

**2022 Town of Farmington  
Minutes 3-9-22**

The meeting opened at 7:01 by moderator, Mike Morin. He welcomed everyone and reminded them to check in with the supervisors of the checklist. The moderator then announced where the exits were and that anyone who ran unopposed may be sworn in after the meeting. The moderator asked everyone to stand to say the Pledge of Allegiance.

**Article 01 Election of Officers**

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

Moderator Mike Morin read the results of the municipal and school elections and announced that the clerk will contact write-in candidates to see if they want to accept their positions won by early next week.

**Article 02 Zoning Amendments**

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Farmington Zoning Ordinance as follows **(Official Ballot)**:

Amendment #1: To amend Section 1.14 Definitions to add the following definitions: Electric Vehicle Charging Station, Health/Fitness Club, Laundry Services, Motor Vehicle Repair, Services, and Sales Facility, Site Preparation Contractors, Small Equipment Repair, Specialized Contractors, and Vehicle Refueling/Recharging Station; and to amend the following definitions: Heavy Equipment Sales and Services and Manufacturing (major/minor) to provide additional clarity of the scope of allowable uses in Town?

Yes 420 No 128

**Article 03 Zoning Amendments**

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Farmington Zoning Ordinance as follows **(Official Ballot)**:

To amend Section 2.00 (C) Table of Permitted Uses to reflect clearer use definitions and to add to and revise, the commercial and industrial uses allowed in various zoning districts?

Yes 420 No 128

**Article 04 Zoning Amendments**

Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Farmington Zoning Ordinance as follows **(Official Ballot)**:

To amend Section(s) 2.07 (D) and 2.08 (E) to remove the Commercial/Industrial Business Overlay (CIBO) District to simplify the application process and promote more opportunities for commercial and industrial development along the Route 11 and 153 corridors?

Yes 481 No 74

#### **Article 05 Zoning Amendments**

Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board for the Farmington Zoning Ordinance as follows **(Official Ballot)**:

To amend Section 3.23 to clarify the definition of and requirements for temporary storage units, to clarify the process for obtaining a permit, and provide criteria for permanent storage units?

Yes 396 No 154

#### **Article 06 Establish Lawful Senior Bingo (by petition)**

Shall the voters of the Town of Farmington accept the provisions of RSA 287-E for the purposes of Senior Citizens Bingo as allowed by RSA 287-E 11 which states: Any senior citizens' organization in a city or town which has adopted RSA 287-E may conduct bingo games without a license under the following conditions:

- I. Except as provided in paragraph IV, games of bingo shall be open only to persons 55 years of age or older unless the rules for senior activities on the premises require a higher minimum age for admission.
- II. The price to be paid for a single card or play shall not exceed \$.75.
- III. All prizes, tokens, or awards used, given, offered, or awarded during or in connection with this section, in any one game on any calendar day, shall not exceed a payout value of \$500.
- IV. Persons under 55 years of age who are assisting persons 55 years of age or older may be allowed on the premises. **(Official Ballot)**

**Selectmen Recommend: Yes (5-0)**

Yes 500 No 64

#### **Article 07 Replacement and repair of Salt shed**

To see if the town will vote to establish a replacement/repair salt shed Capital Reserve Fund under the provisions of RSA 35:1 for replacement or repair of the salt shed and to raise and appropriate the sum of \$1000 to be placed in this fund. Funds to come from unassigned fund balance. Further, to name the Board of Selectmen as agents to expend from said fund.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Jodi Connolly made a motion to approve Article 7 as read, seconded by Chad York. Being no discussion, Article 7 was approved by a show of cards vote.

#### **Article 08 Operating Budget**

To see if the Town will vote to raise and appropriate, the Budget Committee recommended sum of \$7,517,762 for General Municipal Operations. This article does not include appropriations contained in special or individual articles addressed separately.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact: .34**

Penny Morin made a motion to approve Article 8 as read by the moderator, seconded by Jodi Connolly. Being no discussion, Article 8 was approved by a show of cards vote.

