

TOWN OF FARMINGTON
Town Meeting Minutes
March 29, 2017

Article 01: Election of Officers

To choose one Selectmen for three years, three Budget Committee for three years, one Budget Committee for two years, two Budget Committee for one year, one Treasurer for one year, one Trustee of the Trust Funds for three years and one Supervisor of the Checklist for one years. (Official Ballot)

Article 02: Zoning Amendments

To see if the Town will vote to amend the Farmington Zoning Ordinance in accordance with the recommendation of the Planning Board as follows:

Amendment 1

To amend Zoning Ordinance Section 3.09 Signs. Amendments include addition of a purpose section; expansion of the general provisions; modification of the size regulations; modification of sign properties; omission of directional signage section; and the addition of severability section.

Related amendments to Zoning Ordinance Section 1.14 Definitions are also proposed as required due to the above-referenced changes to section 3.09 Signs. Yes 267 No 193

Amendment 2

To amend Zoning Ordinance to include Section 6.00 Accessory Dwelling Units. Section 6.00 includes authority; administration, approval process; provisions of accessory dwelling units; minimum lot requirements; owner residency requirements; discontinuance of the unit; enforcement; and a severability section.

Related amendments to Zoning Ordinance Section 1.14 Definitions are also proposed as required due to the above-referenced changes to section 6.00 Accessory Dwelling Units. Amendments to space and bulk standards in Section 2.01(B), 2.02(8), 2.03(8), 2.04(8), and 2.05(8) are also proposed to allow one (1) dwelling unit plus one (1) accessory dwelling unit per minimum lot size of the district. Yes 262 No 202

Amendment 3

To amend Zoning Ordinance Section 4.03 Waterfront Protection Overlay District. Amendments include technical edits to correct section numbers that are referenced in Section 4.03(8)(2) and Section 4.03(C)(2). In the text of Section 4.03(8)(2), 4.04(8)(2) is to be replaced with 4.03(C)(2). In the text of Section 4.03(C)(2), 4.04(C)(3) is to be replaced with 4.03(C)(3). In Section 4.03(C)(2)(e), 4.04(B)(4) is to be replaced with 4.03(C)(4). Yes 304 No 156

Moderator, Michael Morin opened the meeting at 7:02 by having the Boy Scouts present the colors and lead us in the Pledge of Allegiance. Charlie King, Chairman Board of Selectmen, gave an update of 2016 projects and thanked Dale Sprague who will be retiring in June after over 36 years of service to the Town of Farmington. Kathy King next made a presentation on behalf of the Farmington Woman's Club. She said that, in an effort to spotlight the importance of giving back to our community, The Farmington Woman's Club awarded its first Woman of the Year award to Mary Barron in 2016. This year's recipient is a loving wife and mother and a successful business owner. She quietly supports many organizations. Whether it's recognizing teachers for all that they do, providing food for an Eagle Scout project, hosting vendor bingos, sponsoring youth sports or downtown banners, this woman is always willing to do what she can to make Farmington a better place. The 2017 Farmington Woman's Club Woman of the Year winner is Jodi Tan. The Moderator then read the results of the election from the previous day. Michael Morin, Moderator announced that he was going to start with the articles requiring ballot vote, starting with Article 5.

Article 03: Operating Budget

To see if the Town will vote to raise and appropriate the budget committee recommended sum of \$6,628,213 for General Municipal Operations. This article does not include special or individual articles addressed separately.

Board of Selectmen Recommendation: Yes
Budget Committee Recommendation: Yes
Tax Impact (-.25)

