

Town of Farmington  
Board of Selectmen Public Meeting Minutes  
Monday, March 15, 2021

**Board Members Present:**

Paula Proulx, Chairman  
Neil Johnson, Vice Chairman  
Gerry Vachon  
Ken Dickie  
Doug Staples

**Others Present:**

Arthur Capello, Town Administrator  
Keriann Roman, Town Attorney (by phone)  
Residents Bruce Bridges, Bill Fisher, Terrie  
Riordin, Jo Kenney

**1). Call to Order:**

Chairman Proulx called the meeting to order at 6 p.m.

**2). Pledge of Allegiance:**

All present stood for the Pledge of Allegiance.

Chairman Proulx thanked outgoing Selectmen Dave Connolly and TJ Place for all of their good work and welcomed new members Ken Dickie and Doug Staples to the board.

**3). Right-to-Know Law Refresher:**

Mr. Capello said that at the first board meeting following the elections they ask Town Attorney Keriann Roman to call in and go over the RSA 91-A requirements as a refresher for the board and because the law changes every year.

Att. Roman said because they are a public entity and a public board much of what they do has to be done in public. That means you have to have a noticed meeting so the public can listen in and know what their elected officials are doing. That also means that outside of this public meeting they can't discuss Town business with the other Selectmen she said.

She said there are some exceptions such as if there are just 2 Selectmen talking but she discourages that unless it's really necessary. She said for example if the majority of the members are attending a holiday party and they start talking about next year's budget that is not something they should be doing outside of a public board meeting because it is Town business and in theory the public has a right to be present and hear those discussions.

Att. Roman said that RSA 91-A does allow the board to make some decisions and do some work outside of the public eye where necessary and those are called non-public meetings. There are specific legal requirements to go into non-public session, minutes will be kept and the board can make motions and do things in those meetings and the public doesn't have access to the meeting while it is taking place she said.

She said that allows the board to make decisions on confidential matters such as employee discipline, raises and salary ranges and to have those discussions without the public listening to what you are saying about employees or potential employees.

She said minutes are kept so the public will know generally that the board was discussing employee issues but they don't get to listen to the details because employees have a right to keep confidential information confidential particularly when it deals with medical or discipline issues. That's not to say that it will always be kept confidential but when you are talking about it and making decisions that has to be done in non-public session she said.

She said that also means that things the board discusses in non-public session should not be discussed outside of that meeting. She said for example the board could meet in non-public session with her or if they want to discuss a legal opinion she provided they would do that in non-public session because attorney communications are confidential and privileged and may involve litigation, contract negotiations or other legal issues.

She said individual board members can't talk about those issues outside of the non-public session and only the full board has the capacity to release that information to the public. There are certain circumstances where the non-public session minutes will be sealed such as when she provides legal advice about a lawsuit or negotiating contract terms and if those minutes were released to the public then the adverse party would have the upper hand. Minutes of the contract negotiations would be kept sealed until the contract is executed and there is no need to keep them sealed anymore but that is a full board decision.

She said most towns hold a non-public session periodically to discuss the sealed confidential minutes and whether it's appropriate to release them and asked how this board handles that. Mr. Capello said once a year the board reviews all sealed non-public session minutes and then decides which ones can be unsealed.

Att. Roman said sometimes things happen such as an employee/resident reporting a concern and asking a Selectman what they are going to do about it. She said they want to be available to the employees and to the town but they can't promise anything or take any action in regard to that concern because they are only effective as a board. The best practice when that happens is to bring it to the full board either through the Town Administrator or the board Chair however your process works she said.

Chairman Proulx said it can go both ways because as the Chair she goes to Mr. Capello anyway and it will end up before the full board.

Att. Roman said if something is brought to a board member that requires some type of action or response it will come to the full board in their meeting packets or as a public or non-public discussion for a decision to act or not to act on it. She said the board can provide factual information such business hours or how to get a permit but decisions of the town that are board decisions have to be made as a full board and a good response is "Thank you for bringing that to my attention. I will bring it to the board and someone will get a response to you".

