

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, June 7, 2021

Board Members Present:

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

Board Members Absent:

Gerry Vachon

Others Present:

Arthur Capello, Town Administrator
John Drury, Police Chief
Robert Hall, Cable TV Coordinator

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: None

4). Review of Minutes:

May 24, 2021- Public Session – No errors or omissions

Motion: (Johnson, second Staples) to accept the minutes as written passed 4-0.

May 24, 2021 – Non-Public Session A – No errors or omissions

Motion: (Johnson, second Staples) to accept the minutes as written passed 3-0-1 (Dickie abstained).

5). Review of Farmington TV Upgrade:

Mr. Capello said he met with Community TV Coordinator Robert Hall again and he did some more research so they now have 3 proposals for the board that encompass everything from installation to turning it on and broadcasting it live. He said their recommendation is to go with the proposal from TELVUE Corp. at \$16,526.

Chairman Proulx said that was different than the proposal they received last time.

Mr. Capello said Mr. Hall talked to TELVUE again and they gave us a better offer.

Mr. Johnson said TELVUE is the same company that does the school district's live streaming.

Mr. Dickie asked if the price includes training.

Mr. Capello said yes and it covers everything from "soup to nuts".

Mr. Johnson asked for the warranty on the TELVUE equipment.

Mr. Hall said it comes with a 3-year warranty built in and a 2-year extended warranty is bundled in with some other things for a total of 5 years.

Mr. Johnson asked if that included all software upgrades.

Mr. Hall said yes and the software is Lennox so they don't have to worry about Windows issues.

Mr. Johnson asked if there is an annual cost after the purchase.

Mr. Hall said all of the bidders have an annual cost for video on demand and streaming services.

Mr. Capello said he recalled it being about \$2,600 a year.

Mr. Hall said the streaming will take 20,000 people. He said the video on demand now has 40,000 hits a year up from 20,000 hits the first year.

Mr. Johnson asked Mr. Hall if he had any issues or concerns with TELVUE.

Mr. Hall said no and noted that they have a lot more options.

Mr. Johnson said he didn't have any issues with any of the bidders and it came down to price.

Mr. Dickie said it looks like TELVUE gives you the first 12 months of warranty bumper-to-bumper they cover it and after that they are looking for 15% per year for the same coverage.

Mr. Johnson said it is 15% if they only take a 1-year renewal and a multi-year renewal it's 7.5%.

Chairman Proulx asked if that is how the board has to vote on it tonight to get that.

Mr. Capello said he would do the multi-year renewal.

Mr. Johnson said the board should look at extending the service warranty after the first year when it comes up for renewal and get a better idea of how it operates and what they are going to need. If it looks like it's affordable and something we want then we could do a 3–4-year bundle at 7.5% instead of 15% he said.

Mr. Hall said they could add and take away items on this system where the others you can't do that because it's all one package.

Mr. Johnson said they could revisit this in 6 months and see how they want to go for the next budget season. He asked when the company would be able to start the project.

Mr. Hall said he didn't ask that question during their last discussion.

Motion: (Johnson, second Staples) to award the project to TELVUE for updating our transmission services so we can do live broadcasts and web broadcasts and the other upgrades they've included in the amount not to exceed \$16,526 with the funds to come out of the Cable Franchise Fees Fund and to authorize the Town Administrator to sign the contract with the stipulation that they provide the Town Administrator with what he determines to be an acceptable project beginning date and a completion date in writing;

Discussion: Mr. Staples said the townspeople would let the board spend up to \$100,000 from that fund so they are well under that.

Mr. Johnson said that also includes money set aside for Mr. Hall's salary and other expenses.

Mr. Capello said they will still be under budget.

Vote: The motion passed 4-0.

6). Approval of Fireworks Applications:

Mr. Capello said the board received 2 applications for a fireworks permit, one for a property on Chestnut Hill Road and the other for a Ten Rod Road site. He said the Fire Chief and the Fire Inspector have approved them and they have been there, done their measurements and they

meet the setbacks and they have no issues with them.