Penny Morin made a motion to approve, seconded by Arthur Capello. Jodi Connolly stated that she felt that this budget was very good and conservative. Bobbie Stormann offered an amendment to move money from undesignated funds to economic development in the amount of \$2500. This was seconded by Stan Freeda. John Scruton questioned if ORA would approve this because it was not warned in the warrant article. The Town Attorney concurred and suggested that she change her motion to simply move money to that line. Bobbie withdrew her original motion to amend and the second was withdrawn. The motion was then changed to move the money from somewhere in the budget to the Economic budget line. Tim Brown stated that he has no opposition to the money being spent. However, community involvement is what makes it work and we need to be sure there will be people to get involved. Arthur Capello stated that we have openings on the Planning Board that we need people to sign up for. Someone asked if this would still just be considered as advisory to which Arthur replied yes. Linda McElhinney asked since it is a minimal amount of money could we make an amendment to bind it and reallocate it to this line. It was stated that if Farmington qualifies and we have the volunteers the Board of Selectmen will find the money within the operating budget. The issue of a Town Planner, whether hired or contracted is on the agenda for discussion for Monday

night. A motion to call the question was made, duly seconded and approved by a show of cards vote. The amendment needed a counted show of cards vote which ended yes 27 no 40. It was asked if there could be a recount at another time for people who were not here tonight. That cannot happen. Linda McElhinney asked to have a vote on a recommendation to the board to find the \$2500 in the budget for the UNH initiative, seconded by Neil Johnson. This was approved by a show of cards vote. It was pointed out again that it is advisory only. Randy Orvis made a motion to increase the Planning Budget by \$40,000 to hire a full time planner, seconded by Stephen Henry. It was explained that the discussion was being had **at** the meeting on Monday whether to stay with contracted part-time or not. The Town Attorney asked for a line item which was 4191-4193 which was made into a friendly motion and second. After much discussion, Pat Frisella asked in response to the need for volunteers how often does the budget committee meet and are the meetings open to the public? It was explained that they meet the 4th Wednesday of the month and during budget season, several times a month. The meetings are posted and televised. Manny Krasner said he had hesitated to speak but that it seems a number of things are clear and you cannot just hand your town to a planner. The town has to make some decisions and volunteers need to come forward. Then, once you have a sense of what you want to do, you need to make it your policy and then you need to hire someone to have them implement it. A motion to call the question was made by Tim Brown, seconded by Stephen Henry and approved by a show of cards vote. The amendment to add \$40,000 failed by a show of cards vote. Arthur Capello 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. Arthur Capello made a motion to restrict reconsideration, duly seconded and approved by a show of cards vote

Article 04: Long Term Lease

Land Lease Agreement

To see if the Town will vote to ratify, pursuant to RSA 41:11-a, a 20-year Land Lease Agreement ("Lease"), with two 5-year renewal provisions, between the Town and NhSolarGarden.com, LLC for the purpose of leasing a portion of town-owned land located at the Farmington Town Landfill, located at tax map R19-013, for annual rent paid at the rate set forth in Section 4 of said Lease, to allow for the installation and operation of a solar panel array for the generation of electricity for the benefit of the Town pursuant to a Group Net Metering Agreement ("Agreement") between the Town and NhSolarGarden.com, LLC. A copy of the Agreement and the Lease is available for review at the Town Hall.

Board of Selectman Recommendation: Yes
Budget Committee Recommendation:
Tax Impact: .00

Andrew from NH Solar Gardens gave a presentation of the project. A few questions were asked and answered by Andrew. Emmanuel Krasner made a motion to approve, seconded by Arthur Capello. The question was called and approved by a show of cards vote. Article 4 was approved by a show of cards vote. A motion to restrict reconsideration was made by Arthur Capello, duly seconded, approved by a show of cards vote. The results of Article 5 were announced at this time (see Article 5).

Article 05: Change purpose and name of Main Street School SRF

Shall we change the provisions of RSA 31:95-c from the existing Main Street School Operations and Maintenance SRF to restrict 100% of revenues from the lease of any space in the Municipal Office to expenditures for the purpose of repairs and maintenance of the Municipal Office. Such revenues and expenditures shall be accounted for in this special revenue fund to be known as the Main Street Municipal Office Maintenance Fund, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of the revenue (2/3 vote required).
Tax Impact: .00

Arthur Capello made a motion to approve Article 5, seconded by Penny Morin. Arthur Capello explained the article. Tim Brown made a motion to amend to have the Board of Selectmen be the agents to expend. Arthur Capello explained that ORA had advised him that this was not allowed for Special Revenue Funds. The law only allows that expenditures be brought to the legislative body. Tim withdrew his amendment. Angie Cardinal asked what the current balance in the fund is. Arthur Capello said it was spent down last year and is minimal. Being no further discussion, the Moderator asked for a vote on calling the questions which was approved by a show of cards vote. The balloting opened at this time. Ballot vote was in the affirmative Yes 68 No 2

Article 06: Add to Highway Equipment CRF

To see if the Town will vote to raise and appropriate the sum of \$25,000 to be added to the Highway Equipment Capital Reserve Fund, previously established. This is to assist the town with the replacement of Highway Equipment.