Chairman Proulx said this is how she handles that and the only things that go out is anything factual and then bring it to board and they've done that several times.

Att. Roman said that is a general outline of it and as things come up she is happy to answer

questions or do trainings on specific topics. She asked if there were any questions or things they want her to address.

Mr. Dickie asked if the board doesn't seal the minutes after a non-public session if they have to remain confidential for 24 hours and then it becomes public information or if stays non-public.

Att. Roman said the law says if they come out of non-public and they did not vote to seal the minutes those minutes must be made available to the public within 3 days and there is no 24 hour holding back.

Chairman Proulx asked how the law applies to the documents in the board's meeting packets that are marked confidential.

Att. Roman said the Right-to-Know law also covers Town documents so anything generated or received by the Town are Town governmental documents and records and the law says governmental documents generally have to be provided and lists exceptions like confidential material, personnel records and legal advice. She said they will often get things in their meeting packets that they need to know about but won't necessarily be discussing and if it is marked confidential it is treated in the same manner and if they want to discuss it a member can ask the Chair about having a non-public session to discuss it.

She said if it's marked confidential it can't be disclosed to anyone outside of the board and requests for information, documents, records and e-mails go through the Selectmen's Secretary or Mr. Capello. This way there is a record of requests for information and the public is allowed to have it under certain parameters but it goes through the administration she said.

Chairman Proulx asked Att. Roman to touch on what the repercussions would be.

Att. Roman said for releasing non-public session information you can be sued and held responsible for releasing confidential information. The Town and the individual can be sued for violating that and it has happened in NH. She said the Right-to-Know law defines what is public and what is kept confidential and carries a harsh remedy for releasing confidential information.

Chairman Proulx thanked Att. Roman for reviewing the issues with the board.

Att. Roman welcomed the new board members and said she looks forward to working with them.

#### **4). Board Reorganization:**

Mr. Capello said this is the first meeting after the election and the new board members are seated and they always do a reorganization of the board at their first meeting. He asked for a nomination for Chairman.

#### **Board Officers:**

**Chairman -Motion:** (Johnson, second Vachon) to nominate Paula Proulx for Chairman;

Ms. Proulx accepted the nomination.

**Vote:** The motion passed 4-0-1 (Proulx abstained).

**Vice Chairman - Motion:** (Vachon, second Staples) to nominate Neil Johnson for Vice Chairman;

Mr. Johnson accepted the nomination.

**Vote:** The motion passed 4-0-1 (Johnson abstained).

**Committee Representatives:**

**Economic Development Committee (EDC)** – Paula Proulx; alternate: Doug Staples

**Capital Improvement Plan Committee (CIP)** – Paula Proulx, Gerry Vachon

**Budget Committee** (Bud Com) – Neil Johnson; alternate: Paula Proulx

**Planning Board** – Gerry Vachon; alternate: Ken Dickie

**Conservation Commission** (Con Com)– Doug Staples; alternate: Gerry Vachon

**Goodwin Library** – Ken Dickie; alternate: Neil Johnson

**Motion:** (Johnson, second Dickie) to appoint the members as previously stated passed 5-0.

**5). Public Input:**

Chairman Proulx informed the public that noticed that the board is without masks that the unit that kills the COVID virus has been installed in the Selectmen's Chambers and has been purifying the air there since last Thursday.

**a). Resident Bruce Bridges** said he has come before the board several times about the win rows on Ten Rod Road and the water not being able to drain off the road. He said some of the win rows are 1 ft. tall and 1 ft. wide and the ditch is on the other side of the win rows and the water is washing out the side of the road. He said there are 2 ft. wide sections of the road that have been lost and asked if it would be possible to train the Highway Dept. crew to know what they are doing up there.