Mr. Capello said the permits are dependent on the weather conditions and the fire rating at the time and one display is scheduled for June 26 and the other is scheduled for July 2 and 3. He said the board received one of the applications in their meeting packet and he just received the second one today and passed it around for the board to review.

Chairman Proulx asked if because the Selectmen sign off on and okay this if something should happen like a forest fire if the Town would be at all liable for anything that comes after that.

Mr. Capello said the Town could be named in the lawsuit but he didn't know where it would go from there because they are following the ordinance and meeting the setbacks and they'd have to prove the Town was negligent in doing the inspections. He said he didn't think they would be any more liable than when someone comes into the parking lot and trips on the building steps.

Chairman Proulx said there is a certain amount of risk incurred when people have to use a public facility and then there's a certain amount of risk they're signing on to when they told them they would like to see an ordinance.

Mr. Johnson said when you compare it to any other permits the Town issues like a parade permit the Town is not held responsible if something occurs during the parade.

Mr. Capello said they would have more liability if they refuse to sign it because it meets the ordinance.

Chairman Proulx said it would be good to know this because they can't guarantee everybody will play by the rules.

Mr. Staples suggested Mr. Capello could check with legal counsel on this.

Motion: (Johnson, second Dickie) to approve the fireworks permits for 108 Chestnut Hill Road and 1206 Ten Rod Road based on the approvals of the Fire Chief and the Fire Inspector and meeting all of the requirements of the ordinance with final approval dependent on the weather conditions and to get the actual signature of the Ten Rod Road applicant on the form;

Amendment: by Chairman Proulx to authorize Mr. Johnson to sign the permit application on behalf of the Board of Selectmen.

Mr. Johnson and Mr. Dickie accepted the amendment.

Vote: The motion passed 4-0.

Mr. Dickie asked if all of the fireworks permit applications will have to come through the board with a motion, a second and signatures.

Mr. Capello said yes because of the way the ordinance was written and they could change it if they find it is holding up people which it is not at this time.

7). Police Dept. Wage Review:

Mr. Johnson said there are parts of this discussion that may impact the current union contract. He asked the board to be careful with some of the specific things they bring up because they still have to negotiate this agreement and whatever they decide would have to be in non-public session as part of the negotiations for the contract.

Mr. Staples asked if they would have Chief Drury make a presentation to the board and then they would decide on it in non-public session.

Mr. Johnson said they could have a general discussion but he was afraid if they come up with any set dollar figures that when they go to discuss this with the union negotiators they will know their top line and that's something you don't want to give away.

Chief Drury said a couple of weeks ago the board saw the first wave of things and gave him some marching orders so he met with Mr. Johnson and they have done quite a bit of work, added some things and have gotten a good head start on this.

He began with the spreadsheet on the 2021 Police Wage Study and explained the columns are as follows: the names of 58 towns in the study, their tax base, population, population per square mile, crime rate, the salaries for patrolmen in levels 1-10, salary highs for patrolmen and then the low and high salaries for Sergeants, Lieutenants, Captains, Administrators, the Chief and notes. He said they kept Farmington out of the averages and the on far right is where they tried to get the figures from (2019 Chief's Work Sheet, contracts, phone calls, etc.).

Chief Drury said he also included the Farmington Crime Rate Report that he found on a website called CityRating.com and included a couple of other towns that he thought were interesting.

He said the site has graphs and charts depicting the crime statistics and he was able to locate data from 15 years showing Farmington's violent crime decreasing, property crime decreasing and for the past 14 years the crime rate has decreased by about 6% each year.

He said they looked at Farmington's crime rate compared to other areas around us and noted the crime rate is the amount of crimes reported to the FBI and they do a formula divided by the population.

Mr. Capello asked what the 70 in the crime rate column for Farmington means.

Chief Drury said he wished he could better define it and it's a number they came up with based on the reporting values for property crime, crimes against persons and the crimes they must report to the FBI. He said they take that number and base it on your population and that's how they came up with that number.

Mr. Capello asked what that number was out of such as 70 out of 100.

Chief Drury said it's the number they used to compare us and if they look down to Rochester it shows their crime rate is 85, Newport is a 64 and Somersworth is an 82 which shows how busy Farmington is for a small dept.

