

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, May 2, 2022
Selectmen's Chambers
356 Main Street-Farmington, NH

Board Members Present:

Ken Dickie, Chairman
Gerry Vachon, Vice Chairman
Doug Staples
Penny Morin
Charlie King

Others Present:

Mike Farrell, Interim Town Administrator
Chuck Tiffany, Water/Sewer Supervisor
Residents Jo Kenney, Mary Barron, Paul
& Sharon Turner, Blanche Tanner, Joe
Puccia
Scott Orlando, Police Captain

1). Call to Order:

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

2). Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

3). Public Input:

a). Former Fire Station Parking Lot- Jo Kenney said someone has a motor home parked in the lot since April 14 and she has spoken to 3 Police Officers about it and it is still there. She said there are also several unregistered/uninspected vehicles, carpeting, cushions and it is just a mess back there. I have pictures if you'd like to see them, she said.

Mr. Dickie said they should have the Health Inspector go out and take a look at it.

Ms. Kenney asked if someone is living in the motor home where they are dumping their waste.

Mr. King said there is no overnight parking there except by permission of the Town and there are some people that can park there overnight.

Ms. Kenney said they have cars that have been there forever and have never moved.

Mr. King asked Mr. Farrell to meet with the CEO/Building Inspector and the interim Police Chief to see what can be done about this and to ask the Highway Dept. to pick up the trash.

Ms. Kenney then told the board she was asked to relay a message from Stuart Pease that he is still interested in that property when it goes on the market.

b). Raffle Permit -Mary Barron said she would like to submit an application for renewal of the raffle permit held by the Friends of Farmington and she would like a copy for the group's records. She said the application contains the same information as previously submitted and gave the application to Mr. Dickie. It says we are a registered non-profit organization in good standing and it lists the organization's officers she said.

c). Spring Cleanup/Art Show -She then congratulated and thanked everyone that participated

in the roadside spring cleanup that took place on April 23 and sent a “shout out” to the volunteers and everyone that participated in and attended the Friends of Farmington Recycled Art Show also held that day.

d). Flags-Mrs. Barron said she also wanted to recognize the Farmington Preservation and Improvement Organization and thank them for putting up the new flags along Main and Central Streets and then asked about replacing the big U. S. flag on Central Street. She said that American Legion Post Commander Gary Mosher used to take care of the flag for the town but he is unable to do so because he is on the road all the time and she did not know who is handling it now. She said the flag is torn at least half way up to the Union and it needs to be replaced or to come down. I can’t go by and see it in the condition that it’s in she said. She said money for previous flags has come from the Patriotic Purposes line in the Town budget and the Legion always took care of ordering it because they got a military discount and the name of that company is Action Flag. She said if there is no money in that line to contact her and she would purchase the next flag and she might even buy 2 like she does for the Public Safety Building where one goes up the pole and the other one goes on the shelf. When that starts to go it goes fast, she said.

Mr. Vachon said he could provide contact information for where municipalities could get flags at a discount price.

Mrs. Barron suggested they may be able to get the model and the size from the prior orders.

Mr. Dickie said it is important to get the right size flag for the pole and if it is too big it will get tangled up in the nearby utility wires.

e). Old Court House/New Senior Center- Mrs. Barron said during a discussion with the board in Oct. 2016, former Rec. Dept. Director Rick Conway requested permission to use the conference room at the old Police Station as a senior center and he would take care of all fund raising and all sponsorships. She said the board at that time liked the idea and asked Mr. Conway to get together with the former Town Administrator and do it but it failed to happen due to lack of interest.

She said fast forward 6 months, Community Action Partnership was housed in the old court house and they came to the board and asked to make renovations to the courthouse to make it easier for them to do what they do. She said in the board minutes from May 1, 2017 resident Elizabeth Johnson suggested the board consider working with the Farmington Historical Society to allow them to use the old courthouse instead of renovating the historic building now occupied by CAP. Mrs. Johnson suggested that the renovations would affect the historical value of the building and she understood that CAP was told they could not do any renovations to the building so CAP left and the building went fallow she said.

