

Town of Farmington  
Board of Selectmen Public Meeting Minutes  
Monday, October 25, 2021

**Board Members Present:**

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

**Others Present:**

Arthur Capello, Town Administrator  
Charlie King, School Board Chairman  
Blanche Tanner, resident  
Erica Rogers, Rec. Dept. Director  
Erica Dickie-Yelle, Rec. Dpt. Asst. Director

**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:**

School Board Chairman Charlie King said he came to the meeting to answer the question Mr. Johnson asked at the previous meeting. He said statements were made and memos were written to imply that he or the School Board wanted to discontinue the use of the high school as an emergency shelter.

Mr. King then read from his formal written complaint that neither he nor any member of the current board has ever indicated, discussed or even mentioned that they did not want to continue allowing the high school to be used as an emergency shelter for the Town of Farmington.

He said when the Building Inspector was at his property for a rough plumbing inspection he inquired about the specifics of the stop work order that he issued to Yates Electric regarding the permanent generator upgrade at Farmington High School. He said he indicated that he wanted to be informed about the issue as he had a School Board meeting that night and wanted to be able to answer any questions so the School Board didn't have a knee-jerk reaction and not allow the school to be used as an emergency center. That statement was given as a reason to want to be kept abreast and not a statement of intent he said.

He read the School Board's intention has always been exactly the opposite. He said under current conditions they have to wait for Town staff to transport, set up and turn on the portable generator. This can take a few hours and as such has been problematic in the past. Things have not worked upon startup due to component failure for reasons unknown to me he said.

Mr. King said statements made that the temporary generator is tested twice a year may correct at other locations but it has not been tested at the high school in the last 2 years according to

their facilities manager. He said the future permanent generator will turn on within seconds of the power going out and will automatically test each week to ensure it is functioning correctly. Mr. King said they have been informing the public for more than a year about their intentions regarding this generator. He said they held discussions last year with the Budget Committee at a Public Hearing during which Neil (Johnson) participated in the discussion and again at the Deliberative Session on January 30, 2021 where both Selectmen Chairman Paula Proulx and Vice Chairman Neil Johnson were present.

He said during the Board of Selectmen meeting on Oct. 18, 2021 staff indicated they were unaware of the generator and they need answers when in fact they have been planning and publically discussing this for over a year. He asked where was the phone call or e-mail in the last year saying they have some concerns about the grant we used 13 years ago. He said has not received one question from the Town regarding this even though some staff clearly stated they have been watching School Board meetings several of which were very lengthy discussions about this generator.

He said they also failed to tell you that they instructed their contractor to preserve the portable emergency generator hook-up as they would need that until they install the permanent generator purchased from Oyster River School District and may in fact wish to preserve this connection after that.

Mr. King said he has sat where they are currently sitting and is currently on the School Board. He said he understands the struggles on both sides but issuing a memo to the board and riling up dept. heads without picking up the phone and asking the question "this is what I heard is this correct" is obviously intentional to cause problems for others. It is beyond my comprehension as to why anyone feels that this is acceptable behavior but I know this behavior is not in the best interest of Farmington he said.

He said based upon this continuing type of behavior intending to create contention between the two boards he will subsequently be changing how he communicates with Town officials and will also be making recommendations to the School Board regarding communication to the Town to mitigate what he perceives as intentional mischief, in order to limit the damage it causes to our community.

He said he has also attached the supporting documentation that verifies their ongoing discussions regarding this topic this year. He then gave copies of his complaint to the board.

Mr. Johnson said at the previous meeting he said that this may have been a misunderstanding. Chairman Proulx said she was glad that Mr. King has decided to change how he speaks to dept. heads or other individuals from the Town publically because doing it while he is doing an inspection of his site representing the board is probably not the best way to go. She said it should be through e-mail and everything else in her opinion.

She said as far as informing this board or the Fire Chief officially they can talk about how they are going to do things all they want but it would be nice to have some kind of a written

summary of what their intention is because that is a **Point of Distribution** and they are very concerned about it. It's an emergency management deal that goes through the Fire Chief and they didn't go through him at all. You sat on this board you know better she said.

She said sitting there hearing his complaint about something said between 2 people in a non-public place it's his (Mr. King) word against his (the Building Inspector) and it is brought forth to the board to look at and deal with to make sure that what's going on is where it should be. To say its improper behavior or mischievous intent I take offense to that highly she said.

Mr. King said she should take offense to the behavior and summarized that he has no issue with the Building Inspector. He said he has met him several times and has nothing but positive interactions and that anyone he has asked, contractors, homeowners have been pleased with how they've been treated. I want to make it clear for the record that my issue and this complaint has nothing to do with the Building Inspector and I do not find any fault in this issue with him he said.

Chairman Proulx said that is clear but it is irrelevant because she didn't think any of them think he had any problem with the Building Inspector. She said she takes offense with him coming here and blasting them with this. First of all, apparently the week before that work was done with no permit held...

Mr. King said that is correct but they had no knowledge of that.

Chairman Proulx said there was no contact between the School Board and the Selectmen so that they would know this. She said the permit wasn't pulled, stuff was being done and then suddenly something like this through possible misconception or miscommunication comes to this board and now they are thinking is this another thing like the School Resource Officer where they weren't told or involved and it was decided well before any of this and all of the negotiations were done. She asked why they wouldn't think this would be the same way.

Mr. King said Chairman Proulx could show him all the disrespect she wants and that he came here as a member of this community and has logged a formal complaint. He wished the board a good night as he had to be at another meeting and then left the meeting.

Resident Blanche Tanner said she wanted to recognize the Recreation Dept. personnel present at this meeting. She thanked Director Erica Rogers and Asst. Director Erica Dickie-Yelle for their time, energy and dedication they both have extended to bring the Rec. Dept. back to life. She said their goal to offer a variety of positive community programs and activities has become a reality and that she is looking forward to the new senior center activities.