#### **Article 09 Repair of the Town Levee**

To see if the town will vote to establish a Levee Capital Reserve Fund under the provisions of RSA 35:1 for repairs of the Town Levee and to raise and appropriate the sum of \$1000 to be placed in this fund. Funds to come from unassigned fund balance. Further, to name the Board of Selectmen as agents to expend from said fund. **Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**  
**Estimated Tax Impact for 2022: .00**

A motion was made by Elizabeth Johnson to accept Article 9 as read, seconded by Jodi Connolly. Penny Morin of Ten Rod Rd asked how much it would be to replace the levee and asked if it is in the study. Town Administrator, Arthur Capello, stated that the engineers estimate is \$700,000 to \$1,000,000. Being no more discussion, Article 9 was approved by a show of cards vote.

#### **Article 10 Town Employee Financial Obligation CRF**

To see if the Town will vote to raise and appropriate the sum of \$1,000 to be added to the Town Employee Financial Obligation Capital Reserve Fund previously established. This sum to come from the unassigned fund balance. No amount to be raised from the 2022 Taxation Year. **Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**  
**Estimated Tax Impact for 2022: .00**

Total in the fund as of December 2021: \$5,436

A motion to approve Article 10 was made by Deborah Reed, seconded by Jodi Connolly. Being no discussion Article 10 was approved by a show of cards vote.

#### **Article 11 Bridges and Road Design CRF**

To see if the Town will vote to raise and appropriate the sum of \$120,000 to be added to the Bridges and Road Design Capital Reserve Fund, previously established. This may be used to pay 20% of the required funding from NH State Bridge Aid. This sum come from unassigned fund balance. No amount is to be raised from taxation.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Total in the fund as of December 2021: \$101,741

Moderator, Mike Morin announced that Article 11 and Article 28 will be addressed together since they both have to do with putting money from the unassigned fund balance in to the Bridges and Road Design CRF. A motion was made by Steven Henry to move both articles to the floor to be discussed together, seconded by Penny Morin.

Tim Brown of Melody Lane made a motion to increase Article 11 from \$120,000 to \$200,000 with the intent to reduce Article 12 to zero so that all money comes from undesignated fund balance and not from taxation, seconded by Penny Morin. Keriann Roman, legal counsel, offered a friendly suggestion to reduce Article 12 to \$1 instead of \$0, so that a "No means no situation does not arise". Tim Brown agreed to do that when the time came. Steven Henry of Ridge Road asked if the cash value of the fund balance has improved over the past couple years? Town Administrator, Arthur Capello, said it has improved slightly, but if this amendment passes for this article, it will move the fund balance down below the 8% as stated by town policy. Discussion ensued about how much cash is in the fund balance as opposed to receivables and what the state mandates are as opposed to what the town uses as a percentage. Being no further discussion, the amendment to Article 11 was approved by a show of cards

vote. Being no discussion on Article 11 as amended, it was approved by a show of cards vote. At the request of town counsel, Keriann Roman, the moderator read Article 11 as amended. Article 28 was approved by a show of cards vote.

#### **Article 12 Bridges and Road Design CRF**

To see if the Town will vote to raise and appropriate the sum of \$80,000 to be added to the Bridges and Road Design Capital Reserve Fund, previously established. This sum comes from general taxation.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .15**

Total in the fund as of December 2021: \$101,741

A motion to approve Article 12 as read was made by Jodi Connolly, seconded by Penny Morin. Tim Brown made a motion to reduce the amount of \$80,000 to \$1 because Article 11 was amended to be increased by this amount out of unassigned fund balance, seconded by Penny Morin. Being no discussion, the amendment was approved by a show of cards vote. Article 12 was approved as amended by a show of cards.