Chairman Proulx said she knew they had been up there and she saw the pictures that he sent and they also got a complaint on the Public Comment form about the condition of the road. Mr. Bridges said they tried to fix it by putting a little bit of stone in and it would have been better if they had used some more stones. He said the ruts are a foot deep in some spots so they didn't get in far enough to repair them.

He said he complained about the win rows all summer because he knew they would be a problem for the winter and every year it's the same thing. I've complained the last few years about these issues only to be told it's not that bad he said.

He said Mr. Dickie's father used to grade that road and one man taking one day did 10 times the job that they do now. We were getting 3 grades a year and this year we got 2 grades and right before winter got a York rake which did nothing to fill in the pot holes and pushed more dirt and rocks to the side. We are getting less maintenance with a lot more traffic he said.

Chairman Proulx said that last year she asked for a priority list and Ten Rod Road was on there but COVID messed things up and asked for another priority list with what they plan to accomplish this year. She said the maintenance and care of that road was on the list but they didn't get down that far and they were thinking about subbing that work out but never went any further with it.

Mr. Capello said they awarded a contract but never executed it because they froze the budget due to lack of revenue funds because of COVID.

Mr. Dickie said his father used to take all day to grade about 1.5 miles of Ten Rod Road and then described the method he used and that it resulted in a road that was crowned from the middle down and the dirt didn't end up on the side of the ditch. He said that either the grader or the York rake operator is inexperienced and there are some things that can be improved. Mr. Bridges said it now takes 3 guys to do the same thing that 1 man used to do and the job is nowhere near as good. We may be able to accomplish more if the guys knew what they were doing and get more roads done in the course of a summer for the same or less money he said. Chairman Proulx said they would look into it and see if there is a way to address this issue.

**b). Resident Terrie Riordin** said she came forward speaking on behalf of the property owners on Smith Court about a matter that was not addressed at the Mar. 10 Town Meeting where residents voted to accept Smith Court as a Town owned road.

She requested that the property owners be reimbursed for the \$780 cost of hiring a private company to plow Smith Court this winter. We believe that we should not have had to do so and the fact that the 1961 Town Meeting vote results are missing doesn't prove that the town voted against the acceptance of Smith Court as a Town owned road. This seems to be the Town's only piece of evidence in their decision but it does not justify Smith Court being reclassified as a private road or the Town stopping all plowing and maintenance of the road she said.

She said the conditional clause in the 1961 warrant article had been met because the street name was officially designated as Smith Court as stated it would be if it was accepted by the Town. The overwhelming physical evidence accumulated over the past 60 years proves beyond a shadow of a doubt that the Town voted in acceptance of Smith Court as a Town owned road in 1961 she said.

She said if none of this evidence existed Smith Court would have fallen under NH Supreme Court case of Hersh vs. Plonski as a Town owned road. At the very least it would have been grandfathered in as a Town owned road a long time ago she said.

Ms. Riordin said now that Smith Court is officially a Town owned road the Town should be resuming the plowing and maintenance of it releasing them from this financial burden. If approved the \$780 would be designated to her as the Trustee of the Smith Court snow plowing account and would be disbursed to the other property owners accordingly.

Chairman Proulx said they will discuss this later in a non-public session under legal advice and after that depending on what the board does Ms. Riordin may have answers to her questions and the board will talk about what to do from this point on.

**Resident Jo Kenney** said she came to meeting to discuss the old fire station not being locked. She said she lives close by and asked if someone goes into the building and starts a fire how she will get out. She said she spoke to Mr. Capello and to Chairman Proulx and nothing has been done about this. I've been told by the Fire Dept. that the homeless people go in there she said. Chairman Proulx said she talked to the Police Chief about this and he said he would look into it.

Mr. Capello said he also spoke with the Police Chief and there is one door that needs a padlock and the other doors should be locked. He said if they don't put a padlock on it there will be no access to the inside. He said they are aware there may be transient people going in and out of there and they are trying to see if we can eliminate that.