Ms. Tanner said the following thoughts are not just directed at the School Board, Town boards or committees but are for all of us as Farmington residents to consider including her. She said tonight is the last time she will bring a personal comment to any board/committee and going forward the only time she will address a meeting will be to ask a question to clarify an issue which might result in a vote. I will express my views in the ballot booth and at Town Meetings she said.

She said she has tried to be an informed resident by watching and attending meetings, asking questions and voicing her opinions. She said at times a contentious atmosphere seems to exist between boards and sometimes between committee members. This observation prompted her to bring her concerns to the public participation portion of meetings she said.

Ms. Tanner said up until last Monday night she has not been able to understand the discord and at last week's School Board meeting 2 words finally created a light bulb moment for her. She said the 2 words were "history" and "drama" and she realized the reason she has not been able to understand, justify or explain tensions is due to the fact that she does not know past Farmington history and drama nor does she want to know and the past should stay where it belongs in the past. We cannot have a good today and a better future if we're always looking at the past she said.

She said if she had known there were such deep seated old wounds she would not have wasted her time and energy trying to express some food for thought intended to prompt some sense of positivity. She said it is hard to finally accept the fact that old hurts, differing philosophical views and personality traits will continue to cause misunderstandings.

She said unfortunately the personal, judgmental prejudice of a few seems to control the town's negative atmosphere. She asked if people need to use Face book to belittle someone else to make them feel better. I feel sorry for that type of person she said.

Ms. Tanner said to engage in a "gotcha" culture to make one feel better than another says a great deal about the messenger not just on Face book but at meetings too. She said she recently said to someone that it would be wonderful to hear that more people used Face book to promote positive comments and activities that are happening with the schools and the town. She said the person responded that some people hesitate to post anything of a positive nature because there's always someone who responds with a negative comment. If that's true how sad that is she said.

She asked if that is bullying and that we try to impress upon young people the dangers of bullying and yet it appears some adults are themselves Face book bullies. She said she is not part of social media and does not want to be. Before I leave this Earth I want someone to say to me there were 300 positive messages on Face book today and only 2 negative ones she said.

Ms. Tanner said due to the fact that texting and e-mail have taken the place of in-person discussion verbal communication seems to be negatively impacted and there is a big difference between hearing and listening. When we don't really focus and listen to what is being conveyed meanings are misunderstood. The "them vs. us" mentality seems to take over and the words we use and the tone of voice will share equally in whether a conversation will move in a positive or negative direction she said.

She said the word "you" is often a detriment to quality conversation and the inflection used when the word is spoken can often put the receiving party, an individual or a board into defend mode and advised everyone to think about that the next time they use that word.

Ms. Tanner said we need to remember that young people are watching how we treat those around us which will have more of an impact than what we say they should do. She asked people to remember that how we talk to people at public meetings, how we respond to someone with different viewpoints, the language we use influences those around us young or old.

She said it is not humanly possible to stay positive 100% of the time and that goal takes work, determination and a desire to rise above the influences of the negativity around us. She then thanked Mr. Capello, current Select board members, and past members Dave Connolly, TJ Place and Ann Titus for making her feel welcome at meetings from the beginning. I've always felt comfortable asking questions and sharing my opinions. I thank you all for all the time you've given me in the past and tonight. I'm going to let you get on with your regular meeting and have a good evening thank you she said.

Mr. Johnson said Ms. Tanner should not stop chastising them when they screw up. He said its one thing to ask questions about things you don't understand but don't stop the other stuff. Comments like this serve as a reminder to the rest of us. You see things differently on your side than we see on our side of the table. I think it would be a mistake if you silence yourself he said.

Mr. Staples said everyone is entitled to their opinion whether they agree with it or not.

Ms. Tanner said she didn't want to do that but she feels like a one person crusade and she is not going to change old habits and old ways of thinking.

Mr. Johnson said all crusades start with one person.

Mr. Staples said they need more people involved even if they are mad about something like Mr. King was and came down here to give us a complaint. He asked how they would know what they are thinking if they don't come down and tell us.

He said half the people on Face book don't come down here and don't show up to the voting booth and asked why they are complaining. He said they need to come down because we can't fix stuff if they don't bring it to us.

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

**October 18, 2021 – Public Session Minutes** – No errors or omissions

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

**October 18, 2021- Non-Public Session Minutes:**

**Non-Public Session A** – No errors or omissions

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

**Non-Public Session B-** No errors or omissions

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

**Non-Public Session C** – No errors or omissions

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

**Non-Public Session D** – No errors or omissions

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

**Non-Public Session E** – No errors or omissions

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

**Motion:** (Johnson, second Staples) to unseal the Non-Public Session E minutes passed 5-0.

**Non-Public Session F** – No errors or omissions

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

#### **5). Recreation Dept. Update:**

Mr. Dickie said before they start the update he would like to thank Rec. Dept. Director Erica Rogers and Asst. Rec. Dept. Director Erica Dickie-Yelle for everything they are doing. He said there is a lot of drama out there, rumors, Face book comments, etc. and they will get that. He asked them to please keep doing what they are doing and to keep charging forward with their goals, know what they want and to set their sights on that. He said not to worry about the noise around them and to let the Selectmen worry about it and take care of that for them. Keep charging forward we need the Rec. to be strong and when the Rec. is strong the town will be strong. On my behalf thank you he said.

Chairman Proulx said “ditto” and that she is hearing a lot of really good comments and everybody seems to be very happy with all the activities they are doing and the things they are putting on and it looks like it is moving forward very well. Let’s see what happens she said.

