

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, April 19, 2021

Board Members Present:

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

Others Present:

Arthur Capello, Town Administrator
Gary Rogers, DPW Director
Chuck Tiffany, Water/Sewer Supervisor
Resident Nancy Davis

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:

Silver Street resident Nancy Davis said she has a major concern with someone that is renting the property in front of her and that she owns the property on both sides and to the rear of that property. She said after the last 4 tenants there she has had to clean up trash and tires, have her property re-surveyed, they ruined the wall there by driving trucks over it and the current tenant now wants to put in a 20' shed beside a little trailer that is grandfathered in on his property.

She said she didn't see how a 20' shed is going to fit beside the trailer and that she was concerned about where the excess would go. She said she didn't want to have to deal with the new tenant and as long as he leaves his stuff on his property within the 15' setbacks from boundary lines and no trash goes over the wall onto the wetlands she wouldn't have a problem with him. I don't want any bad blood and I want to get along but I want to make sure he is following the Town guidelines and ordinances so there are no problems she said.

Mrs. Davis said she had her property surveyed by Norway Plains and they told her it would be pretty hard to put a shed there and be so close to the trailer. She said she asked about having the back portion of her land resurveyed because a previous tenant's children broke the boundary markers and she didn't want anything that wouldn't fit on his property on her land.

Mr. Capello said he has been assisting Building Inspector Dennis Roseberry with this matter because of the potential for a conflict of interest (Mr. Roseberry is Mrs. Davis' brother) and that the shed will just fit as he scaled it out based on the survey that was done with the required 15' setbacks and the 5' from a structure (the trailer).

Mrs. Davis said the landowner called her and said he talked to Norway Plains and that he has new dimensions and that he has to redo everything and make sure that it will fit.

Mr. Capello said he would follow up with Mr. Roseberry tomorrow and see if there is any new information.

Chairman Proulx said it was good of Mrs. Davis to come in and let the board know about her concerns so they know there is a possibility of new dimensions that need to be checked out. She suggested that if Mrs. Davis has any other concerns that she contact Mr. Capello directly so it is not a conflict for Mr. Roseberry.

4). Review of Minutes:

April 5, 2021 – Public Session Minutes- No errors or omissions

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

April 5, 2021- Non-Public Sessions A & B – No errors or omissions

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

April 12, 2021 – Public Session Minutes – No errors or omissions

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

April 12, 2021- Non-Public Sessions A & B – No errors or omissions

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

Motion: (Johnson, second Staples) to unseal the minutes of Non-Public Session A of Monday, April 12, 2021 passed 5-0.

5). Water/Wastewater Depts. On-Call:

Water/Wastewater Depts. Supervisor Chuck Tiffany began by thanking the Highway Dept. for services they did for his depts. while they were understaffed. He said back when he started in 2000 they were all licensed and there were 4 people on-call with 2 alternates that could step in for emergencies. It stayed like that until the last 3 years when 3 people left employment with the Town leaving him and Paul Cameron for the on-call and Steve Deinstadt as an alternate. He said the Highway Dept. stepped up to help and now that has grown to having 9 people on-call. He said all of his staff is licensed including the new hire and they are adequately staffed now and he would like to revert back to having 5 licensed guys and 1 guy who is licensed in another state that is willing to help out in an emergency.

Mr. Capello said he gave copies of the union contract (between the Town and Teamsters' Local #633) to the board to answer some of their questions and for the benefit of the new members.

Mr. Johnson asked what the annual increase in costs would be.

Mr. Tiffany said the cost would be less because he is salaried and he will be part of the on-call coverage.

Mr. Johnson said there has to be an increase because he is putting people on call.

Mr. Tiffany said all the guys are already on call except for him and that he should be included.

Mr. Johnson said DPW would be on call.

Mr. Capello said the DPW would be on call for their dept.

Mr. Johnson said right now Mr. Tiffany is not paying any of the cost for being on call for 5 of the

9 weeks. He said that Mr. Tiffany would assume the cost for weeks the Highway Dept. used to cover and asked what that cost would be for a year.

Mr. Tiffany said it would be \$638 a week.

Mr. Johnson if that is the case it would be approx. \$32,000 a year.

Mr. Tiffany then said he would get that number for Mr. Johnson.

Chairman Proulx asked if we need these guys because they're licensed on the weekend for the testing, etc. and they have to be on call anyway.

Mr. Tiffany said someone has to be on call on weekends because the state requires them to come in and do the tests. He said they get 4 hours for carrying the pager for the week at straight time and when they physically have to come in on a Saturday and Sunday to do the tests they get 2 hours over time each of those days and if they do the tests correctly it takes at least that much time to do them.