#### **Article 13 Fund Future Technology Improvements CRF by TDS Fee**

To see if the Town will vote to raise and appropriate the sum of \$7,000 to be added to the Future Technology Improvements Capital Reserve Fund previously established. Said funds to come from TDS Franchise Fees and no amount to be raised from taxation.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Total in the fund as of December 2021: \$13,379

A motion was made by Deborah Reed to approve Article 13 as read, seconded by Alex Morin. Being no discussion, Article 13 was approved by a show of cards vote.

#### **Article 14 Bridge and Road CRF**

To see if the Town will vote to amend the purpose of the Bridges and Road Design Capital Reserve Fund previously established in 2013 "for the purpose of setting aside annually the design, engineering and construction costs anticipated for road and bridge repair to be done in accordance with the 2003-2008 Farmington Capital Improvement Program" by amending the purpose as follows: "for the purpose of setting aside annually the design, engineering and construction costs anticipated for road and bridge repair to be done, with guidance from the most updated Farmington Capital Improvement Program and further to name the Selectmen as agents to expend from this fund. (2/3 vote required).

Selectmen Recommend: Yes (5-0)

Moderator, Mike Morin, recommended we move Article 14 and Article 30 to the floor to be considered together. A motion was made by Steven Henry to approve Article 14 and Article 30 as read, seconded by Jodi Connolly. Tim Brown made a motion to remove the reference to the Capital Improvement Program from the article because in the specific Capital Improvement Plan 2003-2008 that it references, the Hornetown bridge did not exist. This would allow money to be spent on any town bridges or roads. Town Counsel, Keriann Roman, stated that she watched the Board of Selectmen's meeting that raised a question as to whether the selectmen's article could be amended tonight to remove the reference to the Capital Improvement Program. Her belief is that the phrase "with guidance from the most updated Capital Improvement Program" legally could be deleted without changing the purpose. She stated that

legally, to make this article effective, this is her legal recommendation, but, said it is up to the voters. She continued explaining that Article 30 does not include the selectman to be agents to expend and RSA 35:15 has been interpreted by the Department of Revenue to require renaming agents to expend whenever you change any of the language in an already established CRF. Her concern being if Article 30 passes over Article 14 it would make the money in that fund inaccessible until next year's town meeting. Tim Brown made a motion to strike the words "with guidance from the most updated Capital Improvement Program", seconded by Steven Henry. Being no discussion, the amendment to Article 14 was approved by a show of cards vote. Steven Henry asked who the current agents to expend are now with the answer being, the selectmen. The moderator read Article 14 as amended. The moderator explained that there had to be a 2/3 vote, so please hold cards until counted.

Article 14 was approved. Yes 44 No 0

Legal counsel, Keriann Roman, recommended that a motion be made to table Article 30 so there would not be competing articles should it pass. Tim Brown made a motion to table Article 30, seconded by Penny Morin. Article 30 was voted to be tabled by a show of cards vote.

#### **Article 15 Add to Highway Dept Motorized Equipment CRF**

To see if the Town will vote to raise and appropriate the sum of \$10,000 to be added to the Highway Department Motorized Equipment Capital Reserve Fund, previously established. This is to assist the town with the replacement of Highway Equipment. This sum to come from unassigned fund balance. No amount to be raised from taxation.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Total in the fund as of December 2021: \$87,967

Penny Morin motioned to approve Article 15 as read, seconded Jodi Connolly. Being no discussion, Article 15 was approved by a show of cards vote.

#### **Article 16 Reevaluation CRF**

To see if the Town will vote to raise and appropriate the sum of \$25,000 to be added to the Town Reevaluation Capital Reserve Fund previously established. This sum to come from unassigned fund balance. No amount to be raised from taxation.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Total in the fund as of December 2021: \$18,452

Debra Reed made a motion to approve Article 16 as read, seconded by Gerry Vachon. Tim Brown asked for the correct balance in that account as of December 2021. After some discussion, he then made a motion to amend the amount of money in the fund as of December 2021 to read \$38,453.95. The motion was seconded by Steven Henry. The motion to amend Article 16 was approved by a show of cards vote. Being no further discussion, Article 16 as amended was approved by a show of cards vote.

