

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, April 5, 2021

Board Members Present:

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

Others Present:

Arthur Capello, Town Administrator
Resident Blanche Tanner

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.

3). Public Input:

Mr. Capello joined the meeting by phone.

Chairman Proulx said some residents were concerned that some of the board members are not wearing masks and told them that there is an air purifier in the room that was checked and researched by NASA scientists. She said none of them would put anybody in jeopardy if they could possibly help it and that she felt comfortable and confident with what they have. If anyone has information that is contrary to that and knows something about the machine that doesn't work the board would be willing to listen to it she said.

Resident Blanche Tanner said after last week's meeting she came in to get a copy of the UNH Recreation Dept. study report and found it to be an interesting read with a lot of information and thanked Mr. Capello for providing her with a copy of the report.

She said she is a Town water and sewer system user and Water/Sewer Dept. Supervisor Chuck Tiffany gave her a tour of the treatment facility last Tuesday and she found it to be an eye-opening and fascinating experience. She said she didn't want to pay any more in rate fees or taxes but when she saw what the facility is and what it does she would not have a problem with a potential rate increase. She encouraged others to become more informed about the facility and thanked Mr. Tiffany for taking the time to show her around there.

Mr. Capello said it is a very high-tech, computer run establishment and there is a lot of technology that needs to be maintained, updated and protected against hackers which he didn't think people realized.

Chairman Proulx said it's considered a level 4 facility and there are only a few of them in the state.

Mr. Capello said it was downgraded to a level 3 because they don't use the grit at the facility

but prior to that it was a level 4 facility and was one of only 4 in the state.

Chairman Proulx said the town doesn't have the capacity to use it like that yet but it is built into it for future use.

Ms. Tanner said the technology and everything they have to do was fascinating and encouraged people to go make an appointment and go down there and see it.

Chairman Proulx said the town took its time with it and it took years to get it passed. We researched it and ended up saving a lot of money and it came out really decently with capacity to be held for later she said.

Mr. Capello said the plant is big enough to support this town for many years to come. It can support up to 1 million gallons a day and currently on a high flow day we do only about 300,000 gallons a day he said.

Chairman Proulx said they have the infrastructure to add more Rapid Infiltration Basins so there is a build out to make that possible and it won't cost future users as much as it did us hopefully.

4). Review of Minutes:

March 22, 2021 – Public Session - No errors or omissions

Motion: (Vachon, second Johnson) to accept the minutes as written passed 5-0.

March 29, 2021 – Public Session – No errors or omissions

Motion: (Johnson, second Dickie) to accept the minutes as written passed 5-0.

March 29, 2021 – Non-Public Sessions A-F – No errors or omissions

Motion: (Johnson, second Staples) to accept the minutes as written passed 5-0.

5). Recreation Director Interview Questions and Focus:

Mr. Capello said the Town is advertising to fill the Recreation Dept. Director's position and if the board approved he planned to schedule the interviews for next week. He said he met with UNH Rec. Needs Assessment Study team member Bob Barcelona and he gave his recommendations regarding the 6 applicants for the position.

Mr. Capello said Mr. Barcelona said they may be able to also get an Asst. Director from the group of applicants. He said he thought the board may want to take some time tonight to discuss the focus and the theme they want to go over with the applicants so everybody is on the same page and Mr. Barcelona will provide some generic questions based on the Rec. Dept. study that the board can use as a reference.

Chairman Proulx asked Mr. Capello how he planned to approach this.

Mr. Capello said that Mr. Barcelona suggested that they not just look at what's on the paper but to ask the person how they would start up and grow the program, staffing, fundraising and to try to think outside the box with their questions.

Chairman Proulx asked if they would come up with a list of questions and ask all the candidates the same questions.

Mr. Capello said he didn't think they had to be the same for each candidate although there may

3-4 generic questions that would be the same for everybody. He said the interview would then spin off from there because everyone will have different ideas.

Mr. Johnson said he would not discuss the actual questions that are going to be posed because part of the response is going to be how they answer it and if they keep this discussion very generic he was okay with it.

Mr. Capello said once he gets the questions from Mr. Barcelona and if the board has questions to send them to him, he will try to compile some generic questions for them to review and give their feedback on so they are ready for next Monday.

Chairman Proulx asked if the board members all have the same direction they want to go in and how Mr. Barcelona said they should handle this. She said this is new and they have all read something but their interpretations could be different as to how they want to see this grow.

Mr. Capello said Mr. Barcelona said this will start off slowly and to get it up and running and get something simple going for the summer program and then look at the programming that could be done such as adult dodge ball, drop-in leagues, senior center, teen drop-in gym and that is where they need to make sure they get a Director and Asst. Director that have some good thoughts and ideas.