Chairman Proulx said the water/sewer guys have to come in because of the pumps and the wells and if once a month there was a call about a DPW issue the on-call person would contact DPW Director Gary Rogers and he would decide who he wants to address the DPW issue and that is what they used to do.

Mr. Rogers said they put the on-call system in place because they needed to designate somebody to be available and if you don't designate someone they could be anywhere.

Mr. Tiffany said in the past the Water/Sewer Dept. had its own on call person and did their own scheduling and the Highway Dept had their own on call person and did their own scheduling and if they got called out they would get 2 hours of overtime automatically.

Mr. Johnson said this change would reduce Mr. Roger's budget a little bit because when his people are on call they won't have to come in on Saturday and Sunday to do the water testing so that overtime will go away and they will only get overtime if they are called in.

He said Mr. Tiffany's increase would be that he would have a person on call in addition to what DPW has on call plus 4 hours of overtime every weekend and it would come out of the Water Dept. funds. That's the number we need he said.

Mr. Tiffany said he believes it is already budgeted that way and when they do their time sheets he puts who is on call and what dept. they are and it automatically goes up.

Mr. Johnson said that is only part of it and he is only covering one on call period out of 9 weeks and that is what should have been budgeted for. But now you are to have to go to 9 on calls so Mr. Rogers' budget is going to go down 4 hours of overtime a week for 5 of those weeks and Mr. Tiffany's budget is going to go up for 4 of those weeks and that is the number he is looking for because that will have to come out of the Enterprise Fund.

Mr. Dickie said where he used to work they used alternate work weeks where the people that covered the weekend went home 4 hours early on Friday or whatever day they chose during the week and then came in for 2 hours on Saturday and 2 hours on Sunday and that makes up their 40 hours for the week and there is no increase he said.

Mr. Johnson said that is an option.

Mr. Vachon said that is how they do it in Somersworth and the plants have to take 4 hours off during the week to work 4 hours for Saturday and Sunday.

Mr. Tiffany asked if they were going to be forced to take this time off during the week and some of the guys depend on the overtime after they've been doing this for years and now you're going to send them home early without giving them the overtime. That is less income for their families and will be a hard hit for some of them he said.

Chairman Proulx said they have to look at all the options.

Mr. Dickie said they have grown accustomed to doing it this way because they have been doing it for years and asked if that is what they want to continue to do because the usage is going to grow and there is going to be more demand for testing and they need to think about how they want to do things going forward.

Mr. Tiffany said the testing wouldn't change.

Mr. Capello said there won't be a lot of expansion to the water and sewer usage because there isn't a lot available for expansion and the only time there would be a significant expansion would be if we extended the sewer line out to Route 11 because the water lines are already out there so you won't have a lot more demand on the water and sewer. You may have 1 or 2 lots here in the water district but there isn't a whole lot of empty space within the water district to tax the demand on the system he said.

Mr. Dickie said we don't know what may go in some of the vacant lots and there are all kinds of things that could put more demand on the systems.

Mr. Johnson asked if they pay 2 or 4 hours for being on call.

Mr. Tiffany said they get 4 hours straight time for carrying the pager and 2 hours of overtime each on Saturday and Sunday and it always has been this way. He said they have done it the same way over the last 3 years but they had 5 guys from the Highway Dept.

Mr. Dickie asked if they were working under someone else's license.

Mr. Tiffany said they were working under his license which makes him a little bit nervous. He said it's to their credit that they stepped up to help them and he can't thank them enough.

Mr. Johnson asked if right now there are 9 people from DPW and 4 from water/sewer so that each person is on call about every 13 weeks or about once every 3 months.

Mr. Rogers said right now it would be 11 people because there are a couple of people that aren't trained.

Mr. Dickie asked if the Highway Dept. people that went in under Mr. Tiffany's license to do the water/sewer tests had their overtime paid out of the Water Dept. budget.

Mr. Tiffany said their overtime came out of the Highway Dept. budget.

Mr. Johnson said a ball park figure for the water/sewer increase would be about a \$9,200 based on the highest paid salary with about \$5,000 a year for the additional on call (52 weeks at 4 hours a week) and about \$7,300 for the weekends and with the rotation running about every 3

months minus the 4 weekends a quarter he is already paying.

He said Mr. Rogers' budget will probably see about a \$1,600 reduction.

Mr. Capello asked if his calculations take into account that Mr. Tiffany is salaried.

Mr. Johnson said then it would be less than \$9,000 because he just went by the highest paid person in gross figures.

Chairman Proulx asked if they could still stay in the regular rotation and just have the water/sewer guys in on the weekends. She said Mr. Roger's guys would not come in on the weekends but Mr. Tiffany's guys would have to and asked how that would calculate.

