

Town of Farmington
Board of Selectmen – Public Meeting Minutes
Monday, September 28, 2015
Selectmen’s Chambers
356 Main Street

Board Members Present:

Charlie King, Chairman
Paula Proulx, Vice Chairman
Jim Horgan
Jerry McCarthy
Neil Johnson

Others Present:

Town Administrator Arthur Capello
Police Chief Jay Drury
Fire Chief James Reinert
Code Enforcement Officer Dennis Roseberry
Residents Lynn Fuller, Resta Detwiler, Tom DeJulio, Decorating Committee members, Library Trustees

1). Call to Order/Pledge of Allegiance:

Chairman King called the meeting to order at 7 p.m. All present stood for the Pledge of Allegiance.

2). Review of Minutes:

Sept. 14, 2015- Public Session:

Motion: (Horgan, second Johnson) to accept the minutes as written passed 4-0-1 (King abstained).

Non-Public Sessions A-E:

Motion: (Johnson, second Horgan) to accept the minutes as written passed 4-0-1 (King abstained).

3. Public Comment:

A). Lynn Fuller of Circle of H.O.P.E (Helping Others Positive Encouragement) came to the board to invite them to a meeting of local first responders and community members working to change the stigma of substance abuse/addiction and find solutions as a community. She said the meeting will be held on Thursday, October 15 at 7 p.m. at the Farmington Fire Station. She provided copies of an article about American Ambulance’s Deputy Chief Scott Schuler’s thoughts on changes in healthcare, emergency response and better communication training. She added that the group plans to hold a community forum before the holidays arrive. Town Administrator Arthur Capello suggested the forum be held in the Selectmen’s Chambers so it can be televised over the local Cable TV channel. Fuller said she would contact him to make plans for use of the room.

B). Resta Detwiler came forward to ask if committee members have been chosen for the TIF (Tax Increment Financing) District Committee. Chairman King said there has been no progress in forming a committee but they have received a contract proposal from Strafford Regional Planning Commission for assistance in managing the project. Capello said a warrant article calling for a TIF District Committee may need to be included on the 2016 Town Meeting warrant as the TIF District warrant article approved this year did not include appointing a TIF District Committee. Capello said he would discuss the matter with Regional Planner Liz Durfee and report back to the board.

4). Public Safety Building Review:

Review of the Public Safety Building and the bond for the project (agenda items 4 and 5) were postponed until the next board meeting.

6). Junk Yard Permits:

Code Enforcement Officer Dennis Roseberry recommended the board approve renewal permits for the following properties;

Harold Butt (Tax Map R37, Lot 001) 273 Pound Road- Roseberry reported the yard is in the same condition as last year with the same number of vehicles and has not been active for several years. The property is compliant with state law and town zoning regulations he said.

Motion: (McCarthy, second Johnson) to approve the CEO's recommendation for renewal of the junkyard permit for the Butt property passed 5-0.

Bill Baxter (Tax Map R57, Lot 14) 1139 Ten Rod Road- Roseberry said a site walk showed it is primarily in the same condition as last year and still has the crush pad and proper storage for gas and oil. Vehicles are no longer crushed and dismantled on site but hauled to other locations or crushed in a portable crusher that contains any fluids in the vehicle.

Motion: (Johnson, second McCarthy) to approve the CEO's recommendation for renewal of the junkyard permit for the Baxter property passed 5-0.

Randy LaPierre (Tax Map R48, Lot 028) 68 Milton Road- Roseberry said the yard has remained unchanged in the last few years but noted that it is shrinking in size with about half of the yard being converted back to agricultural use. He said the site still has the crush pad, proper storage for gas and oil and approx. the same number of vehicles as last year. Vehicles are hauled away for crushing or crushed with portable crushers that contain vehicle fluids he said.

Motion: (McCarthy, second Johnson) to approve the CEO's recommendation to renew the junkyard permit for the LaPierre property passed 5-0.

Steve McDuffee (Tax Map R21, Lot 009) 371 NH Route 11- A site walk of the property showed there are more repair projects and vehicle sales at the site Roseberry said. He said the owner stated this was the reason for vehicles being located in front of the fence. Discussion included a past history of compliance issues, a pattern of non-compliance to some requirements until it is time to renew the permit, approval of a shorter time period for a permit and keeping a monthly record of any issues at the site. Roseberry noted the requirements mandated by the board in 2009 are still in effect and recommended the permit be approved with the condition that all non-customer materials and vehicles are kept behind the fence.

Motion: (King, second Horgan) to approve renewal of the junkyard permit with the condition that a monthly record of compliance, monthly inspections and notices are reported for the site passed 5-0.

7). Waiving of Ambulance Bill:

Fire Chief James Reinert told the board he received a request to waive the unpaid portion (\$337.80) of an ambulance bill. The patient was transported to the hospital in 2014, her insurance company has paid \$1,358.48 to Com Star and she is now claiming a hardship because her household only has one salary because her husband is out of work due to an injury he said. He recommended the board approve the request. Discussion included the definition of a hardship, setting standards to qualify for a hardship, delegating someone to verify the hardship, having the request go through the town's Welfare Dept., if waivers have been granted in the past, how other towns handle the issue and developing a policy to handle future waiver requests.