Mr. Johnson (jokingly) complained that at last week’s senior lunch they shorted him on gravy. Selectmen joked that was the work of his wife who had his portion of gravy added to her meal. Mrs. Rogers said they were here to update the board on the next few months’ activities and what they have planned through the end of the year. She said this week is a big week for them and they have quite a few things happening and then listed the following activities:

**Thursday, Oct. 28** –**Halloween Downtown Business Parade** – the parade will start at 4 p.m. and children are asked to line up at the Rec. Dept. at 3:45 p.m. Parents must remain with their children as this is not a drop-off event. There will also be a “Trunk of Treat” at Peaslee’s Funeral Home parking lot which is right on the parade route. This event is rain or shine.

**Friday, Oct. 29 and Saturday, Oct. 30** - **Farmington Town Players** production of “Twisted Tales of Poe” at the Rec. Center/Opera House, show time is 7 p.m. and tickets are \$10 for adults and \$8 for children.

**Haunted Trail-** Friday and Saturday from 6 to 8 p.m. and is rain or shine. This is a free event (donations are appreciated) at the Meetinghouse off of Old Bay Road in New Durham.

Mrs. Rogers said the Farmington Rec. Dept. has partnered with New Durham Rec. Dept. and there will be a trail event in each town with a Lighted Trail for Christmas in Farmington.

**Sunday, Oct. 31-** Town wide **Halloween Trick or Treating** from 5 to 7 p.m.

Mrs. Rogers said she has seen misinformation out there including on WMUR Channel 9 that is posted for a different time and she has no idea where that came from. She said it has been on Oct. 31 from 5 to 7 p.m. for a number of years and they are keeping with that tradition.

### **November Activities:**

Co-ed Adult Volleyball begins on Nov. 1 and will run from 6 to 8 p.m. on Mondays.

Mrs. Rogers said they are only opening 18 spots for now and there is a possibility they will add more spots or teams depending on the number of participants. She said there are currently 15 or 16 people signed up and if it develops into teams they can get into that later.

Adult Crafts will run on Wednesdays from 5:30 to 7:30 p.m.

Mrs. Rogers said they've seen on Face book that people are looking for a place to get together to work on their projects, share their crafts and maybe learn a new technique from someone. She said they have also been asked to have a daytime version so that will be on Tuesday mornings from 10 a.m. to 12 noon starting Nov. 9<sup>th</sup>.

Teen Crafts – will be held on Tuesdays from 4 to 6 p.m.

Mrs. Rogers said they will try to have a different craft each night depending on who and how many people show up.

Mr. Vachon asked for a rough attendance number for that activity.

Mrs. Rogers said it has been very low, 2 or 3 teens at most. She said last week she sent a flyer home with all of the kids from seventh grade through high school that had that information on it. She said they tried to get them on Face book but most teens are not on Face book looking for Rec. Dept. events.

She said she went to a conference last week and has a few ideas brewing so they will see about pulling them in.

Open Gym- also on Tuesdays from 4 to 6 p.m.

Mrs. Rogers said they have the basketball hoops up but they are not going to playing full court basketball and people can come in and shoot around if they want to. She said she noticed that the hoop outside in the parking lot gets a lot of use from some of the teen boys and come winter they are not going to be able to use that because it will be cold and dark. We're going to see if we can give them a couple of hours to shoot around or just "chill" with their friends and get that socialization she said.

Tone and Stretch – on Mondays at 10 a.m.

Mrs. Rogers said they have had a consistent group of 7 or 8 people that are in there every Monday and someone e-mailed her today about signing up for it as well.

Mrs. Dickie-Yelle said they started punch cards with them too so they pay for 4 classes and the 5<sup>th</sup> one is free. They bring their punch card, we punch it and once they get full we give them a new one and start over and they really like it that way instead of paying for a six week set schedule and if you have to miss a class the card is a little more flexible and we've seen really good response to that she said.

Chair Pound – Mrs. Rogers said at the end of the Tone and Stretch they have been throwing in a chair pound song or two so they are going to try some pop-up classes of that. She said they have one scheduled in Nov. to try it for an hour and explained that it is an exercise class for



seniors where they use drum sticks to drum on a chair instead of the floor.

Community Coffee Hour- Friday mornings starting on Nov. 5 at 9 a.m.

Mrs. Rogers said they will be having coffee and refreshments and people will be welcome to come in to visit, chat and hang out with their friends and see what's going on.

Mrs. Dickie-Yelle said it's also an invitation for our local board members and business owners to connect with the community and create a community feel. She said she attended a community coffee hour in Rochester and saw how their community came together and it inspired her to start one here.

Mr. Staples asked if they would consider planning a coffee hour for later in the day at some point so the working people could swing by and say hi and maybe meet members of the boards.

Mrs. Rogers said she didn't see why not and Mrs. Dickie-Yelle agreed it was a good idea.

Pallet Party – fundraiser for Hay Day on Nov. 6 at 10 a.m.

Mrs. Rogers said the link for that to pick your pallet is on the Face book pages and she will share them again tomorrow. You have to pick your design on the Face book page because the designer is not from this area and she has to have the designs, print them and bring them with her she said.

Mrs. Dickie-Yelle said people that need help can contact her or Mrs. Rogers and they can go on Face book for them, have them pick what they would like to do and then they can contact the woman for them so it's not a barrier.

Senior Thanksgiving Dinner – Thursday, November 18 from 4 to 6 p.m.

Mrs. Rogers said they are offering this as a free meal for senior citizens but they ask that they let the Rec. Dept. know if they plan to attend so they have some sort of head count so they can plan the meal.

### **December Activities:**

Christmas Party Brunch for Seniors – Tuesday, December 7 from 10 a.m. to 1 p.m.

Mrs. Rogers said this is also free but they are asking for a head count.

Christmas Tree Lighting – Friday, December 3 at 6:30 p.m.

Mrs. Rogers said people usually start to gather and they block off the streets at 6 p.m. She said hopefully they will be hanging the lights on Nov. 6 with a rain date of the weekend after that.