Chairman Proulx said that would be relevant and if you have 4 million people and have as much crime as they do in some cities then that number would be stretched out. She said if you have 6,000 people and have a lot less crime than anybody else the percentage is still going to be higher so it's a factor that doesn't really tell her a lot.

Mr. Staples said other towns with the same population as us are at 35 or 40 and we're at 70. He asked if they were telling him our police are doing twice what Wakefield is doing.

Mr. Johnson said he would guess that this is a weighted number based on property crimes

versus population and that it would be something like 70 crimes per 1,000 people. He said he asked to have something like this included because he was afraid that we would compare towns that have similar populations, densities and sizes and not take into account how many crimes bleed over from Rochester into Farmington and make our force busier.

Chairman Proulx said a lot of information is missing for her. She said we don't have many murders here where Rochester probably has more and a murder will take a lot more time, energy and manpower than it does for somebody stealing a bike out of a yard. Man hours reported for smaller crimes don't compare to the bigger crimes and we don't know what those numbers are she said.

Mr. Johnson said that is where the weighting factor comes in.

Mr. Capello then read aloud that the crime rate is calculated by dividing the number of reported crimes by the total population. The result is then multiplied by 100,000 so for example in 2014 there were 48,650 robberies in CA and the population is 38,499,378 and that equals a robbery crime rate of 126.4 per 100,000. So theoretically it's 70 per 100,000 here he said.

Mr. Dickie said they normalize it.

Mr. Capello said that is correct and that no matter what city or town the 100,000 was used.

Mr. Johnson said if they compare just the geographic and population statistics between towns it misses the additional work, we do just being next to Rochester.

Chief Drury added the Route 11 is a busy road for the dept.

Mr. Johnson said we do quite a bit of patrolling and accident responses on Rt. 11. He said looking at the average and median numbers gives an overall view of the difference compared to other towns.

Mr. Dickie said Pittsfield has a higher pay rate for police officers than Farmington.

Chief Drury said Pittsfield is a very similar town to us.

Chairman Proulx asked if it was true that they only have 2 officers.

The Chief said that was what they were able to find out.

Chairman Proulx said if we only had 2 officers, we could afford to pay them more too. She said we are significantly lower and it would behoove us to bring up that amount.

Mr. Dickie said they will never end the turnover and trying to fill vacant spots because we are significantly lower and as soon as something opens up in another town with more pay, they are moving.

Chief Drury said Pittsfield's website says they have 6 officers, 2 Sergeants and a Chief.

Chairman Proulx said a lot of the towns shown don't have Capt.'s or Lt.'s and we have a lot of staff that we pay to remedy some of the weighed stuff that happens and it's a tough situation.

Mr. Johnson said these increases have all come about in the last 2 years and he didn't know if it's related to COVID-19 with the recent replacements we've had because people have retired or moved on. He said it used to be when they brought people in it was for less than what we were paying somebody that was here for 20 years but that is not the case anymore and there

are significant increases and that is going to continue. We just brought in 4 new people and they were all pretty much over what the people they were replacing were getting because nobody was applying at the lower rates he said.

Chief Drury said he subscribes to the Great Bay Test and they held a test within the last 2 weeks and just got their data out to them. He said normally when they get the test results there are about 200 people that have taken the test and today it was 46 people. He said that without even looking hard there are 32 open positions in the state so he was shocked at how low that number was for people interested in being a police officer.

Mr. Johnson said Wal Mart is offering pay rates for some positions at more than what we pay our officers to start.

Mr. Capello said he wanted the public to be aware that this is something that has just come to light and when they negotiated this contract the Selectmen brought up a lot of salaries to be competitive and this is what the union negotiated. He said they did this in 2018 and now they need to look at it.

Mr. Johnson said it worked for 2 years and he didn't think they lost an officer to another dept. during that time and they had plenty of people applying. He said other things are involved and there's not the pool of applicants there once was.

Chairman Proulx said it is not the profession that would draw people when there's so much unrest within the whole country. I think that plays a major role in what's happening she said.

Mr. Capello said he wanted to give the board credit for bringing everything "up to snuff" 2 years ago and it worked and they are now in a position where they need to look at everything.