Chairman Proulx asked how long it would be before a padlock is put on the door.

Mr. Capello said it would be done this week and he was e-mailing the Chief as they speak.

Mr. Vachon said the padlock should be done tomorrow morning and someone could buy one at a local vendor and have it on in an hour. We shouldn't be waiting for somebody to do it he said.

Mrs. Kenney then asked when she could get a copy of the UNH survey on the Rec. Dept.

Mr. Capello said he could have a copy available for her at the front desk tomorrow.

#### **6). Review of Minutes:**

March 1, 2021 – Public Meeting Minutes – No errors or omissions

**Motion:** (Johnson, second Vachon) to accept the minutes as written passed 3-0-2 (Dickie, Staples abstained).

March 1, 2021 – Non-Public Sessions A & B – No errors or omissions

**Motion:** (Johnson, second Vachon) to accept the minutes of Non-Public Sessions A & B as written passed 3-0-2 (Dickie, Staples abstained).

**Motion:** (Johnson, second Vachon) to unseal the March 1 Non-Public Session A minutes passed 3-0-2 (Dickie, Staples abstained).

March 8, 2021 – Public Meeting Minutes – No errors or omissions

**Motion:** (Vachon, second Johnson) to accept the minutes as written passed 3-0-2 (Dickie, Staples abstained).

#### **7). COVID-19 Update:**

Mr. Capello said the Town will be getting \$690,000 from the latest stimulus act and we will get half of it this year and the other half next year. He said there are some restrictions on what it can be used for and they are still trying to figure it all out. He said it could be used for water and sewer infrastructure upgrades or the engineering studies on the bridges and he will pass on any information he receives to the board. It cannot be used to offset taxes he said.

Mr. Johnson said it can be used to supplement the loss of revenues from the state. He said unconfirmed reports say the Highway Block Grant will be cut severely and they project that the Town will only receive about 70% of what was anticipated and we may be able to use part of this money to make up for that loss.

He asked Mr. Capello to look into the American Rescue Act, page 8, Title VI, Committee on Environment and Public Works, Economic Development Administration which provides \$3 billion in aid to communities in rebuilding local economies as there may be some money available to do some of the recommendations in the Rec. Dept. study.

Mr. Johnson said there is also \$350 billion available in state and local fiscal aid to respond to COVID -19 public health emergency, offset revenue losses, bolster economic recovery and for infrastructure projects.

Mr. Capello said he is hoping this money will come in for the bridges in town.

Mr. Dickie asked if this money is binding like a grant and if they will ask us to pay it back.

Mr. Capello said there are stipulations on what they can and can't use it for.

Mr. Vachon asked if this money would be considered as unexpected revenue.

Mr. Capello said he asked **NH Municipal Assoc.** about this and they were unable to answer how the board will have to accept the money and he didn't know any of the details about how the receipt of the money will be handled yet.

Mr. Johnson said there are a whole host of questions about this money including if it can be used as deposits into Capital Reserve Funds for qualifying items.

Mr. Capello said he was shocked at the amount the Town will get but the NHMA confirmed it.

Mr. Johnson said he believes that is based on the population and the average income in Town.

#### **8). Town Administrator's Business:**

**a). Open Bank RFP's** – Mr. Capello said that he, the Town Clerk, the Finance Administrator and the Assessing Clerk opened the bids for banking services to the Town and the information was compiled onto a spreadsheet. He said they met on Friday to propose a recommendation for the board and they recommend that the Town switch to Profile Bank in Alton.

He said they are looking to change banks because the Farmington TD Bank branch is closing in April so they sent out a Request for Proposals for banking services to 8 banks and 6 banks responded. He said they looked at several options including fees, interest rates, employee benefits, subaccounts and the best deal for the Town would be with Profile Bank and that is primarily because there are no fees and the interest rate is .75% on a balance of \$10,000 or more. Profile Bank offers a special interest to municipalities with periodic review and that has been their interest rate for the last 6 years he said.