Mr. Johnson said based on the highest salary the cost would be \$3,500 because 4 hours at \$24 an hour is \$96 a week comes out to about \$5,200 a year just for the weekend and he is already paying a quarter of that out of his current budget so it would be an increase of about \$3,500 and if Mr. Tiffany is part of the rotation that would drop it even more.

Mr. Capello said that is a good comprise and does a couple of things- 1).it takes the burden off the DPW as far as working under somebody's license and having to come in on weekends; 2) it satisfies what Mr. Tiffany was looking at and 3) the DPW goes into the pump houses once every 8 weeks and they aren't trained to see or hear if something is wrong where the water/sewer guys are trained for that.

Mr. Johnson asked if he had the money in his budget to pay for this.

Mr. Tiffany said yes and that he would find it.

Mr. Capello noted we are almost half way through the year.

Mr. Johnson said they are most likely talking about a \$1,200 to \$1,500 cost.

Mr. Staples said he liked Mr. Dickie's idea to save money but they might be screwing the guys because they would be working 12 days without a day off and be forced to work the weekend which may cause them to want to go elsewhere.

Mr. Dickie said either way they would still be working the weekend and the difference would be in being paid straight time or over time for it.

Mr. Johnson said whether Mr. Tiffany has the same guy covering both days or not would be up to him to schedule.

6). DPW 10 Hour Days:

Mr. Capello said two meetings ago the board received a proposal from the DPW employees and the union to go to four 10 hour days during the summer months and the board had some questions for Mr. Rogers. He said based on the contract the board was only obligated to take it under advisement and no decisions were made.

Mr. Johnson asked Mr. Rogers for his thoughts on the matter.

Mr. Rogers said 40 hours is 40 hours and a 10 hour day has to be a 10 hour day. He said they don't have a big enough crew to split it up to make it 5 days and it has to be 4 ten hour days or it's not going to work with the vacations, holidays and sick time. He said within the past 3 weeks they had an average of 3 guys for a crew.

He said he didn't have a problem with it and he gets that there is reason behind doing a 10 hour day and it does work, you're all set up and ready to go and you're going to get more production out of it but with our crew it has to be the 4 ten hour days.

Mr. Johnson asked which he thought would work better for the Town, five 8 hour days or 4 ten hour days and if it is the 4 ten hour days how they will cover the fifth day.

Mr. Rogers said the fifth day would be a day off just like a Saturday or a Sunday.

Mr. Capello said somebody would be on call for the fifth day.

Mr. Rogers said the Highway Dept. would be on call and they have an average of 5 calls a year and maybe two calls a year requiring a crew to come in and repair a road. He said with a 10 hour day you will get more work out of the crew as they are already set up and still going. He said he has never worked with them on a 10 hour day so he couldn't say how it worked but they work 8 days now so he didn't see an issue with a 10 hour day.

Mr. Johnson said that seems to have changed from his last 2 years recommendations.

Mr. Rogers disagreed and that his recommendation has always been the same.

Mr. Johnson said the last 2 years he recommended "5 by 8's" (5 eight hour days).

Mr. Vachon said they didn't ask him for his input last year.

Mr. Rogers said 2 years ago they decided to split it up to do the 10 hour days with a crew that worked Monday thru Thursday and a crew that worked Tuesday thru Friday and it didn't work.

Mr. Vachon said they can't do that per the contract.

Mr. Capello said they can do that they just don't have enough crew to make it work well.

Mr. Vachon said the contract says (Article II, page 3, section 2.8 Modified Work Schedule) the 4 ten hour days will be from Monday thru Thursday.

Mr. Capello said the contract says they can change the schedule with a 1 week notice.

Mr. Vachon read aloud the fourth sentence of the first paragraph that states "If approved by the Board of Selectmen, the four 10 hour days will be from Monday thru Thursday with a starting time of 6 a.m. and they can't change the schedule from what is in black and white in the contract.

Chairman Proulx said that was negotiated in because they wanted them to take that particular modification up every year but that doesn't mean they can renege on management rights to do anything else with a one week notice.

Mr. Vachon wished them good luck with winning if it ever went to court as the contract states Monday thru Thursday.

Mr. Johnson said they can't split the crew with what we have so this doesn't matter.

Mr. Capello asked in the "dog days" of summer when it's 100 degrees outside and they are out there in the dust and dirt grading roads if it is as productive for 4 ten hour days than 5 eight hour days.

Mr. Rogers said it would be a long, hard day for 10 hours and he couldn't tell them if it would be as productive because he hasn't worked 10 hour days with them. He said even an 8 hour day

can be a long day and they know when they are getting close to the end of the day. With a 10 hour day you have that extra time before their body says it's time to go he said.

Chairman Proulx recalled that they have done this once and they found that the productivity wasn't as great as they thought it would be especially in the heat as it slows everybody down and you don't get the productivity that you usually do. She agreed their bodies are trained for the 8 hour day and they could get out there, mobilize and be there but after 8 hours your body just wanes out.