Mr. Dickie asked when the contract would be up.

Mr. Capello said they are about a year and a half into a 3-year contract.

Mr. Johnson said negotiations would probably start next August or September.

Chairman Proulx asked if there is anything else they can say or do in public that won't affect the negotiations or if they should wait until non-public to continue because she was afraid, they would start getting into some specifics.

Mr. Johnson said they should wait until non-public session if they were going to start getting into actual numbers.

Mr. Capello asked if the board would like the Chief to take this information and give them his recommendations and the basis for them and do that in non-public session rather than trying to go through the individual towns tonight where each member may have a different argument. He said the board could give the Chief direction to look at 3 or 4 things in the towns as a true comparison because there are 50 towns in wage study.

Mr. Dickie said he is looking for the Chief's expectations.

Mr. Capello said he suggested they give the Chief parameters because they wouldn't compare Farmington to Alton because even though it is about the same population it has a different tax base. The board needs to pick the towns or the comparables because they may not like the

towns that he and the Chief picked and they want to give the board a product based on what they are looking for.

Mr. Johnson said they didn't need to go to that level and the average and median numbers are a good place to start.

Chief Drury said he could give the board his "2 cents" in non-public session tonight and then they could digest that information.

Consensus of the board was to meet with the Chief in non-public session tonight to get his input about the numbers.

8). COVID-19 Update:

a). American Recovery Act Update- Mr. Capello said he gave the board a lot more information in their packets about the act and that he and Water Dept. Supervisor Chuck Tiffany have been in contact with Emery & Garrett Groundwater Investigations and asked them some questions they are researching the answers to. He said they feel the Town may be able to use this money for well explorations with the way they have interpreted the guidance. He said EGGI will ask some questions and get him the answers as everything he reads makes it as clear as mud. He said the bigger cities have started to receive funds because they can apply directly to the Treasury but Town cannot and has not received any money yet and he will keep this as a place holder on the agenda.

Mr. Johnson asked if EGGI knows of any other money out there as far as this "windfall" goes.

Mr. Capello said there is potential money coming into the groundwater grant and free of charge they reapplied for one of the grants for us so we can get our name on the list of people who will get money through that grant.

He said EGGI is also going to redo the application for the water grant the Town was denied last year free of charge.

Chairman Proulx asked to what end (why they are doing this).

Mr. Capello said we have become a pet project for them because they are curious about why the Town keeps getting denied given the contamination done to our well by the Superfund site and the fact that they were so involved in that lawsuit and the money keeps going to the southern communities in the state who have more powerful lobbyists.

Chairman Proulx asked when they did their groundwater studies of the wells and it came out that we didn't have any MTBG if that was the part of the grant that they were looking at to try to get money from.

Mr. Capello said it wasn't the gasoline it was some of the chemicals from the plume that forced us to close the well.

Chairman Proulx said she knew what happened there and was asking what they were looking for when they applied for that grant.

Mr. Johnson recalled they had to close a well and they have to find a replacement well and that all this was started because of the initial contamination so it has restricted their ability to meet

the water supply demands because that well was taken out of service.

Chairman Proulx said the well was taken out of service but the company built another one.

Mr. Capello said it was not for the full amount and they bonded that well.

Chairman Proulx said that is correct but they paid a significant amount of it. She said it was taken offline but they got another one in the meantime and it limits us in that area.

Mr. Johnson said it makes it more expensive for us to replace it because they have to run lines further and add the infrastructure to get it tied into the rest of our system. He gave the example of putting a new well in area near the former Taylor Rental where the water tested fine and it would be a good well but the infrastructure to support it would have cost millions to get it into our system. I think their reasoning was if this whole contamination issue didn't occur we wouldn't have that problem and the long term effects of replacement he said.

9). Town Administrator's Business:

a). Hornetown Road Bridge Update – Mr. Capello said they have started work on the bridge and he visited the site that morning to check in with them. He said they are doing what they need to do at this point.

Chairman Proulx said the bridge is closed and will remain closed for one week unless something comes up and it needs to be extended. She said they would try to inform as many people as possible through the media and everything else.