Mr. Johnson asked about the employee benefits.

Mr. Capello said some of the banks will give the employees a discount for closing on a mortgage or an auto loan.

Mr. Johnson asked if the credit/debit "TRX" stands for "transaction".

Mr. Capello said yes and whether each bank accepts them or not.

Mr. Johnson said the Town typically has a few million dollars in the bank at any given time and this is 5 times the interest rate we are currently getting from TD Bank and that would be a significant increase in income especially with no fees. He said the Town would save a few thousand dollars in fees and probably make about \$10,000-\$12,000 a year in interest and his only concern was about how much of a headache the conversion is going to be.

Mr. Capello said it is going to be a big headache but Profile Bank has someone to work with us and they will probably have to keep dual accounts for 3-4 months so as the checks clear so

there is still money in the TD Bank account. He said the headache factor was discussed but the interest rate was just too big of a factor to forego the headache and stay with TD Bank.

Mr. Johnson recommended the Trustees of the Trust Funds be given this information because they are currently earning .15% on all of the trust funds and this would be a significant increase.

Mr. Capello said he would e-mail the information to their Chairman.

**Motion:** (Johnson, second Staples) to approve the change from TD Bank to Profile Bank for the Town of Farmington's financial services passed 5-0.

Mr. Johnson asked if Mr. Capello plans to change the Town credit cards over to Profile Bank.

Mr. Capello said the Town's credit cards are through Citizens' Bank and there may be an option to switch them to Profile after he checks the terms of their credit card program.

**b). Questions for UNH Rec. Dept. Report** – Mr. Capello said UNH is scheduled to attend the March 22 meeting to present their report to the board. He asked if the board had any questions he could pass along to them prior to the meeting so they can be prepared to answer them.

Mr. Johnson he planned to go over their recommendations and ask if they had specific uses in mind for specific buildings and properties. He said they should ask Mr. Capello to post the opening for the Rec. Dept. Director so they can start the interview process soon and get somebody in to start putting this together.

Chairman Proulx asked for an estimate on how long it would take to re-start the Rec. Dept.

Mr. Capello said as the restrictions are relaxed, if they post the position this week and hire someone in the next 3 weeks they could get something going on a small scale within 2 months.

Chairman Proulx said this would take some timing as they don't want to pay someone \$70,000 a year to sit around and do nothing.

Mr. Johnson said if the guidelines permit, they can start looking to reopen and get the youth programs picked up for the summer. He suggested as part of the application process to send the applicants a copy of the UNH report so during their interview the board can discuss their thoughts on it and set their priorities so they know what we are looking for.

Chairman Proulx said they should hear from UNH first and give them some direction as she didn't want them out there flailing about blindly.

Mr. Capello said the posting would state the applicants are expected to come in with a plan to get the Rec. Dept. back up and going quickly so the board knows what their thoughts are.

Chairman Proulx said after putting all this time, money and effort into figuring out what the Town wants that doesn't matter and she hoped our vision is instilled in them and how they're going to respond to that.

Mr. Capello said they will have to follow the board's direction and vision and it should coincide with the report. He said applicants would be given a copy of the report and be instructed to come in with their vision of how they would implement the recommendations in the report.

Mr. Johnson said he wasn't suggesting that they redevelop the report or come up with their own visions but it gives them something to think about and they may have their own ideas that

may help with it.

Chairman Proulx said whatever comes from the meeting with UNH should accompany the report because the board would act on it and provide some direction on how to proceed. She said the report is broad based and the applicant could come up with a different path than what the board is thinking but if you gave them the ideas on how to go forward they could hone that down and say this is their plan.

Mr. Capello said by the time they get any applications the meeting with UNH will have taken place and he could contact the applicants to schedule an interview and tell them to review the study and the Selectmen's direction and ask them to bring in an outline of their plan. He said it would also give the board an idea if the candidate is a viable candidate.