Board of Selectmen Recommendation: Yes

Budget Committee Recommendation: Yes

Tax Impact: .06

Angie Cardinal made a motion to approve, seconded by Randy Orvis. Linda McElhinney said it had previously been discussed about selling some of the older

equipment to offset expenditures and she wanted to know if this had been done. It was stated that we had sold a couple of old military trucks with the money showing under sale of town property. Being no further discussion, Article 6 was approved by a show of cards vote.

Article 07: Recreation Equipment Fund CRF

To see if the Town will vote to raise and appropriate the sum of \$4,000 to be added to the Recreation Equipment Capital Reserve Fund.

Board of Selectmen Recommendation: Yes

Budget Committee Recommends: Yes

Tax Impact: .01

The Moderator was asked the point of taking the articles out of order. He stated that it was at his discretion. Steven Henry made a motion to approve Article 7, seconded by Charlie King, being no discussion Article 7 was approved by a show of cards vote.

Article 08: Appropriating Interest Earned on Bond

To see if the Town of Farmington will vote to raise and appropriate the sum of \$5,500 for the purpose of paying debt service on Public Safety Bond and authorize the use in that amount of December 31 fund balance for this purpose. (This amount will represent the interest earned on bond proceeds that was transferred to the general fund on or before or December 31)

Board of Selectmen Recommends: Yes

Budget Committee Recommends: Yes

Tax Impact: .00

Penny Morin made a motion to approve Article 8, seconded by Manny Krasner. Being no discussion, Article 8 was approved by a show of cards vote.

Article 09: Add to Self Contained Breathing Apparatus Fund CRF

To see if the Town will vote to raise and appropriate the sum of \$10,000 to be added to the Self Contained Breathing Apparatus Capital Reserve Fund, previously established. This is to help offset the replacement cost of Self Contained Breathing.

Board of Selectmen Recommends: Yes

Budget Committee Recommends: Yes

Tax Impact: .02

A motion to go to Article 3 was made by Amy Cornwell, seconded by Peter Scruton and approved by a show of cards vote.

Steven Henry made a motion to approve Article 9, seconded by Charlie King. Being no discussion Article 9 was approved by a show of cards vote.

Article 10: Revaluation of town CRF

To see if the Town will vote to establish a Capital Reserve fund called the Town Revaluation CRF and to raise and appropriate the sum \$25,000 to be deposited in said fund from the 2016 undesignated fund balance having no impact on the tax rate and further to name Selectman as agents to expend from said fund

Selectmen recommendation: Yes
Budget Committee recommendation: Yes
Tax Impact: .00

Manny Krasner made a motion to approve Article 10, seconded by Sylvia Arcouette. John Scruton asked if the town does a measure/list or full revaluation every 5 years. Arthur Capello stated that we do a full revaluation whether statistic or measure and list every 5 years. Being no further discussion, Article 10 was approved by a show of cards vote.

Article 11: Police Outside Detail Special Revenue Fund

To see if the Town will vote to raise and appropriate \$90,000 for the purpose of paying all expenses associated with payroll and equipment of police officers with said funds to come from the Police Outside Detail Special Revenue fund created for this purpose. No amount to be raised from taxation.

Selectmen Recommendation: Yes
Budget Committee Recommendation: Yes
Tax Impact: .00

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Steve Henry made a motion to approve Article 11, seconded by Arthur Capello. Being no discussion Article 11 was approved by a show of cards vote.

Article 12: Add to Emergency Motorized Equipment CRF

To see if the Town will vote to raise and appropriate the sum of \$40,000 to be deposited into the Emergency Motorized Equipment Capital Reserve and to further fund this appropriation with \$40,000 of revenue from funds raised through ambulance billing and \$0.00 through general taxation.