She then asked the 3 members of the board that were here last year if there was a vote taken to turn the old court house into a senior center. She said she searched their meeting minutes for 18 months and she didn’t see a vote on it.

Mr. Dickie said he didn't believe there was a vote and Mr. Staples said there was no vote taken on that while he, Mr. Vachon and Mr. Dickie were on the board.

Mrs. Barron said this would have happened after Erica Rogers became the Rec. Dept. Director. She said the public building is owned by the taxpayers and they were supposed to have this discussion with the Historical Society and she didn't believe that ever happened. She related how the School Board had the "little red schoolhouse" and by statute they put it to the legislative body to get permission to do something with that building and that vote passed. She said also by statute they were told it had to go out to any charter school that may be interested and if there was none then it went out to public bid.

She noted that she was in favor of having a senior center but her problem was they had a building that was there, they had somebody that was willing to do fund raising and now there is upwards of \$35,000 that has been put into the building from the (ARPA funds) new windows, new doors, furniture, engineering for a ramp and eventually a ramp and asked if that would not change the historic value of the building.

Mr. Vachon said the new ramp would be for the Rec. Center/Town Hall building and that the ramp between the 2 buildings is not in the greatest shape.

Mrs. Barron asked if there is currently a ramp to the old court house for the seniors to use.

Mr. Vachon said he believed there is a ramp off to the right side of the building and when he asked about it he was told it is Americans with Disabilities Act compliant.

Mrs. Barron advised that that ramp was built in the 1980's and its condition should be checked before they open the senior center. She asked if the bathrooms were ADA compliant.

Mr. Vachon said yes and they are located on the first floor.

Mrs. Barron said the right thing to do would have been to put it out and ask if there is any interest in the building. She asked how this happened that they have a building sitting there and all of a sudden, they're writing \$35,000 checks out of our COVID money which could have gone to sidewalk repairs/replacements and now we have another rec. dept. building that has been renovated that shouldn't have been renovated if you go by what the records indicate. She asked if another building came up that may have potential interest and has already been offered to people that it would be put on the ballot for the legislative body to vote on. She said changing the use of the building from one Town dept. to another Town dept. is probably okay legally but we have had a Historical Society for years and all they've done was hunt for space and they were offered it.

Mr. Staples asked when the space was offered to the Rec. Dept.

Mrs. Barron said it states it was offered to them in October 3, 2016 meeting minutes.

Mr. King said the exact termination wording was that they should be notified and consulted but not offered to them.

Mrs. Barron said the Selectmen's directive was to contact the Historical Society and that was based on the fact that the board at the time did not want renovations done to defray the

historic value of the building which at this point has been done.

Mr. Staples asked who was on the board at that time.

Mr. Vachon said Paula Proulx, Neil Johnson and Mr. King were on that board.

Mr. King said the renovations proposed by CAP would have made structural differences to the old courthouse building because they wanted to put up partitions and add windows inside and the amount of modifications would have significantly changed the building's layout. He said he wasn't in favor of it because he didn't know how that would function for other uses.

Mrs. Barron asked if the renovations weren't a board decision if it was a Town Administrator/Rec. Dept. Director decision.

Mr. Staples said the previous board voted to replace the existing windows and the carpet.

Mr. Dickie said that a group from UNH did a study for the Town and brought recommendations to the board based on space needs at the Town Hall where it was limited and where they had kids in and out with the old gymnasium being used for various functions and they suggested that the old courthouse would be a good location for a senior center and they would have their own space set up just for the seniors and from that point on it went.

Mrs. Barron asked if there was a discussion on using the old Police Dept. conference room and it was approved by the board to start making that happen. She asked if after the UNH study came forward if there was no time to have a public hearing with the citizens.

Mr. Dickie said that a public hearing didn't take place.

Mrs. Barron said it sounds to her like the Rec. Dept. and the Town Administrator decided that this is what we're going to do and then they came to the board.

Mr. Dickie said they took the word of UNH and that's what they moved forward with and the board supported it.