#### **Article 17 Landfill Closure Fund CRF**

To see if the Town will vote to raise and appropriate the sum of \$32,000 for the purpose of testing groundwater at the closed landfill and to authorize the withdrawal of said sum from the Landfill Closure Fund Capital Reserve Fund previously established. No amount is to be raised from taxation.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Total in the fund as of December 2021: \$71,800

Gerry Vachon made a motion to approve Article 17 as read, seconded by Doug Staples. Being no discussion, Article 17 was approved by a show of cards vote.

**Article 18 Equipment Purchases and Repair**

To see if the Town will vote to raise and appropriate the sum of \$20,000 to be added to the Equipment Purchases and Repair Capital Reserve Fund, previously established to purchase and repair equipment. This sum to come from unassigned fund balance. No amount to be raised from taxation.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Total in the fund as of December 2021: \$6,006

Doug Staples made a motion to approve Article 18 as read, seconded by Gerry Vachon. Discussion ensued about the type of equipment and how the fund was named. Being no further discussion, Article 18 was approved by a show of cards vote.

**Article 19 Fund Fulltime Firefighters**

Shall the Town raise and appropriate the sum of \$57,818 for the purpose of hiring and outfitting up to three full-time career firefighter/EMTs for the final six months of 2022, in order that the Town may have coverage twenty-four hours a day, seven days a week. This includes all benefits and retirement. If passed \$80,000 will be saved from per diem. The potential increase to the operating budget for 2022 would be \$57,818. The increase for 2023 would be \$115,627 and have a possible tax impact of 21 cents. If passed this would become added into the Town's Operation Budget after 2022.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .10**

A motion to accept Article 19 as read was made by Jodi Connolly, seconded by Elizabeth Johnson. Penny Morin asked for input from the Fire Chief as to why this article is coming up now. Chief Reinert stated that the fire service industry in general is having a hard time recruiting and retaining firefighters, specifically part-time, volunteer or per-diem. To ensure coverage, there will be the same number of staffing per week. More discussion about coverage now versus through full-time and the wording of the article ensued. Penny Morin then asked if using the word "would" would lock the town in to using the amount stated in the article in the future. She asked if the word would should be changed to could. Discussion with legal counsel resulted with an answer that this is not collective bargaining, it is informational and will ultimately be up to the Board of Selectmen and Budget Committee members to decide.

Doug Houston of Glen St. spoke in favor of the article stating that he has been associated with the department since the 1980s. He is currently per diem, is an engineer and is responsible for training new firefighters. Turnover is so fast that he can barely get a new firefighter trained on all trucks and they are gone. He believes offering full time will help with retention. Alex Morin of Ten Rod Rd agreed retention is tough in the industry. He asked Chief Reinert if 3 full-time positions would be enough or if he considered 4 positions to keep work hours more consistent with the industry average. Chief Reinert said he feels that his new schedule will work and has heard of interest already if this article passes. Being no further discussion, Article 19 was approved by show of cards vote.

**Article 20 Self Contained Breathing Apparatus**

To see if the town will vote to raise and appropriate the sum of \$15,000 to be added to the Self-Contained Breathing Apparatus CRF previously established. This sum to come from the unassigned fund balance. No amount to be raised from the 2022 Taxation Year.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Total in the fund as of December 2021: \$61,355

A motion to accept Article 20 as read was made by Gerry Vachon, seconded by Doug Staples. Steve Henry asked if this amount is less than last year? After a short discussion, the answer was that it is the same as last year. Being no further discussion, Article 20 passed by a show of cards vote.

**Article 21 Replacement of HVAC units at Municipal Office CRF**

To see if the town will vote to raise and appropriate the sum of \$1,000 to be added to the Replacement of HVAC Capital Reserve Fund previously established to replace the HVAC units at the Municipal Office. This sum to come from unassigned fund balance. No amount to be raised from taxation.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Total in the fund as of December 2021: \$5,007

A motion to approve Article 21 as read was made by Doug Staples, seconded by Penny Morin. Being no discussion, Article 21 passed by a show of cards vote.