She said this is the only time they can use their vacation time as they can't do it during the winter, people get sick, they have personal time and things they want to do so most of the time he is short-crewed anyway and that is the way it has been all these years.

She said Friday call-backs are expensive because you have to have somebody come out and take care of it and if they were on for 5 days they wouldn't have the call-out. If you work 4 days a week and two of those days are rain days then you don't have as many hours that you can be on the road because you do different things on days like that and you can't do some projects you want to do. It's a loss of productivity when you would assume it would be more and that's why we haven't done it she said.

Mr. Rogers said he hasn't experienced it so he honestly can't answer the question. He said the guys are only human so when it gets toward the end of the day no matter who you are you know it's almost time to go. He agreed if there is rain day they are not going to do what they anticipated to do and may have to wait until the next week to start the project. It is a thing with being short handed.

Mr. Rogers said he has 8 employees-1 employee dedicated to Parks and Rec., 6 field employees and 1 mechanic so if he allows 2 guys to take vacation and someone is sick or has doctor's appt., etc. that leaves him with 2 to 3 people.

Mr. Dickie asked how many people he has on average during the summer months.

Mr. Rogers said every summer is different and for the past few weeks he has had an average of 3 field guys per week.

Mr. Dickie said where he used to work the heavy vacation periods always fell around the Memorial Day, July 4th and Labor Day holidays when people want to go camping and other activities. He asked Mr. Rogers if he had a history for when people are working or are not there.

Mr. Rogers said he doesn't allow more than 2 crew members to take vacation at any given time and that doesn't include anybody that is sick.

Mr. Capello said they could also have someone out because of an injury.

Mr. Dickie said his concern was based on the numbers are going up with COVID and he didn't know when it is going to end and that he can't prepare for it.

Chairman Proulx said with an exposure you have to be out and his whole dept. could be out.

Mr. Capello said if one of his guys tests positive theoretically he could have the whole dept. out.

Mr. Staples asked how long it takes to grade a road.

Mr. Rogers said it depends.

Mr. Staples asked if he could get it done in 2 ten hour days.

Mr. Rogers asked which road he was asking about. He said the upper portion of Ten Rod Road can be done in 2 eight hour days.

Mr. Dickie said to tell the crew they did a hell of a job on that road. He said they took their time and due diligence doing it and even though it rained and snowed the road still held up.

Mr. Rogers said it depends on the weather and half way through the grade they could get a freak thunder shower and then they half to come back and do it.

Mr. Staples asked if they go to the 4 ten hour days and he knew it was going to rain on Wednesday if they would be able to get a good chunk of it done on Monday and Tuesday and then finish it the following week.

Mr. Rogers said it depends on the length of the road and the condition the road is in and on average the upper Ten Rod Road would be a 2 day road, lower Ten Rod Road is a 3 day road and Meaderboro Rd. is a 3-3.5 day road. He said it also depends on what they are doing to the road and sometimes they add gravel which takes time so there is a lot that plays into it.

Mr. Staples said two 10 hour days is 20 hours which is almost 3 full days right there and they are saving time with the set ups and the take downs.

Mr. Capello said grading is a small part of the summer months and it's also doing catch basins, the prep work for the paving company when they come in if there's drainage work and other things that need to be done. We're concentrating on grading but that is probably the smallest part of the 4 ten hour days during the summer months he said.

Mr. Dickie asked if he has 4 -10 hour days and a company is coming in if they have to check that schedule out with them and does someone from the Town have to be there while they are performing that job.

Mr. Capello said yes. He said he was also thinking of when the Town has a road paved in order to save money we take care of any drainage/culvert issues before the paving company comes in so that is another thing to be cognizant of when they put out the bid.

Mr. Dickie said unless there is a lot of rain the dept. is done grading by the summer months.

Mr. Rogers said that 3 to 4 times a year they grade all the roads depending on the weather. He said if they are doing it 4 times it means they've had a bad year with a lot of rain. A lot of it has to do with trimming back because they can't cut back as far as they would like to on the scenic roads and you get a lot of pot holes from the rain falling off the branches he said.

Mr. Dickie said there are other things like ditching and other projects that need to be done.

Mr. Rogers said they try to ditch at least 2 roads a year and their biggest concern is the dirt roads because it's tough to keep up with them. He said the gravel washes away, fills in the ditches, they clean it out and take it and then they have to add more gravel to the road. I could have a 3 man crew out in the country full time and that is all they will do all summer and then I would have a small crew in town doing all the other paving and infrastructure projects but I

don't have the people to split up the crew he said.

Mr. Dickie said his biggest concern is getting through the pandemic because his gut tells him we are going to see a bit of an uptick with repeal of the mask mandate.