Mrs. Barron said they had 6 people (5 Selectmen and the Town Administrator) deciding the long end run for that building.

Mr. Dickie said right, wrong or indifferent that is what happened.

Mrs. Barron asked that they try not to do that again if another building or something comes up and that it is very easy to put it on the ballot and ask the voters' permission to do something with this. She repeated that a rec. center is long overdue and she doesn't mind that it's there. My question is how it got there without 99% of the town not even knowing. The sidewalks downtown are deplorable and I wonder if some of that money could have been diverted to make the sidewalks safer for our senior citizens to get to the new senior center she said.

Sharon Turner asked the board to be conscious of what is being done with the old courthouse. She said it is an old building that has historic value and to try to maintain the historical properties of the building and to keep an eye on it.

Mr. Dickie said they only replaced the windows that didn't change the historical value and left the stained glass windows alone.

Mr. Vachon said his biggest concern was not to change the historic look of the front of the

building. He said the back windows that were costing the town \$1,000's to heat because they were very drafty were replaced but the front needed to stay historical and not to touch any of the stained glass, the big windows, decorative moldings and such on the front of the building. Mrs. Turner said she brought this up when she found out that CAP left and the building was sitting empty and that she didn't know about what happened in 2016. She said she mentioned to the former Town Administrator that it would be a wonderful spot for a Historical Society Museum and asked if there was any chance of even considering that and she was told no. Mr. King said he has been in the building as they used to hold Planning Board meetings there in 2004 and asked if that building is big enough to hold all of the Historical Society's items. Mrs. Turner said she never got that far with pursuing the idea. She said she wouldn't want to go from something too small to something else too small and it was a thought she had at the time. Mr. King asked if nobody had ever reviewed the square footage based on what their needs are. Mrs. Turner said not to her knowledge but somebody else may have done so. She said if anything else does come up they would be very interested in looking at a better space.

f). Tappan St. Fence - Paul Turner said going up Tappan Street there is a sidewalk to the left side of the street as you go up the hill and that the Town put up a fence there years ago as a precaution because there is a real drop off on the inside of the sidewalk. He said over the years he has watched the condition of fencing get worse and worse and it's really bad right now. He said there are two 8 ft. sections with no boards at all and another 8 ft. section with missing boards and urged the board to take a look at it for themselves. He said the posts are rotted and it is an eyesore and very unsafe.

Mr. Dickie asked if that is up close to Rite Aid.

Mr. Turner said it is across the street from the old age facility and some of those folks use that sidewalk to get to Rite Aid.

Mr. King said that is a heavily used piece of sidewalk.

Mr. Turner again asked the board to look at the fence and that he didn't think it would be a big expense to replace those boards.

Mr. Dickie asked Mr. Farrell to have someone from DPW take a look at the fence and see if there is anything we can do to make it safer.

Mr. King said they may have to do something temporarily if it is a safety concern until it can be fixed permanently. It's been brought to us as a safety issue so we need to get out there he said.

g). Dodge Cross Road-Joe Puccia said he came to the board last fall and the board agreed to rip out the pavement and he ran into one of Highway Dept. guys who told him that nothing is on their radar and there's a new board in and things might have gotten lost in the shuffle. He said he called last week and no one got back to him so he came in tonight to see if it fell off the schedule. He explained they were going to rip out the asphalt part at the bottom of Dodge Cross Road because it is a disaster and just make it all dirt and since he didn't get a call back he figured he would come in and see if they could get this thing rolling again.

Mr. Dickie said he remembered him from the previous meeting.

Mr. King asked if they have seen the DPW Director's work list for this summer and if not he would like to see it to make sure they're doing the stuff they want them to do and he assumed this project is probably on that list.

Mr. Farrell said he spoke to DPW Director Gary Rogers about this road and he is aware of it. He said what they would be doing is turning a paved road into a dirt road and they can't do that according to Mr. Rogers.

Mr. Vachon asked if he had been out there and it's worse than a dirt road and you can't do anything with it.

Mr. Farrell said they have to bring it back to where it was and they can't degrade it.