Mr. Vachon said the surrounding towns are opening back up for summer camp for school aged children and are not allowing out of town students into their programs. And if they do allow it the price is up to \$1,200 a month and it would be nice to get the summer programs back up for school aged children so parents don't have to quit their jobs or do crazy things to accommodate their children or leave them home alone when they shouldn't be he said.

Chairman Proulx said that is a big program and it supports some of the other programs that don't make the money.

Mr. Johnson said they need to make some fundamental changes to the way things are done.

Chairman Proulx said they haven't had a discussion about how this is all going to work yet and she hoped to have that discussion and have clear direction before someone is hired.

Mr. Johnson suggested that after the meeting with UNH the board should map out what they are looking to do and a rough out a time table for implementation of the plans.

Mr. Dickie asked if any of the information in the report should be in the job description.

Mr. Capello said the authors of the study reviewed the job description and it is being updated with their feedback.

Chairman Proulx said they will also help us with the posting and they have been very helpful.

Mr. Capello said UNH has a grant writing class and they will allow some of the students to try writing a grant application for the Town so this is going to be a very fruitful relationship.

Mr. Johnson said they have offered to help us to get the program off the ground and we should take all the help we can get.

Mr. Capello asked the board to send any questions/concerns to him by Thursday for submission to UNH in preparation for Monday's meeting.

**c). Eversource Abatement Repayment** – Chairman Proulx said they previously met on this and set an amount but the interest was only calculated until the end of Feb. She said they now have the totals for all 4 refunds and the Assessing Clerk recalculated the interest until the end of March and a motion is needed to revise the previous motion for the new refunds.

**Motion:** (Johnson, second Vachon) to revise the previously approved abatement refund amount to \$223,204.45 for Eversource based on the court decision passed 4-0-1 (Dickie

abstained).

**d). Landfill Closure Fund Transfer-** Mr. Capello asked the board for a motion to withdraw \$6,661.79 from the Landfill Closure Fund for the testing at the landfill.

**Motion:** (Johnson, second Vachon) to withdraw \$6,661.79 from the Landfill Closure Capital Reserve Fund for payment of costs associated with the monitoring and testing of the landfill site passed 3-0-2 (Dickie, Staples abstained).

**e). Board Reappointments** – Mr. Capello said they received applications for reappointment to the Planning Board and the Zoning Board of Adjustment from William Fisher.

**Motion:** (Vachon, second Johnson) to appoint William Fisher to the Planning Board and Zoning Board for 3 year terms as a regular member passed 4-0-1 (Dickie abstained).

**f). Solar Proposal** – Mr. Capello said the board received copies of an e-mail from Packy Campbell who is interested in giving the Town a proposal on a solar power system. He said he told him that the Town is still in negotiations with the current company so he can't reveal any information on the PILOT's and leases and that the board would tell him what they want to do.

#### **9). Additional Board Business:**

**a). No Call Log-** Mr. Johnson said the DPW report references a call log which was not included.

**b). Building Inspector** –Mr. Vachon requested that Mr. Roseberry type his responses to complaints as he can't read his cursive handwriting.

He said that Mr. Roseberry's opinion that the outcome of an anonymous complaint from DES does not surprise him was not professional and has no place on an official document given to the property owner.

**c). Highway Dept. Fleet Maintenance Log** – Mr. Vachon asked for clarification on the repairs made to 3 vehicles costing over \$1,000 each (trucks #301, #304 and #305).

**d). Highway Dept. Monthly Report (Feb.) –*Weather Challenges*** -Mr. Vachon asked about the statement that they are shuffling employees to cover snow plow routes because the dept. is understaffed.

Mr. Capello said that comment should not be in the report.

***Pothole Repairs***- Mr. Vachon asked if the crew was out making repairs with cold patch.

Mr. Capello said they are using a bagged material that is supposed to be better than cold patch and he would find out what it is called.

Mr. Vachon said buying cold patch by the bag is a lot more costly than buying it by the ton.