Mr. Rogers said they've seen the affects from it at the Highway Dept. which caused people to be out and it hurt them. He said there is no way to work around that and he wouldn't even try because he can't tell what is going to happen.

He said the guys can work 10 hours but they are going to be short hours and short-handed so they will have to work twice as hard to get done what he wants them to get done.

Mr. Staples asked if he was against it (going to 4 ten hour days).

Mr. Rogers said he didn't say he was against it.

Mr. Vachon said pandemic or not, whether it's 5 eight hour days or 4 ten hour days and you're out for 10 days, 10 days is 10 days no matter what your work schedule is so that has nothing to do with changing to 4-10's in his eyes.

Mr. Dickie said he already has people that will be out on vacation and with the pandemic it is more likely that more people will be out sick than normal.

Mr. Vachon asked what it mattered if they are out sick on a 5 day schedule or a 4 day schedule they're still going to be out sick.

Mr. Dickie said at least three people would have that extra day to get some more projects done.

Chairman Proulx said those 3 people would end up working twice as hard to try to make up for the people that are out sick.

Mr. Staples said if the 4 ten hour days is something Mr. Rogers would like to try he has his vote.

Mr. Capello said that is not Mr. Rogers' decision and that is up to the board to figure out.

Mr. Rogers said 2 years ago the board allowed him to do 10 hour days as needed and when they were starting a project such as the grading he could ask the guys if they wanted to do 10 hour days ahead of time, give them a week's notice and then they could have Fridays off.

Mr. Vachon said if it's mutually agreed upon he can do that any time.

Mr. Rogers said that worked out pretty good.

Mr. Dickie asked why he wouldn't do the same thing this year.

Mr. Rogers said he didn't have a problem with that.

Mr. Johnson said he thought they would have legal issues as nowhere in the contract is the work day defined. He said if they move them to 10 hour shifts holidays, sick leave, personal leave, etc. now goes to 10 hour days. If you get 3 bereavement days you get 30 hours for bereavement not 24 hours he said.

Chairman Proulx asked if Mr. Rogers only did it once or twice and they all agreed to do a couple of 10 hour days if that would be a problem. They would have to give them a week's notice and it would be a temporary change not a permanent one she said.

Mr. Johnson said she is probably right but if they make this change even for the summer the benefits awarded in the contract by days would change.

Mr. Capello said they need to keep in mind that most of the holidays fall on Mondays so there is a potential for a real short week if there is a holiday on Monday and they're off on Friday.

Chairman Proulx asked if they should do what they did before and do it on an as needed basis.

Mr. Capello said they could leave it to Mr. Roger's discretion as to when he feels 10 hour days would work best for the Town and talk with the guys.

Mr. Johnson asked how many times they did that 2 years ago.

Mr. Rogers said he did it 3 times and it worked great for one vendor who wanted to come in for 10 hour days and the rest of it was for grading and ditching and they did a couple weeks of 10 hour days and it worked well when he had the guys to do it. He said the stipulation would be if something were to come up he could say they don't have the guys to do it and to scratch that.

Motion: (Dickie, second Johnson) to leave it to the DPW Director's discretion when he felt it best benefits the Town to work 4 ten hour days when needed;

Discussion: Mr. Staples asked Mr. Rogers to keep notes on how it works out so that when he comes back next year they will have better input on which way they should go.

Mr. Rogers said the board gets a monthly DPW report and it will all be in there.

Mr. Vachon asked if he had tried asking if the guys wanted to work 10 hour days the next week and if it is mutually agreed upon they don't need a week's notice.

Mr. Rogers said they always went by the change of schedule provision in the contract.

Mr. Vachon said if he can get volunteers legally that's mutually agreed upon and he doesn't have to push it out a week to give them a week's notice.

Mr. Rogers said he is correct but he gives them a week's notice to volunteer to try to give them enough time to make adjustments for their family life.

Vote: The motion passed 5-0.

Mr. Johnson asked Mr. Capello to create a "tickler file" for the contract renewal and to include they need to define the work day for the 8 hour/10 hour days issue.

Main St. Street Basin – Mr. Dickie said there is a manhole cover or something at the top of Main Street hill by Lincoln Street that has sunk in.

Mr. Rogers said it was a dry basin that was caving in and they fixed it temporarily and it needs a new one but the budget was off last year so they only did the ones that were high priority.

7). Possible Bid for Tax Map R3, Lot 17-3:

Mr. Capello said the board received all the information he could dig up on this property including the e-mail request from a resident. He said it was part of the (Commerce) industrial park on Rte. 11 that Wentworth Economic Development Corp. put together and they deeded this land to the Town and the deed it states it is strictly to be used for conservation.

Mr. Johnson asked if it currently has a conservation restriction on it.

Mr. Capello said other than what is in the deed there is no easement or restriction on it.