Lighted Christmas Trail – Friday, December 10 and Saturday, December 11 from 6 to 8 p.m. at the McCarthy Trail

Mrs. Rogers said they are doing this with New Durham and it is a free event but donations are appreciated. We're having a couple of guest appearances so it should be fun she said.

Christmas Ornament Making Class – Saturday, December 4 at 10 a.m.

Mrs. Rogers said this is a free no-sew sewing project for all ages and its kid friendly because you are actually just folding the pieces and gluing them onto the ornaments. She said the materials have been donated and they will have the pieces cut so it will be something that kids to seniors can do.



#### **6). Request for Possible Funding from the Trustees:**

Mr. Capello said as the board knows they are going after a grant through the USDA Forestry. He said they came to the board initially about moving forward with the grant and now they have been accepted to apply for the grant which is due Dec. 17.

He said it is a 50/50 matching grant and some of the things they are looking at doing at Fernald Park are a much larger structure that is more amenable to kids of all ages, resurfacing the basketball court and install ADA compliant pathways and entryways. He said the Town's match can be cash and in-kind and they have a couple of volunteers on the committee that they need for this complicated application and one of the things the application asks is where the money will come from.

He said they won't be asking for more than \$200,000 and they may not spend the full amount as they are still working on getting price quotes for the structures and improvements. He said he is hoping the board will give them permission to go to the Trustees of the Trust Funds to see if they would be willing to give them some money from the Trust Funds that are noted for town benefit.

Mr. Capello said Mrs. Rogers' memo contains a list of potential trust funds they could request the funds from and noted Mr. Johnson has more experience with the trust funds than he does. Mr. Johnson said the funds listed say they are for town benefit but if he was a Trustee he would not give them a penny because there is no plan. He said they are looking for a \$200,000 grant and this is only accounting for \$15,000 and asked where the other \$85,000 would come from. Mr. Capello said most of that would be in-kind as they have a surveyor on the committee that is volunteering his time, the DPW's installation time goes at the FEMA rate for equipment, etc. and they may have to do some fundraising for it.

Chairman Proulx asked Mr. Johnson if he was looking to have it set up to show where this money is going to contribute to.

Mr. Johnson said he wouldn't vote in the positive for asking the Trust Funds to give out \$15,000 without knowing what it's going for.

Mrs. Rogers said they are currently working on and waiting for the site plan to come back and that will narrow down some of the costs such as the resurfacing costs which are estimated because it's for next year.

Mr. Johnson said he wasn't looking for that and they (the Trustees) have no idea what they are planning to do.

Mr. Capello then asked if the board would be opposed if they went to the Trustees to give them the concept to see if that is something they would consider.

Mr. Johnson said that is probably a good idea to do.

Chairman Proulx suggested they ask the Trustees what they may need to get it approved.

Mr. Johnson said they would like to see the justification for expending the funds and from these particular trust funds. He said for a general opinion that's not a bad idea but he knows for a fact

they are not going to approve it without knowing what it is going to be spent for.

Mr. Capello said he should have advised Mrs. Rogers to do her memo a different way and they would never go to the Trustees without the Board of Selectmen's permission. We want to make sure it is okay with the board if they give the Trustees a conceptual plan and ask them what funds they think they could access for this and get them on board with it.

Mr. Johnson said they may suggest other funds and that's probably a good idea to do recognizing that it will be a non-committal response from them.

Mrs. Rogers said the grant requires them to list where everything is coming from so they would have say the Trustees will give us this providing the grant comes through. We have to be able to fill in those boxes before we can even submit it so if we don't have a plan of how we are going to come up with our match then we would have to have one she said.

Mrs. Dickie-Yelle said if the Trustees would like a copy of that plan they would be more than willing to give that to them and that will detail what they are planning for Fernald Park.

Mr. Johnson said the Trustees are in charge of determining if it is of benefit to the town and it is more in front of them than it is in front of us (Selectmen).

Mrs. Rogers said they are bringing this to the board now because the Trustees only meet so often and she was hoping to get to them in Nov. She said they hoped to have the price for the structure by then and they are waiting for them to get back to us.

Mr. Johnson said they may ask for a ballpark figure but he doubted they would be looking for specifics at this point. He suggested they not wait for any estimates and to sit down with them and say this is what they are looking at and ask if it sounds good to them and if they are going the right way. When you go for their final approval that's when you'll need the details he said.

Mr. Vachon asked if they could add a column to the spreadsheet containing the financial information on the Trust Funds.

Mr. Capello said that would be up to the Trustees and they can't add to it or change it at all.

Mr. Johnson said the content of the spreadsheet is state specified.

Mr. Vachon said he would like it to show what the initial deposit was in the account so they know that the funds they're requesting are there.

Mr. Johnson said this spreadsheet is submitted to the state.

Mr. Vachon said for example the Leon Hayes trust fund says the original investment was \$17,801.10 and they can't spend that and they can only spend the interest. He said he was curious to know what the gains in interest are in the rest of the accounts above and beyond the initial investment.

Mr. Johnson said that is in the Balance End Year column and it is the total interest and income earned by that account at the end of the year for every compounding year.

Mr. Vachon asked if that is the gains above the principal of all of those accounts.

Mr. Johnson said that is correct. He said the Leon Hayes accounts are really weird ones and he was not sure how much money they could get out of any of them because of legal issues that

came up years ago. He said the account with the \$17,807 original investment can't be spent at all due to the court settlement so it just sits there and gains interest which is why there's no money entered in the next to the last column for this account.

Chairman Proulx asked Mr. Capello to continue working with Mrs. Rogers and Mrs. Dickie-Yelle to find out what they need to do.