***March Planning –Distribute RFP's for 2021*** – Mr. Vachon asked if they could review the RFP's before they are sent out so they can see how things are being bid out this year.

Mr. Capello said he would provide the board with copies of the RFP's.

***Levee Maintenance*** – Mr. Johnson asked what levee maintenance was done.

Mr. Capello said that is related to the contact with Hoyle-Tanner for the levee study.

**e). Snow Hauling** – Mr. Vachon asked Mr. Capello to explain the issue that was brought up at Town Meeting.

Mr. Capello said when they clear the streets they dump everything over at the Fire Dept. but because the storm drains go right into the river behind the Fire Dept. as the season ends they bring it over to the Town gravel pit so it melts into the sand because they don't want to risk contamination of the river with the sand, salt, etc. that is in the snow. We have monitoring wells at the pit that monitored by DES so it is checked he said.

**10). Non-Public Session A:**

**Motion:** (Johnson, second Vachon) to enter non-public session under RSA 91-A: 3 II (c, a) Reputation, Compensation passed 5-0 by a roll call vote (Proulx, Johnson, Vachon, Dickie, Staples-aye) at 7:30 p.m.

**Motion:** (Vachon, second Staples) to come out of non-public session passed 5-0 at 9 p.m.

**Motion:** (Johnson, second Vachon) to apply the salary increases as recommended by the Town Administrator for Megan Taylor-Fetter, Dennis Roseberry, Charles Tiffany, Sarah Morse, Kelly Heon, John Drury, Pam Merrill, James Reinert, Kathie Magoon, and Ben Turner passed 5-0.

**Motion:** (Johnson, second Staples) to waive the merit increase policy and give Erica Rogers a salary increase as recommended by the Town Administrator passed 5-0.

**Motion:** (Johnson, second Dickie) to give Eric Miles, Megan Taylor-Fetter, Dennis Roseberry, Charles Tiffany, Sarah Morse, Kelly Heon, John Drury, Pam Merrill, James Reinert, Gary Rogers, Ben Turner and Kathie Magoon a one-time payment of \$250 in appreciation for their work performed during the COVID-19 crisis passed 5-0.

Selectmen then discussed Mr. Capello's annual evaluation and after assessing his performance in each of the rating categories the following motion was made:

**Motion:** (Johnson, second Staples) to give Town Administrator Arthur Capello a 2.5% wage increase and a one-time bonus of \$250 passed 5-0 at 9:20 p.m.

**11). Non-Public Session B:**

**Motion:** (Johnson, second Vachon) to enter non-public session under RSA 91-A: 3 II (I) Consideration of Legal Advice passed 5-0 by a roll call vote (Proulx, Johnson, Vachon, Dickie, Staples-aye) at 9:20 p.m.

**Motion:** (Johnson, second Vachon) to come out of non-public session passed 5-0 at 9:25 p.m.

**11). Non-Public Session C:**

**Motion:** (Vachon, second Staples) to enter non-public session under RSA 91-A: 3 II (e) Litigation passed 5-0 by a roll call vote (Proulx, Johnson, Vachon, Dickie, Staples-aye) at 9:25 p.m.

**Motion:** (Johnson, second Vachon) to come out of non-public session passed 5-0 at 9:28 p.m.

**Motion:** (Johnson, second Staples) to seal the minutes as disclosure would render the proposed action ineffective passed 5-0 by a roll call vote (Proulx, Johnson, Vachon, Dickie, Staples-aye).

**12). Next Meeting:** Monday, March 22, 2021

**13). Adjournment:**

**Motion:** (Vachon, second Johnson) to adjourn the meeting passed 5-0 at 9:28 p.m.

Respectively submitted  
Kathleen Magoon  
Recording Secretary

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Paula Proulx, Chairman

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Neil Johnson, Vice Chairman

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Gerry Vachon

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Ken Dickie

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Douglas Staples