Mr. Johnson asked since it was given to the Town for conservation if they are allowed to dispose of it.

Mr. Capello said yes and there would have to be something in the deed that it has to be used for conservation and can't be developed. He said the property is wet and has ledge and probably couldn't be developed.

Chairman Proulx said you can develop anything with enough money.

Mr. Johnson said they can sell it and they are under no legal obligation to retain it even though it says they are supposed to conserve it.

Mr. Capello said it just says it has to be used for conservation not that the Town has to conserve it. He said the board has the option to sell it with a deed restriction that it is kept in conservation or they could talk to the **Conservation Commission** to see if they want it.

Chairman Proulx said talking to the Con Com should be the first thing do and asked if anybody checked with them to see if they want it.

Mr. Capello said he has not spoken to anyone on the Con Com but would if the board wished him to do so.

Mr. Vachon said they can't even get enough members to show up for their meetings.

Mr. Capello said if anybody is interested in being on the Con Com they are in dire need of people.

Chairman Proulx asked if they don't have enough people or people were out sick.

Mr. Capello said they don't have enough people since they have a resignation.

Mr. Staples (who is the Selectmen's Rep. to the Con Com) said he would bring this up at their next meeting.

Mr. Johnson said they should give the Con Com first dibs on it and they may have reasons not to dispose of it. He said he was not opposed to selling it with restrictions on it but they should check with the Con Com first as they may know something about it this board doesn't know and then if this board decides to sell it they would put it out to bid and then go from there. He asked about the size of the lot.

Mr. Capello said it is approx. 12 acres in size.

8). COVID-19 Update:

Mr. Capello said he gave the board some information from NH Municipal Assoc. on how the Town is going to receive the COVID-19 funds (from the American Recovery Plan Act).

He said he got an interesting e-mail from Josif Bicja of Hoyle, Tanner & Assoc. about the amount of money they are getting and pointing out a line that says it could potentially be used for bridges. He said he didn't know the possibility existed until they define "infrastructure" again and he asked Mr. Bicja to provide him with more information but he has not replied yet.

Mr. Johnson said the copy of the presentation from the Government Finance Officers Assoc. mentions using the funds for water/sewer infrastructure and asked if anyone is looking into it.

Mr. Capello said yes.

Mr. Vachon asked if all the numbers are in order and everything is in line to get the funds.

Mr. Capello said that everything has been updated and that he and the Fire Chief updated their

SAM's (government database to register to do business with the U.S. government) registration last week.

9). Town Administrator's Business:

a). Hornetown Road Bridge Noise Issue – Mr. Capello said the request for bids to address the noise issue with the bridge went out to 6 or 7 firms and they received two actual bids in response. He said E.D. Swett, Inc. was the low bidder on the project and the board may remember them as the contractor that replaced the Main Street Bridge and rented the upstairs office space in Municipal Office Building while the bridge was being installed.

Mr. Capello asked the board to authorize them to do this and they can wait and see where they are at the end of the year budget-wise or if they get to the end of the year and don't have any money they can access the **Capital Reserve Fund** and because the Selectmen are agents to expend from the fund that does not count toward the bottom line of the \$6 million budget.

Mr. Johnson said that was a concern he had because the taxpayers only authorized them to spend so much money and he wanted to make sure if they spent out of the CRF it wasn't going to push that final number over what the voters gave them to spend.

Mr. Capello said there may be money left at the end of the year out of one of the budget lines and he would rather not access it if they don't have to. He said he wanted to let them know he may come to the board at the end of the year and say they need \$20,000 out of the Bridge CRF.

Motion: (Johnson, second Vachon) to award the contract for work to be done on the Hornetown Road Bridge to E. D. Swett, Inc. for a bid price of \$20,000;

Discussion: Mr. Capello said the reason the price is so much is because they have to remove the deck boards and if all they had to do was bolt them down that would be too costly.

Mr. Dickie asked if they would be putting pressure treated wood underneath it.

Mr. Capello said they don't put the chemicals in the pressure treated wood like they used to so it isn't a hazard anymore.

Mr. Dickie asked if they will be using lag screws or nuts and bolts.

Mr. Capello said they stuck with using the lag bolts and he forwarded the e-mail to the board from Mr. Bicja on that.

Chairman Proulx asked if they spend \$20,000 to do this and it's still noisy what they would do then.

Mr. Capello said he didn't know what they would do then.

Mr. Vachon said there would still be a humming sound but it would not be a bang. He said wooden bridges "sing" no matter what and most of this noise is from the boards banging against the I-beams.

Mr. Capello said they are addressing the issue in two parts- installing speed bumps to slow the traffic and then installing the deck attachments and hopefully that will make the singing less than it is with people going 40 or 50 mph over the bridge like they are now. We have to start somewhere and this seems to be the most logical place to start with a potential long term

effect and we could pave but then we would be paving it a couple of times a year with the cracks he said.