**Article 22 Farmington Cable TV SRF**

To see if the Town will vote to raise and appropriate the sum of \$60,000 for staff payroll, cable TV programming, equipment, and/or repairs associated with Farmington Cable TV, with said funds to come from the Community Television Special Revenue Fund created for this purpose. No amount is to be raised from the 2022 Taxation Year.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Total in the fund as of December 2021: \$123,537.51

A motion to approve Article 22 was made by Penny Morin, seconded by Jodi Connolly. Being no discussion, Article 22 was approved by a show of cards vote.

**Article 23 Building Inspector Position SRF**

To see if the Town will vote to raise and appropriate the sum of \$94,000 to pay for the Building Inspector and authorize the withdrawal of said sum from the Building Inspector Position Special Revenue Fund previously established for this purpose. No amount is to be raised by taxation.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact: .00**

Total in the fund as of December 2021: \$28,130.40

Doug Staples made a motion to approve Article 23 as read, seconded by Alex Morin. Tim Brown asked why there is a \$14,000 increase over last year. Discussion ensued as to why, how many people are covered and how it is funded. Being no further discussion, Article 23 was approved by a show of cards vote.

#### **Article 24 Change to Teamsters CBA**

To see if the town will vote to approve the cost items included in the addendum to Teamsters Collective Bargaining agreement reached between the Town of Farmington and the Teamster Local #633 (which is currently in effect) which calls for the following increases in salaries and benefits at the current staffing level:

Fiscal Year	Estimated Increase
2022	\$32,167

and further to raise and appropriate \$32,167 for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels.

**Selectmen Recommend: yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .06**

A motion by to accept Article 24 as written was made by Elizabeth Johnson, seconded by Jodi Connolly. Discussion ensued about which departments and how many employees benefit from this agreement and why it was being adjusted part way through the contract period. It was also asked if the taxpayers are paying for the water/sewer employees, the answer was that they are paid from the Water/Sewer funds. Tim Brown asked "is it fair to say that almost all other town employees that are not part of a union already received their raises and this needed to be brought before town meeting for these employees to get theirs?" The answer was yes. Being no further discussion, Article 24 was approved by a show of cards vote.

#### **Article 25 Recreation Equipment Capital Reserve Fund**

To see if the Town will vote to raise and appropriate the sum of \$500 to be added to the Recreation Equipment Capital Reserve Fund, previously established for the replacement of equipment. This sum to come from the unassigned fund balance. No amount to be raised from the 2022 Taxation Year.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Total in the fund as of December 2021: \$20,650

A motion to approve Article 25 as read was made by Penny Morin, seconded by Elizabeth Johnson. Jodi Connolly asked if vehicles are also in this fund. Town Administrator, Arthur Capello, answered in the affirmative. Being no other discussion, Article 25 was approved by a show of cards vote.

#### **Article 26 Health Reimbursement CRF**

To see if the town will vote to establish a Health Reimbursement Capital Reserve Fund under the provisions of RSA 35:1-c and §105 of the Internal Revenue Code for tax-free reimbursement of employee medical deductibles and to raise and appropriate the sum of \$5,000 to be placed in this fund. This sum to come from the unassigned fund balance. No amount to be raised from the 2022 Taxation Year. Further, to name the Board of Selectmen as agents to expend from said fund.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

A motion was made by Doug Staples to approve Article 26 as read, seconded by Steve Henry. Discussion ensued about what the article is for and why such a small amount. The town administrator said the intent is to build the fund up so it does not have to come out of the operating budget. No plans



or deductibles are changing for employees. Being no further discussion, Article 26 was approved by a show of cards vote.

**Article 27 Deposit into Landfill CRF**

To see if the Town will vote to raise and appropriate the sum of \$10,814 to be added to the Landfill Closure Capital Reserve Fund previously established. This sum is to come from unassigned fund balance. No amount is to be raised from taxation.