**Flooring Quotes for the Senior Center-** Mr. Capello said Mrs. Rogers got 3 quotes for new flooring at the senior center and there is a huge cost difference between commercial carpet and vinyl. He said he didn't think there would be an issue there with commercial carpeting as they know how to clean and maintain it. He recommended going with the commercial carpet and noted that it's also a warmer atmosphere.

He said this can come out of the American Rescue Plan funds/Fund 20 and asked the board to approve the first quote on top with the best price. This includes ripping up the old carpet and laying down the new carpet he said.

Chairman Proulx asked if he thought they would get as much "wearability" from carpet as they would from vinyl flooring.

Mr. Capello said they would as it would be a commercial carpet and a mat would be put out front to catch everything and we know it has to be cleaned more than once every 10 years.

Mr. Johnson asked if he was recommending they go with the quote from Empire Today for \$6,047.

Mr. Capello said he recommends they go with the one that's circled on that page for \$2,414.

Mr. Johnson said that figure was for the carpeting alone and doesn't include the removal of the old carpet and the installation of the new carpet. He said he didn't know what Glue Down-Alliance meant on the quote.

He said the next quote from Kelly's Flooring was for \$3,300 and it includes the removal of the old carpet, the installation of the new carpet and the carpet itself.

Mr. Capello said he would get some more clarity on the Empire Today quote.

Mr. Johnson asked if they were looking for any donations for Thanksgiving or Christmas that people should be aware of.

Mrs. Rogers said if anyone wants to donate for Thanksgiving turkey is a big one and they are looking for people to help cook, serve, set-up and they can use all the help they can get. She said for Christmas it will be a brunch so bagels, pastries, juice and coffee donations would be a big one and they are also looking for volunteers to cook, serve and set-up for this event. We could also use help with the lighted trail she said.

She then told Mr. Johnson that volunteers get extra gravy.

## **7). Review of Employee Handbook:**

Mr. Capello said he made some additions to the handbook but had not sent it off to Town Counsel yet because he wanted to see if the board wanted to make any changes before sending it for legal review. We haven't looked at this since 2018 so I figured it was time to give it

another look he said.

Chairman Proulx said the handbook is quite hefty (54 pages) and asked if the board where they would like start.

Mr. Johnson said he would like to begin on page 9 and the board had no concerns prior to that.

**Page 9, #7 Employee Categories Definitions, section b Part-time Employee-** He asked why they were reducing the hours from 35 to 30 hours per week.

Mr. Capello said 35 hours a week is now considered full time. He said he was trying to bring it in line in case the Affordable Care Act went back into effect.

Chairman Proulx asked if they should ask the attorney about this.

Mr. Capello said they can leave it at 35 hours.

Mr. Johnson said changing it because something might happen doesn't seem to make much sense and they have always been anything under 35 hours is part time.

Mr. Capello said he would leave it at 35 hours.

**Section c – Department Head** – Mr. Johnson asked if the Transfer Station dept. head is the Transfer Station Supervisor not the Transfer Station Director as shown in this section.

Consensus of the board was to change the title to Transfer Station Supervisor.

Mr. Vachon said Mr. Capello also crossed out "Public Works Director" and replaced it with "Dept. of Public Works" and that is an entire dept. not a dept. head.

Consensus of the board was to leave it as Public Works Director until such time they decide to change the title.

**Page 11, section e – Compensatory Time** – Mr. Johnson asked why they are exempting the Director of Public Works from this policy.

Mr. Capello said because that is a conversation he wants to have with the board in non-public session at some point.

**Page 12, section e (continued) 3<sup>rd</sup> line from the top** –compensatory time must be used within 6 months "unless extended by the Town Administrator"- Mr. Johnson asked if it could extended for an additional 6 months.

Mr. Capello said yes.

The board had no issues with this addition.

Mr. Vachon asked if an employee can only carry 40 hours.

Mr. Johnson said the 5<sup>th</sup> line states an employee may not accumulate more than 40 hours of compensatory time.

Mr. Vachon asked why they care how long an employee has 40 hours on the books because if they pay it out and they get another 40 hours it's still 40 hours on the books.

Chairman Proulx said it is a liability at the end of the year.

Mr. Capello said if they have somebody leave they have to pay it all.

Mr. Vachon said they can only carry 40 hours so it's not like its unlimited and they would have a 3,000 hour paycheck coming. He said it's only 40 hours no matter how you cut it and asked why

they should even limit it to 6 months. He gave the example of a DPW employee getting paid for 40 hours comp time in Nov. and then there is a 3 day snow storm and he has 40 hours of comp time on the books again that they can carry for 6 months.

Mr. Capello clarified that the only ones who really use this is the Police Dept. and the DPW gets paid overtime if we have a 3 day storm.

Mr. Johnson said he would have to re-think that whole paragraph.

Mr. Capello said this may have been worded this way because of the union contracts at the time.

**Page 17, section ii, Holidays** – Mr. Johnson asked why they are striking “Employees within their probationary period, upon prior written approval of the Town Administrator may take off all the above holidays without pay.”

Mr. Capello said they could leave it but nobody is going to work New Year’s Day, Christmas Day.

Mr. Johnson suggested that it read “Employees still within their probationary period will take the holidays without pay”. There’s no approval required and it’s not an option he said.

Mr. Vachon questioned that they don’t get paid for the holiday.

Mr. Johnson said they wouldn’t be working on the holiday so they shouldn’t expect holiday pay.

Mr. Vachon asked if probationary employees at this time get paid for holidays.

Mr. Johnson said according to this no.

Mr. Capello said he thought that is why he struck that sentence and in his opinion they should but that is up to the board.

Mr. Johnson said he didn’t think that was right either. If we strike that line that will fix that he said.

Consensus of the board was to strike the line.

**Section ii, last paragraph**- “Unauthorized” was struck and replaced with “Any” to read “Any absence the scheduled day before or scheduled day after a holiday will result in forfeiture of holiday pay”.