Mr. Vachon asked if there was a warranty on the work for when the lags back out because they are not through bolting soft pine and asked if in 3 months when all those lags are backed out and it's loud again if they would come back and fix it.

Chairman Proulx said if they are spending \$20,000 she would like to see some kind of guarantee that this will work and they aren't going to be maintaining it constantly.

Mr. Capello said he thought this would work but he didn't know if they provide a warranty and he would find out. He said he was e-mailing them now.

Mr. Vachon said when we have a heavy rain, the boards get wet, they get soft, the lags will start backing out with people driving over it and we are back where we were with the noise and we just wasted \$20,000. He said if they through bolt them you would have to break the tensile strength bolts in order for that to happen.

Chairman Proulx said she wanted to make sure the money is spent properly and with what Mr. Vachon was saying she has some doubts.

Mr. Capello asked if the board wanted to put this decision off until next week so he could get an answer for them.

Mr. Johnson withdrew his motion and Mr. Vachon withdrew his second to the motion.

Consensus of the board was to table the matter until next week.

Mr. Rogers asked if he should put the speed bumps in for now and noted they are temporary and can be removed and put back.

Mr. Capello said yes.

b). Dress Code Policy- Mr. Capello said as the year progresses he bring policies to the board that should be reviewed periodically and asked the board for their thoughts on this policy.

Mr. Dickie asked what was changed in the dress code policy.

Mr. Capello said that from the second paragraph on down has been changed.

The fourth bullet in the last paragraph prohibits hoodie sweatshirts and Mr. Vachon asked Mr. Rogers how many of his guys wear hoodies.

Mr. Rogers said all of them do.

Mr. Vachon said the guys work in the cold and wear hoodies to stay warm and he could see that they might not want someone sitting at a desk wearing a "Pantera" hoodie.

Mr. Capello said he was bringing information to the board and they could change this as they see fit.

Mr. Dickie asked if this dress code applied to the entire workforce of the Town and not just to the Municipal Office Building.

Mr. Capello said it applies to all Town employees. He asked if he should remove the hoodie sweatshirts from the list of inappropriate attire.

Mr. Johnson suggested it be changed to "hoodie sweatshirts in an office environment" would

be prohibited.

Chairman Proulx asked if hoodie shirts would be okay because sometimes women's shirts come in flannel or fleece with little hoodies on them that are not sweatshirts. She pointed out the shirt Mr. Rogers was wearing is not a sweat shirt and has a hoodie on it.

Mr. Dickie asked where they mandate that employees must wear safety toed shoes if the Town purchases them for the employees.

Mr. Johnson said they have a uniform allowance that includes shoes, rain gear, etc.

Mr. Vachon noted that the paragraph above the bullet points says "(except as authorized by the Town Administrator or Department Head during times of extreme weather or emergency for responding employees)" so Mr. Rogers can authorize them to wear hoodies down at the Public Works Dept.

Mr. Capello asked if there were any other changes the board would like to see.

There were no revisions requested by the board.

Mr. Capello said he would return the policy to the board next week for their signatures.

c). Update Facebook Policy – Mr. Capello said there were substantial changes to this policy and if the board wanted to postpone this review he would put a copy of the old policy in their packets for next week for comparison purposes.

Mr. Johnson asked who made the changes to the policy.

Mr. Capello said it was done by the Town Attorney.

Mr. Dickie asked if the changes could be highlighted.

Mr. Capello said he would get the highlighted changes for the board. He said the attorney made some significant changes to this policy because of the changes to the laws.

d). Credit Card Proposal – Mr. Capello said he has been working on getting a credit card system for the Planning Dept. and 2 systems for the Transfer Station. He said the proposal from the credit card company would work by having 2 transactions that will show up on someone's card similar to what happens in the Town Clerk's office that would be for whatever the Town's fee is and then they would be charged a convenience fee on their credit card so they don't have to worry about raising our prices by whatever percentage that charge is.

Mr. Johnson said it would cost \$600 for the Transfer Station and \$300 for the Planning Dept. and then 2.65%.

Mr. Capello said the \$300 charge per terminal is the set up fee to the Town and the user would pay the 2.65% processing fee for Visa, MasterCard and Discover and a \$2 transaction fee for an Echeck.

Mr. Vachon asked if they would be passing all costs onto the consumer.

Mr. Capello said that is correct except for the initial set up fees.

Mr. Vachon asked if the \$50 fee is for each machine or one charge for the Transfer Station.

Mr. Capello said it is a one-time \$50 setup fee for each machine.

Mr. Johnson asked how long it would take for the machines to be installed.