Selectmen recommendations: Yes

Budget Committee recommendations: Yes

Tax Impact: .00

Steven Henry made a motion to approve Article 12, seconded by Neil Johnson. Being no discussion Article 12 was approved by a show of cards vote.

Article 13: Farmington Cable TV SRF

To see if the Town will vote to raise and appropriate \$60,000 for the purpose of staff payroll, cable TV programming, equipment, and/or repairs associated with FCT, with said funds to come from the Community Television Special Revenue Fund created for this purpose. No amount to be raised from taxation.

Selectmen recommendation: Yes

Budget Committee recommendation: Yes

Tax Impact: .00

Sylvia Arcouette made a motion to approve, seconded by Jodi Connolly. Emmanuel Krasner asked where the money comes from to fund this. Arthur Capello explained that it is a franchise tax on Metrocast bills. The Moderator asked if this was being done on the TDS side also. Arthur said yes it is the same fee and is addressed in another warrant article. Being no further discussion Article 13 was approved by a show of cards vote.

Article 14: Landfill Closure Fund CRF

To see if the Town will vote to raise and appropriate the sum of \$51,407 to be added to the Landfill Closure Capital Reserve Fund. This sum comes from the Department of Environmental Services Solid Waste Unlined Municipal Landfill Closure Grant Program. No amount to be raised by taxation.

Selectmen Recommendation: Yes

Budget Committee Recommendation: Yes

Tax Impact: .00

Steven Henry made a motion to approve Article 14, seconded by Arthur Capello, Being no discussion Article 14 was approved by a show of cards vote.

Article 15: Landfill Closure Fund CRF

To see if the town will vote to raise and appropriate \$25,000 for the purpose of testing for the closure of the landfill with said funds to come from the Landfill Closure Fund Capital Reserve Fund previously established. No amount to be raised by taxation.

Selectmen recommendation: Yes

Budget Committee recommendation: Yes
Tax Impact: .00

Steven Henry made a motion to approve Article 15, seconded by Sylvia Arcouette. Being no discussion Article 15 was approved by a show of cards vote.

Article 16: Bridges and Road Design CRF

To see if the Town will vote to raise and appropriate the sum of \$5,000 to be added to the Bridge and Road Design CRF, previously established. This is to pay the 20% of the required funding from NH State Bridge Aid.

Selectmen recommendation: Yes
Budget Committee recommendation: Yes
Tax Impact: .01

Steven Henry made a motion to approve, seconded by Sylvia Arcouette. John Scruton asked what we currently have in this fund. Arthur Capello stated that we currently have \$95,000 which will make us shovel ready should money become available on the state level. Being no further discussion Article 16 was approved by a show of cards vote.

Article 17: Discontinue the Public Safety Building and Eq. CRF

To see if the town will vote to discontinue the Public Safety Building and Equipment Capital Reserve Fund created in 2006. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the Town's general fund. (Majority vote required)

Board of Selectman Recommends: Yes
Budget Committee Recommends: Yes
Tax Impact: .00

Steve Henry made a motion to approve Article 17, seconded by Sylvia Arcouette. Being no discussion, Article 17 was approved by a show of cards vote.

Article 18: Building Inspector Special Revenue Fund

To see if the Town will vote to raise and appropriate \$65,000 for the purpose of paying for the Building Inspector and authorize the withdrawal of \$65,000 from the Building Inspector Position Special Revenue Fund previously established for this purpose. No amount to be raised by taxation.

Board of Selectmen Recommends: Yes

Budget Committee Recommends: Yes
Tax Impact: .00

Sylvia Arcouette made a motion to approve, seconded by Stephen Henry. Paul Turner asked for an explanation of the article. Arthur Capello explained that the Building Inspection Fees were established to go into this SRF a few years ago. Last Town Meeting there was not enough to cover the pay for the Building Inspector and now we have at least \$65,000 to help cover the salary and benefits for this position. Stephen Henry asked if with the postponement, there would be sufficient money. Arthur Capello stated that the attorney said that all decisions would be retroactive to the originally scheduled town meeting date. Being no further discussion, Article 18 was approved by a show of cards vote.

