully Submitted,

Kathy L. Seaver, Town Clerk-Tax Collector