Mr. Dickie asked if the board should meet ahead of the interviews because the direction he wants to go in may be different than what Mr. Johnson wants to do and it would be nice to know where they all want to go ahead of time he said.

Mr. Capello said the problem is there is no way to discuss this in non-public session.

Chairman Proulx said she didn't see them going into non-public session for this and they should at least figure out where they are going to go. She said she is looking at the dept.'s first 30-90 days and then the first year and where their priorities are as a town.

Mr. Dickie said his interest is where they are going to go in the long term.

Mr. Capello said he could act as a liaison for the board and suggested they send him their visions individually he can compile them and send them to board so everyone would have the same information without corresponding as group which would be an illegal meeting.

Mr. Johnson said the more questions they ask will help them decide which one will meet the goals. He said they haven't decided what direction they're going to point them in and if they ask what the candidate would like to implement as short term goals and what their long term vision is they would base their selection on those answers not necessarily what they're planning for.

We want somebody that's going to be versatile to handle it because there is a lot of information in this study that has to be thought out he said.

Mr. Dickie asked if they know what they expect from them.

Chairman Proulx said that if they ask generic questions they will get generic answers. She said if you know the goal you are looking for and you ask questions relative to that goal you get better answers from an interviewee than them telling you what they think you want to hear.

Mr. Johnson said then they should postpone the interviews until they decide what they are

going to do. He suggested they set a time to go over what they are looking for and then do the interviews.

Chairman Proulx said they need to know where they are heading, what they expect from the Director and how the candidate plans to meet their goals.

Mr. Staples said their intent is not to micromanage the Director and they want them to come at this with a great plan and then they say “go for it”.

Mr. Vachon said they need to be together before they go into the interviews. We’re not hiring a laborer we’re hiring someone to run the dept. so there needs to be a method he said.

Mr. Capello asked if the board wanted to do the interviews next week or the following week. He said his goal was to interview people next week because from when they interview and make an offer and hire somebody it will probably be about a month because of the extensive background check that will be done on the person.

Mr. Dickie asked if they could schedule and post a special board meeting to discuss this issue. He said he would rather do it face to face to make sure they understand each other and suggested they do it this week to allow time for any changes before the interviews next week.

Mr. Capello said the earliest they could meet would be on Wed. because of the 24 hour notice requirements.

Consensus of the board was to meet on Wed., April 7 at 6 p.m. to discuss this issue and to conduct the interviews at the April 12 board meeting starting at 5 p.m.

6). COVID-19 Update:

Mr. Capello said he didn’t have anything to add other than they are still saying they are going to have guidance for the towns but 13 states have filed suit against the federal government for some of the stipulations that were put into the relief package and he didn’t know if that would hold up the distribution of the funds.

7). Town Administrator’s Business:

a). Water Meter Letter- Mr. Capello said there are 8 residents that have not had their old water meter swapped out to a new water meter, they have not been cooperative in changing the meters and the fines have not worked. He said the Town Attorney advised that they send one last attempt letter to those residents which the board needs to approve and they could have their water shut off if they don’t start cooperating.

Mr. Vachon asked if they paid the fines levied against them.

Mr. Capello said they have paid the fines and the letter was drafted by the attorney.

Chairman Proulx asked if they can increase the fine because if it is cheaper to pay the fine than their water bill they are not going to swap them out.

Mr. Capello would rather do both and get it done and off the Town books. He said the other issue is if they stop paying it they have an issue with trying to collect it.

Mr. Dickie asked if the letter could state that failure to comply with the meter swap will result

in their water being shut off.

Chairman Proulx asked if they could change the wording to charging a \$500 fine and if they don't pay at the end of the first time they shut their water off and they still owe the Town \$500.

Mr. Capello said he didn't know as that would be for lack of payment and they would have to put a lien on the property and this lien would be so far down on the list that it would just go on the books until the house was sold. He said he didn't want to shut anybody's water off but they need to get people to cooperate for the last 8 meters.

Chairman Proulx said the fact that they acknowledge the fine means they know the Town is trying to reach them.

Mr. Dickie asked how many times the Town has tried to reach out to these residents.

Mr. Capello said from the time this project was started to now it has probably been about a dozen times.

Mr. Dickie said he disagreed with Mr. Capello on this because they've been contacted a dozen times and it's not like it was just one letter and we're going to shut their water off. It sounds like the Town has bent over backwards he said.

Mr. Capello said he wanted to send this one final letter saying if you don't do it we're going to shut your water off.

Mr. Vachon said the letter says "your water may be turned off until the new meter is installed" and it should say "your water will be shut off".

Mr. Capello said once the board okays the letter he'll make the change and get the letters out.

Mr. Johnson suggested the following corrections: change "Dear Customer" to the customer's actual name, rewrite the second paragraph to remove the duplication and change "bask" to "back" in the last sentence of the second paragraph.