Motion: (McCarthy, second Horgan) to approve the Chief's recommendation to waive the outstanding balance of the ambulance bill passed 4-1 (Proulx opposed).

Selectmen noted they could not destroy the patient's personal information as requested because the decision was

made in public and the information must remain public. Capello said he would work with the Fire Chief to develop a draft policy and procedures for hardship waiver requests.

8). Fire Dept. Permit Fees:

Chief Reinert presented a draft of suggested changes to the Fire Inspection and Permit Policy originally adopted in 2004. Proposed changes include some language changes, suggested increases to the Re-inspection Fee from \$15 to \$50, increase the Second Re-inspection fee from \$45 to \$100 and add a Missed or No Show Fee of \$25. Discussion included waiving the fee for initial life safety inspections, standards for wood stove installations, housing inspections, and defining penalties in the policy. A Public Hearing will be held to discuss the changes and the matter was tabled until the next meeting.

Ambulance Mutual Aid – Vice Chairman Proulx then asked the Chief about the number of responses to Rochester by Farmington Ambulance. Discussion included an estimated 200 responses, leaving Farmington understaffed when responding from Frisbie Hospital to Rochester and the coverage agreement with the hospital. Chairman King noted that Rochester has approx. 25,000 people and only staffs two ambulances and Farmington is picking up the slack because they are understaffed. Capello added the town does get paid for the services and has collected about \$70,000 from Frisbie since Jan. 1.

Engine One- Capello asked Selectmen what the board wished to do about the repair of Engine One. Discussion included the estimated repair costs, the previous Chief didn't budget for the repairs, the refurbishing company's determination it is not cost effective to do the work and the lack of a written assessment. Chief Reinert will provide a written assessment of the needed repairs at a future meeting.

Grant Applications- Chief Reinert said he has applied for grants to replace the 26 year old tanker pumper and to purchase Scott Air-Paks.

Monitoring System- Chief Reinert then told Selectmen he is discontinuing the use of the dept.'s digitized monitoring system for town and school buildings. Discussion included types of monitoring systems, cost saving, ability for town and school administrators to chose a monitoring company and budget results of the decision. The Chief will notify the SAU office that the system is no longer in use.

9). Update on Christmas Lights:

Tom DeJulio said that he and the Town Administrator met with a representative from the NH DOT to review the location of the state's right-of-way easements and proposed installation of new town-owned poles in the downtown area. He said the state owns 25 to 33 feet out from the center line of state roads and asked the DOT to identify the location of their right-of-ways so the town does not have to guess their locations but has not yet received a response. DeJulio said he was told that any poles installed within the state easement must be electrified decorative poles with street lights and can't be made of wood. Capello added any pole installed on town/private property would not have to be electrified.

Discussion also included getting permission from private property owners to hang Christmas lights or install poles, getting the bank and the funeral home "on board" to have Christmas lights on Central Street, liability issues, year-round decorations and who will maintain them, donation of a lift to access decorations and seeking permission to install a pole at the library if needed.

Consensus of the board was to proceed with plans to obtain legal easements from private property owners that would include a waiver of liability and an agreement of what the town will do in exchange for the easement. DeJulio will provide the names and addresses of the land owners to Capello and obtain their signatures when the letters are received from town counsel.

10). Budget Update:

Cleaning- Capello reported the references for S.J. Services checked out well and noted that the company has been working out of Dover, NH for three years. The current cleaning service cost for the Municipal Bldg., the Rec. Dept. and

the Police Dept. is \$1,345 monthly and the new contract proposal would be \$1,800 a month but promises better services he said. Discussion included town staff is performing some of the services, the proposed contract period and frequency of the current services.

Motion: (Horgan, second King) to enter into a one year contract with S.J. Services at a cost of \$1,806 a month. Additional discussion included the contract proposal works out to about \$35 an hour, hiring a part time town employee instead of a cleaning company, getting a better job done for less money, more control over the duties performed and putting an amount in the budget for the new position. Chairman King then called for a vote on the motion. The motion failed 1-4 (Horgan-yes, King, Proulx, McCarthy, Johnson-no). Capello said he would check hourly rates for the position and put together a job description for a job opening advertisement. Chief Drury said he knew of a current part time employee who may be interested in taking the cleaning job at the Police Station and said he will check into it.

Planner- Capello asked the board whether the town should hire a permanent part time planner or stay with planning services through the Strafford Regional Planning Commission. Discussion included meeting the needs of the Planning Board, hiring a full time Planner with Economic Development duties and asking the present Planner if she is interested in a part time town employee position.

Health Insurance- Capello said because the town is a government agency with less than 50 employees, there is a limited number of companies willing to submit bids. He received three responses with the best deal offering approx. \$31,000 in savings which would need the unions' approval in order to switch coverage. The town could see a loss as the payment holiday amount with the other providers is unknown. Consensus of the board was to stay with the current provider.

Cost of Living Increases- Capello said in the past the board has referenced cost of living increases given to Social Security recipients as a guide to wage increases for non-union employees. No Social Security increase is planned for this year and Selectmen said they will wait to see what the budget will afford.