Mr. Capello said it would take about 2 or 3 weeks and he has already set up an account with the bank because the way it will work is all the Transfer Station credit card payments will go into a checking account and the Planning Dept. payments will go into a separate checking account and once it is reconciled it will be put into the general fund and that makes it easier for the Town Clerk and the Finance Administrator to reconcile their accounts.

Mr. Johnson asked if they will be keeping track of the income on both sides for budgetary purposes.

Mr. Capello said they will get a print out of how much of the income was by credit cards.

Mr. Johnson asked if there would be line items in next year's budget for this income.

Mr. Capello said yes. He said another benefit of this system is it provides receipts for the users.

Mr. Johnson asked how they handle disputed charges.

Mr. Capello said that would be up to the bank to do through the credit card company.

Mr. Johnson said that means if someone does a charge back it would be taken right out of their account. He said there is also usually a fee for that to the merchant as well.

Mr. Capello said he would ask the credit card company about that.

Mr. Johnson requested that he ask the company how credit card fraud would impact the Town.

Consensus of the board was to authorize Mr. Capello to move forward with the proposal.

e). Unnecessary Noise by Vehicles: Misuse of Power Ordinance – Mr. Capello said the board approved the ordinance at a previous meeting, the Police Chief made the requested changes and it is ready to be signed. Selectmen then signed the ordinance.

f). Town Employee Resignation- Mr. Capello said he received the official notice of resignation from a long time employee (37 years!).

Motion: (Johnson, second Dickie) to accept the resignation of Finance Administrator Pam Merrill with regrets;

Discussion: Mr. Johnson said he spoke with her on Friday and he told he understands but he didn't like it.

Mr. Dickie said it is a happy and a sad moment-you're happy they are able to retire but sad about trying to make up for her leaving.

Chairman Proulx said she has a hard time voting for this and it's going to hurt to put her hand up.

Vote: The motion passed 5-0. Chairman Proulx put her hand up slightly and said she doesn't begrudge Mrs. Merrill for retiring but she has been here since she could remember and she is so knowledgeable it is unbelievable.

Mr. Capello said she will be sorely missed.

g). Commission Resignation- Mr. Capello said he also received Tom Sorensen's resignation from the Conservation Commission that the board needed to accept.

Motion: (Johnson, second Staples) to accept the resignation of Tom Sorensen from the Farmington Conservation Commission with regrets;

Discussion: Selectmen noted Mr. Sorensen's photography talent and drone skills and the beautiful photos he has taken around town that have been included in the Annual Town Reports and on the Town website.

Vote: The motion passed 5-0.

h). Bank Switch Over – Mr. Capello asked the board to authorize Chairman Proulx to sign some more paperwork related to switching banks as she is the "owner" of the account as the Chair.

Motion: (Johnson, second Dickie) to authorize the Chairman to sign for the board the paperwork required to switch over to Profile Bank passed 5-0.

10). Additional Board Business:

a). Level One Site Assessment – Mr. Vachon asked if a level one site assessment has been done for the former first station site.

Mr. Capello said that has not been done for that site.

Mr. Vachon asked what it would take to have it done in case the board decides to sell it.

Mr. Capello said he is working with EPA's Brownfields Program to see if they can get into their grant process and see if they will pay for it.

b). Signs- Mr. Staples asked about the STOP sign at the intersection of Civic Street and Lone Star Ave.

Mr. Rogers said they need a new sign there and he has ordered a bunch of signs.

Chairman Proulx asked about the sign requested for Smith Court.

Mr. Capello said Mrs. Riordin contacted him and he informed her that a sign has been ordered.

Mr. Rogers said he ordered a "No Outlet" sign for Smith Court.

11). Non-Public Session A:

Motion: (Johnson, second Vachon) to enter non-public session under RSA 91-A: 3 II (c, I) Reputation, Consideration of Legal Advice passed 5-0 by a roll call vote (Proulx, Johnson, Vachon, Dickie, Staples-aye) at 7:50 p.m.

Motion: (Johnson, second Staples) to come out of non-public session passed 5-0 at 8:08 p.m.

Motion: (Johnson, second Dickie) 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). Non-Public B:

Motion: (Johnson, second Vachon) 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 8:08 p.m.

Motion: (Johnson, second Staples) to come out of non-public session passed 5-0 at 9:19 p.m.

Motion: (Johnson, second Dickie) to seal the minutes as disclosure would adversely affect the reputation of a person other than a member of the board passed 5-0 by a roll call vote (Proulx, Johnson, Vachon, Dickie, Staples-aye).

13). Adjournment:

Motion: (Vachon, second Johnson) to adjourn the meeting passed 5-0 at 9:19 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

Paula Proulx, Chairman

Neil Johnson, Vice Chairman

Gerry Vachon

Ken Dickie

Douglas Staples