Mr. Capello said he will make the revisions and then e-mail the letter to the board for review.

Mr. Staples asked for an update on the issue of unlicensed employees working under someone else's license at Water/Sewer Depts.

Mr. Capello said that Mr. Tiffany was planning to attend next week's meeting to discuss it and he will ask him to come to the following meeting.

b). Resignation – Mr. Capello said the board received copies of a letter of resignation from Police Officer Andy Croteau. He said Chief Drury is planning to have Officer Croteau stay on with the dept. on a part time basis so his resignation is from his full time status to part time.

He said the board didn't need to take any action as this was more of an FYI for the board as Officer Croteau will still be here and the Chief will now be looking for 2 full time Officers.

c). Unnecessary Noise by Vehicles: Misuse of Power Ordinance – Mr. Capello said Chief Drury made the requested revisions to the ordinance and it is now ready for the board to sign.

Mr. Staples asked if page 2, section f (any other noise making device) applies to radios and stereos.

Mr. Johnson said it does apply to car radios, etc. and that the word "devise" in the second line

of that section should be changed to “device”.

Mr. Capello asked the board to make a motion to accept the ordinance but not to sign it and he will provide them with a corrected copy to sign after the corrections are made.

Chairman Proulx asked that the adoption date be changed to today if the board approves it.

Motion: (Johnson, second Dickie) to accept the ordinance for Unnecessary Noise by a Vehicle: Misuse of Power effective April 5, 2021 as amended passed 5-0.

d). Updated Job Descriptions – Mr. Capello said he corrected the last page of the Parks and Rec. Director and Asst. Rec. Director job descriptions and it is now ready for the board to sign.

Motion: (Johnson, second Dickie) to accept the revised job descriptions for the Director of Parks & Recreation and the Assistant Recreation Director positions passed 5-0.

Selectmen then signed the job descriptions.

e).DPW/Teamsters’ Union Letter – Mr. Capello said as required by the contract the board has to take up the issue of changing their schedule to 4 ten hour days by May 1 and he has received such a request and is bringing to the board for consideration.

Chairman Proulx asked the board for their thoughts and noted that board has to take up the matter but does not have to act on it tonight.

Mr. Johnson said he was not partial to taking any action on this.

Mr. Staples if this was something they could discuss with the DPW Director and see if it is something that would benefit them.

Chairman Proulx said they could do that.

Mr. Capello said this would not be of benefit to them because of the crew size and that he has discussed this with Mr. Rogers.

Mr. Vachon said he thought it would be a benefit to the dept. because of the travel time to bring heavy equipment out to and back from the outlying roads leaves only about 6 hours of work time to complete a project. Other towns do it every summer, not because they want to but because you get more work out of a 10 hour day than you do with an 8 hour day especially going across town with slow equipment he said.

Mr. Capello said the equipment is left on site.

Mr. Vachon said he thought they stopped leaving equipment on the side of the road out in the country after a roller was vandalized on Poor Farm Road.

Chairman Proulx said they could have a conversation with Mr. Rogers and that they have done this in the past and it hasn’t come out in the town’s favor at all.

Mr. Vachon suggested that if it doesn’t work in their favor they could go back to a 5 days a week schedule 14 days later (a 14 day notice is required for schedule changes).

Mr. Dickie asked if the highway crew would be expected to show up at 6 a.m., stand around until 6:30-6:45 a.m. and then head out or to come in at 6 a.m. and be on the road by 6:15 a.m.

Mr. Capello said he would expect that they would be on the road by 6:30 a.m. at the latest if they were going to be loading equipment. If they weren’t leaving the garage until 7 a.m. there

would be no benefit to it (changing the hours) he said.

Chairman Proulx said that previously there were instances on Fridays where they had to call people in at additional cost to the Town. She then asked to have a discussion with Mr. Rogers. Mr. Capello said that would be 2 weeks from now.

Mr. Johnson said the letter also has a host of contractual issues one of which is that they will be paid time and a half for work beyond 10 hours (beyond 40 hours not 10 hours) and they would receive 10 hours of pay for a holiday as opposed to 8 hours of holiday pay under the current 5 day a week schedule, bereavement leave shall not be charged on an equivalency or prorated but as days used (2-4 days depending on the situation based on an 8 hour day, not four 10 hour shifts).

Mr. Staples asked if the board could write up their problem with this and send it back to the union rep.

Mr. Johnson said no and they have to go by the way the contract was signed. This is an attempt to rewrite the contract and we are not renegotiating a contract we just negotiated less than a year ago. This has nothing to do with the 40 hours they are trying to weasel other things into it and I use the term weasel in the kindest way possible he said.