\* This article corrects an erroneous withdrawal in 2021 from the Landfill Closure Capital Reserve Fund to the Town general fund by replacing the amount withdrawn.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

Debra Reed made a motion to approve Article 27 as written, seconded by Jodi Connolly. Being no discussion, Article 27 was approved by a show of cards vote.

**Article 28 Deposit into Bridge and Roads CRF**

To see if the town will vote to raise and appropriate the sum of \$5,041 to be added to the Bridge and Road CRF previously established. This sum comes from the unassigned fund balance. No amount is to be raised from taxation.

This article corrects an erroneous withdrawal in 2021 from the Bridges and Roads Capital Reserve Fund to the Town general fund by replacing the amount withdrawn.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend: Yes (8-0)**

**Estimated Tax Impact for 2022: .00**

See Article 11

**Article 29 Amendment to Recreation Revolving (by petition)**

Shall the voters amend warrant article 14 as passed by the Farmington Town Meeting on Wednesday, March 10, 1999, entitled Recreation Account by striking the words "and name the Director of Parks and Recreation as an agent to expend" and inserting the replacement of "and name the Farmington Board of Selectmen as the agents in accordance with RSA 35 B;2:11" (by petition)

A motion was made by Erica Dickie-Yelle, seconded Alex Morin. Much discussion ensued about why this petition warrant article came forward and the concerns for checks and balances because of differences in amounts reported for the fund from the Town Clerk's office and the Financial Directors office. Discussion ensued about how it would affect day-to-day operations of the recreation department. Several residents spoke for or against the article stating confidence in the current staff and the oversight already in place versus wanting an extra layer. The final statement by legal counsel, Keriann Roman, is that whether it passes or not, the current practice would not change. However, Keriann did recommend that if it does pass, then the Board of Selectmen should vote to allow the Rec Director to have the same \$1500.00 limit as other department heads. Tim Brown asked if this was challenged and went to court, would it that freeze the fund and then they would not be able to spend any money. Keriann Roman stated that she read an article from the NHMA that stated a Town Administrator or City Manager can be an agent to expend and that is a single person, so she feels it is legal, but there are never any guarantee how a court hearing would come out. After more discussion on how the changes would affect the Recreation Department's spending, Penny Morin made a motion to call the question, seconded by Alex Morin. The motion to call the question was approved by a show of cards vote. A vote was taken for

Article 29 by a show of cards vote, but the moderator called it too close to call by sight. The moderator called for a second vote and asked the supervisors of the checklist to count the cards. Article 29 failed. The count being; Yes 22 No 28.

A motion to restrict reconsideration was made by Neil Johnson, seconded by Elizabeth Johnson. The motion to restrict reconsideration was approved by a show of cards vote.

**Article 30 Reword of Bridge and Road Design and Construction (by petition)**

To see if the town will vote to amend a capital reserve fund entitled Bridge & Road Design and Construction Capital Reserve Fund to read "for the purpose of setting aside annually the design, engineering, repair, and construction cost anticipated for road and bridge repairs in the Town of Farmington, New Hampshire". 2/3 vote required

See article 14

**Article 31 Modify Elderly Exemption**

Shall the town MODIFY the provisions of RSA 72:39-a for elderly exemption from property tax in the TOWN of Farmington, based on assessed value, for qualified taxpayers, to be as follows: If single, the taxpayer must have a net income of not more than \$40,000, or if married, a combined net income of not more than \$60,000. The single income limitation is currently \$30,000 and the married income limitation is currently \$60,000. Net income is income from all sources, including Social Security and pensions, but does not include: life insurance proceeds; expenses and costs incurred in the course of conducting a business enterprise; and proceeds from the sale of assets.

The limitation on net assets to qualify for this exemption shall remain as previously adopted by town meeting as not in excess of \$75,000, excluding the value of the person's residence. The exemption amount available under this exemption shall remain as previously adopted by town meeting as follows: for a person 65 years of age up to 75 years, \$75,000; for a person 75 years of age up to 80 years, \$95,000; for a person 80 years of age or older \$125,000.