Mr. Johnson said “unauthorized absence” is the correct language to use here.

Mr. Vachon said if he wants to take 2 days off before Christmas he wouldn’t get paid for Christmas because he took some of his vacation time.

Mr. Johnson said if approval is given it’s not an unauthorized absence.

**Section iii, Sick Leave, last sentence**- “Sick leave may not be used as vacation time” was added.

Mr. Vachon said the basis of this one is where someone has Friday and Monday off and then on Tuesday and Thursday they’re not feeling well.

Mr. Capello said that was put in for a specific reason.

Mr. Johnson asked what happens if you are really sick.

Mr. Vachon said he has been told they would have to go to the doctor and bring in a doctor’s note making it an authorized absence and they would have to pay them the sick time.

Mr. Johnson suggested it read “Sick time may not be used as or used to extend vacation time.”

Mr. Vachon suggested adding “or may not be used as an additional vacation day”.

**Page 21, section d, Bereavement** – Mr. Johnson said the portion of the first sentence where it says “...and problems caused by the death...” should say “...and problems as a result of the death...” Caused by doesn’t seem to fit properly he said.

Mr. Vachon asked if it has to be the days immediately following the death and it is hard to get everything in order in the 3 days following a death especially when there’s a cremation involved which takes a week. He said this is the first time he’s seen this and it’s usually 3 days whenever you need to take them for the arrangements.

Mr. Dickie noted that sometimes a death occurs when the ground is frozen and the burial service would be scheduled for the spring. So some people may take 2 days off and then take the third when the actual burial takes place he said.

Mr. Johnson said then they would have to track everybody who died and what days they take off but he would be okay with putting a limit on it.

Mr. Capello asked if the board wanted him to put a period after “days” and eliminate the “immediately following the death”.

Mr. Vachon suggested it should say “...scheduled work days, to be used within 2 weeks unless approved by the Town Administrator.” He said within 2 weeks they should be able to take care of a local burial but with extenuating circumstances such as the death occurred in California or out of the country the Town Administrator can authorize an extension.

Mr. Johnson asked why they were going from one day to two days for the death of other relatives (continued to the top of page 22).

Mr. Capello said it was because he has had people request more than just one day if they were very close to their uncle or other relative. He said with the extended families today people tend to be closer with their extended family than they sometimes are.

Mr. Johnson said to leave it as it is. He recalled that the definition of other relatives was pretty limited and that they already extended this to include grandparents, in-laws and first cousins.

Mr. Dickie said most companies give employees bereavement time for immediate family only.

Mr. Vachon said he has seen 3 days for a death period and you could get an additional 2 days for a death of an immediate family member.

**Page 25, section ff, Recovering Premiums**, third line – Mr. Johnson said to drop the s from “chooses” to read “the Town may choose to make such payments...”

**Page 28, Return to Work Certification** – Mr. Johnson asked why they are changing “will” to “may” in regards to requiring an employee to obtain a Fitness for Duty Certification if FMLA request was due to an illness or injury sustained by the employee.

Mr. Capello said not every job requires a Return to Work Certification such as a secretary that doesn’t do any lifting may not need a recertification to come back to work.

Chairman Proulx said having the recertification covers the Town.

Mr. Vachon said if there’s nothing from a doctor saying they can come back to work that makes

the Town liable if they re-injure that injury.

Chairman Proulx said there have been instances in the past where that has happened.

**Page 31, Fringe Benefits & Eligibility, section a: Insurance**, second paragraph- Mr. Johnson said they need to define the difference between the 12% and 15% health plans and the Town's 88% and 85% contributions.

Section C, Longevity Pay- Mr. Johnson asked why they are reducing the number of years of service to receive an annual longevity payment (from 7 years to 5 years).

Mr. Capello said 7 years is a very long time for somebody to get longevity pay and a lot of municipalities are 5 years.

Mr. Vachon said a lot of towns are doing away with it.

Chairman Proulx said it is costly as hell.

Mr. Capello said that is fine too.

Mr. Vachon said it is not bad here where the maximum is \$1,000 (currently for 25 years or more) but some of the bigger municipalities have to pay out \$2,500 to 4 or 5 employees.

Mr. Capello said they can leave it the same.

Consensus of the board was to leave it as is.

**Page 32, #13 Performance & Evaluations, section b, Regular Employees** – Mr. Capello added “If an employee receives an increase based on their review it will be retroactive back as determined by the Board of Selectmen”.

Mr. Johnson recommended it say “The effective date of any salary action will be determined solely by the Board of Selectmen”.

Mr. Capello said he would strike his addition and add Mr. Johnson's recommended language.

**Page 35, section 15, Non-Disciplinary Administrative Leave with Pay** – Mr. Johnson said he didn't have a problem with changing the Town's right to place employees on administrative leave with pay from up to 3 to up to 6 months but that it needs to be changed to 6 months in the last paragraph where it states if after 3 months the matter is not resolved the Selectmen may extend the administrative leave with pay for up to an additional 3 months.

Chairman Proulx said she also had no problem with this as it sometimes takes a long time to get things right.

Mr. Capello said asked if the board if they wanted him to make the changes requested and send it off to legal counsel for their “blessing” or if they wanted to see it with the changes before he sends it to the attorney.

Selectmen said they would like to review the changes once more before it goes to the attorney.

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

**a). Possible Uses for Funds** – Mr. Capello said he was returning the Tech Soup2Nuts quote for the laptops to the board because it is slightly more than they approved last week because they revised it to include a laptop as opposed to all desk tops.

Mr. Johnson said it is \$500 more than what they authorized last week with an additional \$200



for the laptop and \$300 for the docking station.

Chairman Proulx asked if this would be funded by the American Rescue Plan money.

Mr. Capello said it is all coming out of the ARP funds with some coming out of the water/sewer uses portion and the rest is out of the 10% loss of revenue reimbursement.