Chairman Proulx said in the past they were able to gather up the costs associated with this change and asked Mr. Capello if he could find that information. She said it cost the Town more money to do it this way and the productivity didn't meet their expectations.

Mr. Capello said he would gather the information and put this issue back on the agenda in 2 weeks and ask Mr. Rogers to attend the meeting.

f). Hornetown Road Bridge Deck – Mr. Capello said the board received copies of the schematics for bridge deck in regard to the noise issue. He said the work has gone out to bid and he will the board appraised of the situation and he wanted everyone to know they are actively working on resolving this issue.

Mr. Vachon asked why they're using lag bolts instead of through bolts on the deck boards. He said that when southern yellow pine gets wet it gets soft and lag bolts tend to not bite as hard versus if you use a through bolt with a washer it isn't going to move. I would hate to put all this money into it and have the lags start backing out and we're back with a noisy bridge he said.

Mr. Capello said he did not know the answer and he will find out.

Chairman Proulx asked if they have it in writing that this will not nullify the warranty on the bridge in any way if they do it according to this schematic.

Mr. Capello said he will get that before we go forward with anything.

Mr. Staples said the Police Chief said he was going to increase the patrols in that area to get motorists to slow down to 25 mph speed limit and asked if that has happened.

Mr. Capello said Chief Drury has been trying to make that happen but has had staffing issues. He then said he received a text message from the Chief saying they have kept up the best that they can.

g). Transfer Station Update – Mr. Vachon asked for the status of having credit card machines at the Transfer Station.

Mr. Capello said he was waiting for the new bank to send him a proposal to put 2 credit card machines there, one at the shack and one at the weigh scale and they are also looking at getting one for the Planning Dept. He said they looked at doing the Square Reader but when they switched banks this company will probably give us an actual machine which will be easier and more secure.

March Monthly Operations Report- Mr. Staples asked about the activity bullet point that says communication with Highway Dept. on pick-ups as needed and who is calling this in.

Mr. Capello said that Mr. Spencer is the primary person for this task and this happened when he came back from leave and was trying to get phone numbers and other issues addressed.

Chairman Proulx said the report states the Water Dept. scale usage was 3 times.

Mr. Capello said the Water Dept. has to get their rags weighed at the scale.

Chairman Proulx asked if they are keeping track of this separately so they know it is not something coming in from the municipality itself.

Mr. Capello said they have a spreadsheet with all of the weigh receipts for the rags.

Chairman Proulx said it states the total weight of the rags was 600 lbs. at a cost of \$48 and she didn't think the rags alone weighed 600 lbs.

Mr. Capello said the rags weigh from 275 lbs. to 325 lbs. each time.

Chairman Proulx said that she wasn't sure if that price went with the Water Dept. scale usage because it wasn't highlighted in bold print like the rest of that section.

h). Conservation Commission Appointment – Chairman Proulx said the board received an application to reappoint Laura Bogardus to the Con Com.

Motion: (Johnson, second Dickie) to accept the application of Laura Bogardus for appointment to the Conservation Commission for a regular 3 year position passed 5-0.

i). March Daily Call Log – Mr. Vachon asked about the 3/19/21 incident where a Ten Rod Road resident was angry about wood being removed from the ditches and that he had asked Mr. Capello to look into where the wood ended up.

Mr. Capello said it ended up where he thought it ended up.

j). Road Postings- Mr. Vachon asked when the road postings would be taken down.

Mr. Capello said he did not know and that he would e-mail Mr. Rogers and find out.

8). Non-Public Session A:

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

Motion: (Johnson, second Staples) to come out of non-public session passed 5-0 at 7:20 p.m.

9). Non-Public Session B:

Motion: (Johnson, second Vachon) to enter non-public session under RSA 91-A: 3 II (a, c)

Promotion, Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Vachon, Dickie, Staples-aye) at 7:20 p.m.

Motion: (Johnson, second Vachon) to come out of non-public session passed 5-0 at 8 p.m.

Motion: (Johnson, second Staples) to change the job title of the Selectmen's Secretary position to Executive Assistant which is currently held by Megan Taylor-Fetter and to increase her salary from \$19.97 an hour to \$20.75 an hour based on the salary study passed 5-0.

10). Non-Public Session C:

Motion: (Vachon, second Johnson) to enter non-public session under RSA 91-A: 3 II (c)

Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Vachon, Dickie, Staples-yes) at 8 p.m.

Motion: (Johnson, second Vachon) to come out of non-public session passed 5-0 at 8:20 p.m.

11). Adjournment:

Motion: (Johnson, second Staples) to adjourn the meeting passed 5-0 at 8:20 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

Paula Proulx, Chairman

Neil Johnson, Vice Chairman

Gerry Vachon

Ken Dickie

Douglas Staples