**Selectmen Recommend: Yes (5-0) Budget Committee Recommend.**

Penny Morin made a motion to approve Article 31 as read, seconded by Tim Brown. Manny Krasner of Reservoir Rd asked why the amount was raised for a single person and not for a couple. Arthur Capello responded that the amount for a couple was raised 2 years ago from the floor and this is to make the single amount consistent with the couple. Tim Brown stated that 2 years ago it was raised to make it twice the amount of the single. Manny motioned to amend Article 31 to make the amount \$80,000 for a couple, seconded by Charlie King. Keriann Roman, legal counsel, asked for a moment to check to be sure there is no statutory limitation and confirmed the amount was ok. Being no further discussion, the amendment to Article 31 was approved by a show of cards vote. Being no further discussion on the original article, Article 31 as amended was approved by a show of cards vote.

**Article 32 Amend Fire Works Ordinance (by petition)**

Shall the voters amend the warrant article entitled Fireworks Ordinance passed at the Farmington Town Meeting of 2021 by amending the following language:

Any property owner seeking to display Class C "Common" Fireworks, as defined by RSA 160-c:1,11, within the Town of Farmington, "Compact Part" shall obtain a written Class C fireworks permit from the Fire Chief or his authorized designee. Only the permit holder may display or possess fireworks under the

authority of the permit.

"Compact part" means the territory within a town or city comprised of the following:

- (1) Any nonresidential, commercial building, including, but not limited to, industrial, educational, or medical buildings, plus a perimeter 300 feet wide around all such buildings without permission of the owner.
- (2) Any park, playground, or other outdoor public gathering place designated by the legislative body of the city or town.
- (3) Any contiguous area containing 6 or more buildings which are used as either part-time or permanent dwellings and the spaces between them where each such building is within 300 feet of at least one of the others, plus a perimeter 300 feet wide around all the buildings in such area.

A motion to accept Article 32 as read was made by Penny Morin, seconded Alex Morin. Moderator, Mike Morin, asked the petitioner to explain the article. Tim Brown asked the Fire Chief how many applications were requested and how many were approved that were qualified as in the "downtown" area. Chief Reinert explained that there were 7 applications, 4 were approved and were in the agricultural area. Steve Henry spoke to his concern that the wording would make it illegal for anyone to possess fireworks without a permit. He made a motion to amend Article 32 by striking the words "or possess"; it would now read, "Only the permit holder may display fireworks under the authority of the permit." Seconded by Charlie King. Discussion ensued about the word "possess" being included. One opinion was that it would be hard to enforce possession town wide and another strongly believing the statement only pertains to the person holding the permit. The person holding a permit should be the responsible party and be the only one in possession of the fireworks. Steve Henry made the statement that his intent of this amendment is to not criminalize the possession of fireworks in the town of Farmington. Penny Morin made a motion to call the question, seconded by Jodi Connolly. The motion to call the question was approved by a show of cards vote. The motion to amend Article 31 was approved by a show of cards vote.

Discussion on the original article about the definition of the compact area ensued. Steve Henry reiterated what Tim Brown explained earlier, that the "compact area" is what is used currently for the use of firearms in Farmington, so it makes sense to use that for fireworks. It does not have to do with zones, it is how close homes are to each other. Being no further discussion, Article 32 as amended, was approved by a show of cards vote.

### **Article 33 All other business**

To allow the Town to conduct any other business that may come before this body.

Tim Brown made an advisory motion to have the revenue report put back in the town report because it is missing this year, seconded by Steve Henry. The motion was approved by a show of cards vote. The moderator announce that it was strictly advisory, so it may or may not happen.

There was a motion to adjourn at 8:43pm, duly seconded. The motion was approved by a show of cards vote.

Respectfully submitted,



Rebecca J. Dickie, Town Clerk-Tax Collector