**Motion:** (Johnson, second Dickie) to authorize the purchase of 7 desk tops and 1 laptop and associated software and support hardware to Tech Soup2Nuts LLC in the amount of \$9,760 to include installation and maintenance;

Mr. Capello advised the board needed to waive the purchasing policy because they only received one quote for the purchases.

Mr. Johnson said they should do that first and withdrew his motion.

Mr. Dickie withdrew his second to the motion.

**Motion:** (Johnson, second Staples) to waive the Town Purchasing Policy requiring 3 bids on any award because Tech Soup2Nuts has been our sole supplier and supports all our IT equipment and their prices are very reasonable passed 5-0.

**Motion:** (Johnson, second Dickie) to award the purchase of 7 desk tops and 1 laptop with support software and ancillary devices to Tech Soup2Nuts LLC in the amount of \$9,760 with the funds to come from the federal grant passed 5-0.

Chairman Proulx asked if there was any other update on the possible uses of the funds.

Mr. Capello said they are just hanging in there and that he forwarded an e-mail to board today stating that Sen. Shaheen and a Texas Rep. have introduced legislation to allow a little more flexibility on the use of the funds and where it goes at this point who knows.

Chairman Proulx said the legislation used the word “bridges”.

Mr. Capello said it does and it would be nice if that would pass. He said the \$1.1 trillion infrastructure bill seems to be close to passing.

Discussion also included the status some of the other recent infrastructure bills and what funding may become available.

## **9). Town Administrator’s Business:**

**a). Budget Schedule-** Mr. Capello said he puts this item on the agenda every year to get the board’s feedback. He said he is getting “knee-deep” into the schedule with the dept. heads and asked if the board wants to have more budget meetings or do what has been done in years past and not bring in the Police, Fire and DPW dept. heads all at the same time and bring them in separately along with a few of the smaller budgets.

He also asked the board to start thinking about potential warrant articles in addition to the ones normally done each year. He said he has a couple of suggestions to bring forward to the board he feels would make sense but the ultimate decision is up to the board.

Chairman Proulx said it has worked out okay the way they have been doing it and noted that Mr. Capello does a lot of work on figuring things out before it even gets to the board saving them a lot of time. I think we can do it like we have been and that should be okay she said.

Mr. Johnson agreed it has worked out okay and that they have gotten it down to 3- 4 meetings.

**b). Strafford Regional Planning Commission Contract** – Mr. Capello said the Town uses SRPC for planning services and they are holding their price for next year and he brought the contract to the board for their approval. He asked the board to authorize him to sign the contract and then he will get this into the budget.

Mr. Johnson asked if there were any changes made to the contract.

Mr. Capello said there were no changes and the total cost would be up to \$50,000 (\$65 an hour plus expenses) and if they don't use it all they just don't pay it.

Mr. Vachon said he thought that last year they didn't use all of it because the Planner said he had some hours left.

Mr. Johnson said this year might be a little closer to using it all because of the work done on the Master Plan.

Mr. Capello said they are under budget now but they are coming into their busiest time of the year with potential zoning changes, etc. (in preparation for Town Meeting in March).

**Motion:** (Johnson, second Vachon) to approve the Services Agreement between the Town and the Strafford Regional Planning Commission for Planning Dept. services in an amount not to exceed \$50,000 and to authorize the Town Administrator to sign said contract passed 5-0.

**c). DPW Sander**– Mr. Capello said they are looking to buy a new slide-in sander for the 5500 (truck #301) that should have gone back under the lemon law when they first got it but it didn't. Mr. Staples asked if it has a built in sander that doesn't work.

Mr. Capello said it is a live body (sander is built into the body) and rather than investing in another live body they would get something that could go in and out of the trucks as needed.

Mr. Johnson asked where this money would come from.

Mr. Capello said it would come from the repairs and maintenance line of the budget.

Chairman Proulx asked Mr. Vachon for his opinion on the price quotes they received.

Mr. Vachon asked for the brand name on the one from DiPrizio GMC Trucks.

Mr. Capello said he didn't know what brand it is.

Mr. Vachon said the quote from Donovan Equipment Co. is \$20 more (\$6,150) for the same sander but it gives quite a bit of detail on what they are going to do and what comes with it.

Mr. Johnson asked if they should hold awarding the bid until they get the brand for the sander.

Mr. Vachon said he was curious if they were comparing apples to apples with the quotes. He said the Donovan quote is \$20 more but they know it is a name brand and a quality product and they don't know that about the sander in the DiPrizio quote.

Mr. Johnson said going by the model numbers provided it is the same thing.

**Motion:** (Johnson, second Staples) to purchase a slide-in sander from DiPrizio GMC Trucks in the amount of \$6,130 with the funds to come out of the DPW operating budget;

**Discussion:** Chairman Proulx how soon they said they could have this.

Mr. Capello said he didn't know and he assumed they probably have some in stock.

Chairman Proulx said that would make a difference and if they have them in stock that's one thing, but if they are sitting on a cargo ship somewhere it would be useless to us.

**Amendment:** by Mr. Johnson: to modify his motion to include based on a reasonable delivery time.

Mr. Staples accepted the amendment to the motion.

Chairman Proulx said if that isn't going to happen, Mr. Capello needs to let the board know.

Mr. Johnson said in preparation of them not being able to deliver it in a reasonable amount of time to give Donovan Equip. Co. a call and see when they can deliver it.

**Amendment:** by Mr. Johnson: if DiPrizio can't deliver it in a reasonable amount of time to authorize the Town Administrator to purchase the same unit from Donovan Equipment in an amount not to exceed \$6,150.

Mr. Staples accepted the amendment.

**Vote:** The motion passed 5-0.

**d). Primex Contract-** Mr. Capello said they received the Not-To-Exceed contracts from Primex. Chairman Proulx asked for an explanation of the contract.