Mr. Staples asked if this means the bridge would open Friday afternoon.

Mr. Capello said provided they are done it will be opened Friday afternoon.

b). Bunker Street RFP- Mr. Capello said he gave the board an RFP to approve for the sale of property (29 Bunker Street, Map U10, Lot 48).

Mr. Johnson asked how he came up with the price (minimum bid of \$15,000 & \$5,000 in escrow).

Mr. Capello said it was in his boilerplate.

Mr. Staples asked if the \$5,000 deposit is based on tearing down the house and if they are selling just the land.

Mr. Capello said he wouldn't tear down the house and that's why he worded it to until the building is legally removed because there are some things like sheds that are caved in on the property. He said the house had a massive water leak years ago so there are some issues inside the house.

Mr. Johnson asked if it should be worded until the out buildings and deck are legally removed.

Mr. Capello said yes because the deck behind the house has completely collapsed. He said the house would need to be gutted out because there is a lot of mold caused by the water leak that went on for several days before anybody realized it because it was abandoned at the time. I think the house is salvageable but it's going to be a lot of work he said.

Mr. Staples said there would be potential for a higher bid if they could fix the house as opposed to having to flatten it and clear the lot.

Mr. Johnson questioned the \$15,000 minimum bid.

Chairman Proulx said what comes to mind is what the house is worth and what they are willing to take for it as a minimum so they do recoup some money.

Mr. Capello said \$140,000 is owed in back taxes on the property.

Mr. Staples asked about having a real estate agent list the property.

Mr. Capello said the Town would have to pay a commission to the agent.

Mr. Dickie asked if the minimum should be the land value (\$59,800, 0.360 acre).

Mr. Staples said at that price they will only sell this to someone with the funds like a contractor and they are not going to get a first-time home buyer to bid on it because they will have to pay \$60,000 for the land, pay a contractor to clean the yard and to fix the house so they might as well buy a brand-new house.

Mr. Johnson said if they don't get any bites, they can change it and put it out to bid a 2nd time. He asked if the house has a foundation with a full basement.

Mr. Capello said he didn't know. He said it is structurally repairable but with the price of lumber it will be expensive and suggested they split the difference and ask for \$35,000 as the minimum bid.

Selectmen said that is too low especially with the prices for property right now.

Chairman Proulx noted it is a good-sized house and Mr. Capello added it is a good size lot for the downtown area.

Consensus of the board was to set the minimum bid at \$60,000 and not to accept any escalating bids.

c). Resignation- Mr. Capello said he received a resignation today from long time employee Megan Taylor-Fetter and she will be leaving employment with the Town in two weeks. He said the Executive Asst. job would be posted tomorrow and this brings up a bigger discussion of some staffing issues and potentially having to close the Municipal Office building for a few hours on occasion for lunches because they don't have the manpower to keep people here and it would mainly be on Fridays when the Town Clerk's office closes at 12:30 p.m. He said with the Assessing Clerk as part time, not having replaced the Land Use Assistant and the new people who have just started they are very short on manpower. He said he would inform the Chairman when they have to close for an hour or two so people can get lunch. He added that Mrs. Taylor-Fetter's last day is the Friday before his vacation.

Mr. Staples asked who is in the building on Fridays after the Town Clerk's office closes.

Mr. Capello said he is here and the Building Inspector is in and out of the office doing inspections, currently the Finance Administrator (who is retiring) until 4 p.m. and the new Welfare Director.

Mr. Staples suggested for their safety to allow people in the building by appointment only on Friday afternoons so nobody is just walking in the front door.

Mr. Capello said that typically it is not a problem with him, Mrs. Taylor-Fetter, Mr. Roseberry

and Mrs. Merrill in the building but this past Friday he and Mrs. Merrill took a half day off and Mr. Roseberry had a bunch of inspections that afternoon so they ran into a potential problem with lunch coverage. He said he ended up figuring it out but he wanted the board to be aware this will be a potential problem until they get the staffing back up to the needed levels.