Article 19: Police Contract

To see if the Town will vote to approve the cost items included in the three-year collective bargaining agreement reached between the Board of Selectmen and the NEPBA Local #212 which calls for the following increases in salaries and benefits at the current staffing level.

The fiscal year 2017 \$19,150

The fiscal year 2018 \$35,656

The fiscal year 2019 \$21,871

The fiscal year 2020 \$6,358

Grand total for four years: \$83,038.00

And further to raise and appropriate the sum of \$19,150 for the current fiscal year, such sum representing the additional costs attributed to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels.

Board of Selectmen Recommends: Yes

Budget Committee Recommends: Yes

Tax Impact Year 1: .04

Tax Impact Year 2: .08

Tax Impact Year 3: .05

Tax Impact Year 4: .01

Manny Krasner made a motion to approve Article 19, seconded by Arthur Capello. Randy Orvis asked why it shows 4 years for a three year contract. Neil Johnson explained that it is 4 calendar years for a 3 year contract years because it goes until April of 2020. Being no further discussion, Article 19 was approved by a show of cards vote

Article 20: Depreciation of Waste Water Treatment Plant

To see if the Town of Farmington will vote to raise and appropriate \$25,000 to be added to the Waste Water Treatment Plant CRF previously established to help offset the depreciation of the plant. This appropriation is contingent upon an equivalent match from the Waste Water Enterprise Fund to \$25,000

Board of Selectmen Recommendation: Yes

Budget Committee Recommendations: Yes

Tax Impact: .06

Sylvia Arcouette made a motion to approve Article 24, seconded by Jodi Connolly. Stephen Henry said that he does not agree because it places a burden on the entire tax base whether you have access to the facility or not. Emmanuel Krasner stated that not everyone gets all municipal services all the time and he supports the article. Charlie King stated that he agrees in principal, but this is consistent with the funding approved originally and the cost sharing that was established to be set aside for repair and replacement as needed. Randy Orvis made a motion to call the question, seconded by Arthur Capello and approved by a show of cards vote. Article 20 was approved by a show of cards vote.

Article 21: Development of water asset management

To see if the Town will vote to raise and appropriate the sum of up to \$60,000 for the purpose of developing an Asset Management Program (a systematic process of financing, inventorying, assessing, operating, maintaining, upgrading, and replacing infrastructure cost-effectively while maintaining a sustainable level of service) for the wastewater collections system, and for developing an Asset Management Program for storm water infrastructure, that will qualify the Town for State funds; such sum to be raised by the issuance of municipal bonds and/or notes, not to exceed \$60,000, under and in compliance with the provisions of the Municipal Finance Act (NH RSA 33:1 et. seq., as amended); and To authorize the Board Of Selectmen to issue and negotiate such bonds and/or notes to determine the rate of interest thereon, and to take such actions as may be necessary to effect the issuance, negotiation, sale and delivery of such bonds and/or notes as shall be in the best interest of the Town of Farmington; and to authorize the Board Of Selectmen to apply for, contract for, accept and expend any federal, state or other available funds in order to reduce the amount to be repaid; and To authorize participation in the State Revolving Fund (SRF) RSA 486:14 established for this purpose, and to authorize the Board Of Selectmen to apply for, accept, and expend such monies as they become available from the federal and state governments under the SRF program; and To authorize the Board of Selectmen to take any and all actions necessary to carry out the above purpose and financing in the best interests of the Town of Farmington and to pass any vote relating thereto. (2/3 ballot vote required)

Recommended by the Board of Selectmen Yes

Recommended by the Budget Committee Yes

Arthur Capello made a motion to approve Article 21, seconded by Stephen Henry. It was explained that the purpose of program is to assist us in looking at our infrastructure, its' useful life and location. This is a low interest loan made available through the state. You only pay interest as you draw it down. If we find a vendor to accept a payment at the end, there is no draw-down to pay interest on. Manny Krasner asked if you then pay back what you borrow. It was explained by Arthur Capello that, whatever the cost is up to \$60,000, \$30,000 is a grant and the \$30,000 match is our in kind for doing work. It is a principle forgiveness loan. John Scruton said that the state has had difficulty in the past funding this. Jason Gagnon, Deputy Public Works Director said that we are already qualified for the money. Being no further discussion, the Moderator called the question and we went back to the ballot box. 64 yes 5 no