Mr. Capello said it means the Town's price will not go any higher than the percentage shown on the program summary.

Mr. Johnson said they got more back this year but it is going up a total of \$30,000 for the property & liability, workers' comp and unemployment compensation programs for next year. He asked how much they got back from Primex.

Mr. Capello said they received about \$105,000 back from Primex.

Mr. Johnson said the property & liability plan has gone up 9%, workers' comp has gone up 7.5% and the unemployment compensation has gone up 5.7% which is about what they expected. It's another one of those where we don't have much choice because nobody else insures municipalities he said.

Mr. Capello said if they were to go with private sector insurance there are issues with them not covering everything that Primex does.

Mr. Johnson said Primex is required by law to refund any money not spent because they are a non-profit agency. He said that is why we are getting back \$100,000 this year.

**e). Tire Removal Costs-** Mr. Capello said Mr. Vachon had previously asked about the cost to remove tires from the Transfer Station. He said the Town pays \$225 each for loader tire, \$2.25 each for a passenger vehicle tire and \$12.50 a piece for truck tires.

He then gave Mr. Vachon the most recent copy of the bill to review.

Mr. Staples asked if those prices were through the Northeast Resource Recovery Association.

Mr. Capello said yes it is.

Mr. Vachon said they are not paying anywhere near that price especially for a loader tire and asked Mr. Capello to send him an e-mail reminder and he would give him the name of the vendor Somersworth uses. He said he thinks it's a flat rate for all tires until they get to the

bigger tires and then it's still not much. I'll forward a bill to you with that information he said.

**f). Exit Interview** – Mr. Johnson asked if an exit interview has been arranged with Sgt. Jonathan Langley (following his resignation from Farmington PD to join the County Sheriff's Office). Mr. Capello said several attempts were made to contact him to set up the interview and he has not responded with a date to do it.

**g). Employee Gag Order?** – Mr. Vachon said a gag order has been put in place so he can't get the information he needs to make an informed decision for the townspeople. He said he did not think this is right and he didn't know how they could infringe upon somebody's right to free speech and that everything that a municipality does is public knowledge.

He asked how an employee could be told they can't discuss matters with a Selectman trying to get the information he needs to make an informed decision and then pass the information on to the other Selectmen who may not understand the information being given to that Selectman who is in that field and can explain it easier to allow them to make informed decisions.

Chairman Proulx said she did not know what he is talking about but it sounds like a personnel issue and should be discussed in non-public session.

**h). DPW Meeting Attendance** – Mr. Staples asked to have the DPW Director attend board meetings to discuss purchases for the Public Works Dept. and answer questions as they do with the other dept. heads.

Mr. Vachon said he has asked for the dept. mechanic to be present when they discuss equipment but that didn't go well.

Mr. Staples said he thought it would be easier if they were here and after being on the board for about a year he has not had the opportunity to work with him and it would be good to put a face with the position. I don't even know if the people at home know who he is he said.

Chairman Proulx said she thought they could manage that.

**i). Bridge Workshop** – Mr. Capello said he was going to do the bridge workshop next week and Hoyle Tanner & Associates Engineer Josif Bicja would be present to talk about the plans for the bridges in town. He asked the board to bring their bridge reports with them to the meeting.

Chairman Proulx asked for an e-mail reminder for the board.

**j). Minutes on Generator Discussions** – Mr. Staples asked where he would find the meeting minutes Mr. King referred to regarding his complaint filed earlier in tonight's meeting.

Mr. Capello said the School Board minutes should be on the SAU website.

Mr. Staples said he wanted to read what they have actually made public to back up his complaint.

Mr. Johnson said the first minutes Mr. King provided were from the 1/13/21 Budget Committee meeting where they discussed making a deposit in the Capital Reserve Fund.

Mr. Staples said he planned to file an RSA 91-A information request for all the information he has backing up his complaint.

Mr. Johnson said the last page of Mr. King's complaint is a copy of the minutes from the

Deliberative Session where Article 10 contains a comment from Mr. King stating they are working on an opportunity to get a generator for the high school. I never knew they got it he said.

Mr. Staples said he takes every complaint about a Town employee seriously and he's got stuff highlighted in the documents and he wanted to know how he could find it.

Mr. Johnson said the Budget Committee meeting minutes are on the Town website and the minutes from the Deliberative Session would be on the school district's website.

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

**Motion:** (Johnson, 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, Dickie, Staples, Vachon-aye) at 7:53 p.m.

**Motion:** (Johnson, second Staples) to come out of non-public session passed 5-0 at 8:45 p.m.

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

**Motion:** (Johnson, second Dickie) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Dickie, Staples, Vachon-aye) at 8:45 p.m.

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

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

#### **12). Non-Public Session C:**

**Motion:** (Johnson, second Staples) to enter non-public session under RSA 91-A: 3 II (a, c) Compensation of Public Employees, Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Dickie, Staples, Vachon-aye) at 9:28 p.m.

**Motion:** (Johnson, second Staples) to come out of non-public session passed 5-0 at 9:40 p.m.

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

#### **13). Non-Public Session D:**

**Motion:** (Johnson, second Staples) to enter non-public session passed 5-0 by a roll call vote (Proulx, Johnson, Dickie, Staples, Vachon-aye) at 9:40 p.m.

**Motion:** (Vachon, second Staples) to come out of non-public session passed 5-0 at 9:46 p.m.

#### **14). Next Meeting:** Monday, November 1, 2021

#### **15). Adjournment:**

**Motion:** Johnson, second Dickie) to adjourn the meeting passed 5-0 at 9:46 p.m.

Respectively submitted  
Kathleen Magoon  
Recording Secretary

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Paula Proulx, Chairman

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Ken Dickie

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Gerry Vachon

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Neil Johnson, Vice Chairman

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Doug Staples