11). Policies Review: Tabled until the next meeting.

12). Library Trustees Appointment:

Selectmen discussed appointing a member to represent them as a voting member of the Library Trustees. The Trustees meet the third Thursday of each month at 6 p.m. at the library. Selectman Horgan agreed to fill the position "until further notice".

Motion: (King, second Johnson) to nominate Jim Horgan to be the Selectmen's Rep. to the Library Trustees passed unanimously.

13). New Durham Request for Assistance:

Capello reported receipt of a letter from Carter Terenzini, Interim Town Administrator of New Durham seeking help covering Police Dept. staff shortages. Discussion included liability for Farmington Police officers' actions and health while on duty in New Durham, present/past number of calls for service, present number of New Durham officers, their lack of 24 hour coverage, political involvement in the staffing problems and how the mutual aid system works. Chief Drury said he did not favor having Farmington officers become part of regular patrols in New Durham as they already have enough obligations in Farmington. He said that he did not have any problem if a part time Farmington Police Officer wanted to work part time for New Durham. He added he will continue to honor the mutual aid agreement between the towns.

Motion: (King, second Johnson) to authorize Town Administrator Capello to send a letter to the New Durham Interim Town Administrator stating that Farmington will continue to honor the mutual aid agreement with New Durham passed 5-0.

14). Additional Board Business:

Parking on the Sidewalk- Selectman Horgan reported that tenants/visitors are parking on the sidewalk at on Main Hill forcing kids to walk in the road around them. The issue will be addressed with the landlord.

No Crossing Guard- Selectman McCarthy said there is no crossing guard on School Street. In the past this was carried out by the Fire Dept. or resident volunteers. Discussion included training someone and paying them a stipend. Chairman King asked Capello to notify the Superintendent about the matter.

Smoking in Town Vehicles- Vice Chairman Proulx said residents reported seeing employees smoking in town vehicles. Capello said it is against town policy and will have the policy restated to all employees.

Chestnut Hill Road Paving- Vice Chairman Proulx said the repaving of the upper portion of the road going toward Rochester was done poorly and suggested the company be called out for it. She noted there are so many cracks along the road that after the crack sealer was applied the road looks like a spider web. Capello said he will discuss the matter with Public Works Director Dale Sprague.

Services Provided to Middleton- Selectman Johnson asked what town services are provided to Middleton residents. Capello said Middleton residents can participate in library and the Recreation Dept. programs but they must pay the same rates as everyone else. He said their participation is included in the Rec. Dept. budget and added that Farmington residents have preference in these programs.

Farmington Children's Center- Chairman King asked about the enrollment at the center. Capello said the program administrator reported that the daycare program is full with a total of 31 children.

15). Town Administrator's Report:

Sale of Tax Deeded Properties- Capello said this matter will be discussed at a later date.

Return of Unspent Funds- Capello said the Budget Committee was informed that the School District will return \$512,460 to the town this year.

Request for Time Off- Capello sought permission from the board to take October 29th and 30th off as he has tickets to a Patriot's game in Foxboro, Ma.

Motion: (Horgan, second Proulx) to authorize the Town Administrator to take the requested days off passed 5-0.

Police Body Cameras- Capello reported that the body cameras purchased for the Police Dept. have arrived. He invited Chief Drury to present a demonstration to the board at their meeting in two weeks.

Town Report Dedication- Capello reported a suggestion to consider dedicating the 2016 Town Report to the late Leston E. Gray. Mr. Gray was a long time resident and a former volunteer Fireman and Water Dept. employee. Selectmen took the matter under advisement.

16). Non-Public Session A:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A: 3 II (e) passed 5-0 by a roll call vote (King, Proulx, Horgan, Johnson, McCarthy-yes) at 9:30 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 9:45 p.m.

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

17). Non-Public Session B:

Motion: (King, second Johnson) to enter non-public session under RSA 91-A: 3 II (e) passed 5-0 by a roll call vote (King, Proulx, McCarthy, Horgan, Johnson- yes) at 9:45 p.m.

Motion: (King, second Johnson) to come out of non-public session passed 5-0 at 9:50 p.m.

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

18). Non-Public Session C:

Motion: (King, second Johnson) to enter non-public session under RSA 91-A: 3 II (e) passed 5-0 by a roll call vote (King, Proulx, Horgan, McCarthy, Johnson-yes) at 9:50 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 9:52 p.m.

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

19). Non-Public Session D:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A: 3 II (a) passed 5-0 by a roll call vote (King, Proulx, Horgan, McCarthy, Johnson-yes) at 9:52 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 9:55 p.m.

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

20). Non-Public Session E:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A: 3 II (d) passed 5-0 by a roll call vote (King, Proulx, Horgan, Johnson, McCarthy-yes) at 9:55 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 5-0 at 10:05 p.m.

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

21). Adjournment:

Motion: (Horgan, second Johnson) to adjourn the meeting passed 5-0 at 10:05 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

Charlie King

Paula Proulx

Neil Johnson

James Horgan

Jerry McCarthy