Article 22: Fund Future Tech. CRF with TDS franchise fees

To see if the Town of Farmington will vote to raise and appropriate the sum of \$1,500 to be added to the Future Technology Improvements Capital Reserve Fund previously established. Said funds to come from TDS franchise funds and no money to be raised from taxation.

Selectmen Recommendations Yes

Budget Recommendations Yes

Tax Impact: .00

Sylvia Arcouette made a motion to approve Article 22, seconded by Jodi Connolly. Billie Leferte asked where this money comes from. Arthur Capello explained that this is similar to the Metrocast franchise fee. Being no discussion, Article 22 was approved by a show of cards vote.

Article 23: DPW contract

To see if the Town will vote to approve the cost items included in the three-year collective bargaining agreement reached between the Board of Selectmen and the Teamsters Local #633 which calls for the following increases in salaries and benefits at the current staffing level.

The fiscal year 2018 \$10,088

The fiscal year 2019 \$5,327

The fiscal year 2020 \$7,646

Grand total for three years: \$23,062

And further to raise and appropriate the sum of \$10,088 for the current fiscal year, such sum representing the additional costs attributed to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels.

Board of Selectmen Recommends: Yes
Budget Committee Recommends: Yes
Tax Impact Year 1: .02
Tax Impact Year 2: .01
Tax Impact Year 3: .02

Stephen Henry made a motion to approve Article 23, seconded by Sylvia Arcouette. Being no discussion Article 23 was approved by a show of cards vote.

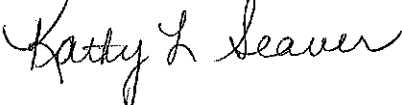
Article 24: To move the Annual Town Meeting

To see if the Town will vote to schedule the resumption of the Annual Town Meeting to the Saturday in March following the Tuesday balloting, beginning at 9:30 a.m. and running for as long as necessary, with, if necessary, a break for lunch. (by petition)

Penny Morin made a motion to approve Article 24, seconded by Stanley Freeda. John Scruton stated that he believes that the Board of Selectmen are the only ones with authority so he wished to amend to ask them to consider but leave it at their discretion, seconded by Neil Johnson. Town meeting does not have the authority to bind the Board of Selectmen to a date. The town attorney concurred that the article would be advisory. Even if were to be passed overwhelming, it would still only be a recommendation. The Board members were asked their feelings with most in agreement that they would have to have a discussion hearing the pros and cons and then have a full board discussion. Arthur Capello made a motion to call the question on the amendment which was duly seconded and approved by a show of cards vote. The amendment was opposed by a show of cards vote. Joyce White spoke that she was the one who brought it forward because every year she is here until the end and last year it was until midnight. After some discussion pro and con, Charlie King made a motion to call the question, seconded by Arthur and approved by a show of cards vote. The vote on the article was then taken and called to have been approved by the Moderator, but it was requested by a voter to have a counted vote. The Moderator took this as a challenge and had a standing counted card vote. This resulted in a 33-33 tie, which the Moderator broke by voting in the affirmative which made it approved by a 34-33 vote. A motion to restrict reconsideration was made, duly seconded and then someone announced that their vote was not counted and she was voting in the negative. The Town Attorney said that a motion to restrict reconsideration was on floor and had to be dealt with first and, it that passed, the vote could not be counted. The motion to restrict was approved by a counted show of cards vote of yes 35 no 32. The Vote on Article 21 was announced at this point. (see Article 21)

Arthur Capello made a motion to adjourn at 10:00PM, seconded by Stephen Henry and approved by a show of cards vote.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Kathy L. Seaver". The signature is written in black ink and is positioned below the typed name.

Kathy L. Seaver, Town Clerk-Tax Collector