He said Mrs. Taylor-Fetter has always been the steady rock that has always been here Monday through Friday from 8 a.m. to 5 p.m. and she has always been very flexible about when she takes her lunch to make sure they're covered and it's going to be an issue. I hate closing the Town (office building) but people have to have their lunches and I can't deny somebody a day off because we don't have coverage he said.

Mr. Dickie asked looking at the overall Town staff if there was anyone that could be put at the front desk temporarily to answer phones and do the minimal portions of that position until a replacement can be found.

Mr. Capello said he has thought about that but he didn't know. He said they are so thin staffed everywhere because every dept. is down right now and they haven't been getting applications for replacements.

Mr. Dickie said for example they may be able to temporarily move the DPW Director's Asst. to town office building and go back to the way it use to be having someone else at the highway garage answer that phone before he had an assistant.

Mr. Capello said he would have to figure out how that would work.

Mr. Johnson said they may be able to get someone from another dept. to sit at the front desk for an hour or two to cover lunches and if they can't find anyone as a last resource they could lock up for an hour.

Chairman Proulx suggested that the Building Inspector schedule as many of his appointments in the morning as possible so he is here instead of flying around all afternoon and have him go first (to lunch) and then stagger it as best they can. She said she thought Mr. Capello was more concerned about making sure the board was aware of it.

Mr. Capello said the board may get "grief" about this.

Mr. Johnson advised him to do what he can do and to draw from the other depts. if they are only talking about an hour or so of coverage.

Chairman Proulx said Mrs. Taylor-Fetter has done a lot for them and will definitely be missed.

Mr. Capello said "absolutely" and noted she has been with the Town for 15 years

d). Retirement – Mr. Capello asked the board for permission to close the Municipal Office Building and the Town Hall on Thursday, July 1 from noon to 1:30 p.m. so employees can attend Building Inspector/CEO Dennis Roseberry's retirement party after working for the Town for 17 years. He added they are giving him a nice retirement gift and invited to board attend if they are available.

Consensus of the board was to close the buildings during that time so the staff can attend Mr. Roseberry's retirement party.

e). BOS Summer Meeting Schedule- Mr. Capello said this is what he calls the slow time of the year as they not in budget season and proposed that for the next couple of months they hold Selectmen's meetings every other week instead of weekly. He said they can always call another meeting if they need one and proposed that they meet next week (June 14) and start the new schedule the following week and not hold a meeting the week he is on vacation (June 21). Mr. Johnson said he didn't want to start having to stay until 11 p.m. to catch up on things. Chairman Proulx said she would call a meeting if there was business to attend to. Mr. Staples said there was a potential to be busy with the potential hiring that needs to done. Mr. Capello said he didn't want to meet just to meet despite how much he loves seeing their beautiful faces. Consensus of the board was to approve Mr. Capello's proposal.

10). Non-Public Session A:

Motion: (Johnson, second Staples) to enter non-public session under RSA 91-A: 3 II (a, c) Compensation of Public Employees, Reputation passed 4-0 by a roll call vote (Proulx, Johnson, Dickie, Staples-aye) at 7:11 p.m.

Motion: (Johnson, second Staples) to come out of non-public session passed 4-0 at 8 p.m.

Motion: (Johnson, second Dickie) to seal the minutes as disclosure would render the proposed action ineffective passed 4-0 by a roll call vote (Proulx, Johnson, Dickie, Staples-aye).

11). Non-Public Session B:

Motion: (Johnson, second Dickie) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 4-0 by a roll call vote (Proulx, Johnson, Dickie, Staples-aye) at 8 p.m.

Motion: (Johnson, second Dickie) to come out of non-public session passed 4-0 at 8:40 p.m.

Motion: (Johnson, second Staples) to seal the minutes as disclosure would adversely affect the reputation of a person other than a member of the board passed 4-0 by a roll call vote (Proulx, Johnson, Dickie, Staples-aye).

12). Next Meeting: Monday, June 14, 2021

13). Adjournment:

Motion: (Johnson, second Dickie) to adjourn the meeting passed 4-0 at 8:40 p.m.

Respectively submitted

Kathleen Magoon, Recording Secretary

Paula Proulx, Chairman

Neil Johnson, Vice Chairman

Ken Dickie

Douglas Staples