Mr. King said the board agreed or voted to remove that tar and bring it to the gravel road for the entirety in a previous motion.

Mr. Puccia said that is correct it was approved last fall and this is his second visit here.

Mr. King said that is the directive of the board. He said he has just been made aware of this as far as whether they need to have a discussion on this or if they need to go on a site visit.

Mr. Puccia said the maintenance is actually a liability because everyone is going around to the other side of road and some are being pushed into the culverts and this would actually improve the road. It's nasty on your car and in the winter time it's horrible he said.

Mrs. Morin asked if there is a statute that says once we've paved a road that we have to maintain it as a paved road.

Mr. Farrell said he is not sure. He said it's a Class V Road and they can't make it a Class VI Road.

Mr. Vachon said that wouldn't make it a Class VI Road.

Mr. King said Class VI roads are unmaintained roads and all of the dirt roads we maintain are Class V roads.

Mr. Puccia said the road is probably about 80% dirt.

Mr. Staples added then when they grade it the dirt part is better than the paved part.

Mr. King said that road has several challenges one being the slope and the water that comes off of there and the road should be paved from top to bottom but based upon the cost associated with doing that but there is also a lot of water runoff on both sides and this has come up over the years at least a couple of times. He said as you go up the road as part of a subdivision there were multiple spots that were allowed by the landowner to get some of that water off the road as it goes up because it's so steep so much water comes down and causes erosion down the road and to the sides and when it came before the Planning Board the Town asked for drainage swales or places where it could run off the road to improve some of the washout areas there. I don't believe those were ever put in so that problem we had gotten permission to improve still is an issue as it goes down the road. The paving will help but that water still needs to go somewhere he said.

He said since that time it's never been before the Town to pave it, not that the people haven't

requested it but it's never even been onto a list.

Mr. Farrell said Mr. Rogers would be back from vacation on Thursday and he would talk to him about it.

Mr. Dickie said they agreed to have it torn up and they couldn't do it at the time because it was winter time.

Mr. Puccia said the former Town Administrator said he put it on the list and they had to wait for spring.

Mr. Farrell said it is not on Mr. Roger's work list.

Mr. King asked if he has a work list for the season and that he was not being facetious. He said as a resident he was told last year that the ditch maintenance on his road which hadn't been done in 3 or 4 years, there were 3" diameter oak trees growing in the ditch line, that it wasn't his decision on what got done.

He said he understood that and now being on this side of the board he asked where the list is and that he wanted to review the projects to make sure he agrees that those projects make sense for this community. This one right here sounds like it should be on that list he said.

He said if they can't do it then they need to own up to it and communicate that to the people they made a commitment to.

Mr. Dickie said he would like to have this back to the board by next Monday.

Mr. Puccia asked when he should check back and if in a month would be reasonable.

Mr. King advised him to watch the board meeting next week.

4). Review of Minutes:

April 25, 2022-Public Session – No errors or omissions

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

April 25, 2022-Non-Public Sessions A- No errors or omissions

Motion: (King, second Morin) to approve the minutes as written passed 3-0-2 (Dickie, Vachon abstained).

April 25, 2022- Non-Public Sessions B, C and D- No errors or omissions

Motion: (King, second Morin) to approve the Non-Public Session B, C, and D minutes as written passed 3-0-2 (Dickie, Vachon abstained).

5). New Business:

a). Water and Wastewater- New Charges for Water Plant-

Water/Sewer Dept. Supervisor Chuck Tiffany said the plan for the water and sewer billing has always been set at a flat rate and with the new system they put in it didn't recognize it as a flat rate and charged them for their usage.

Mr. Dickie explained that in the Town Clerk/Tax Collector's Office they changed their system to Avitar and Avitar is all system generated so there are no flat rates in there and it takes the

actual and applies the cost of the usage of water and sends out bills.

Mr. Tiffany said that previously they paid for 2 meters down there and for one of them he paid \$22.62 every month and the other one was \$31.86 per month for years and he didn't know who set that price at that time. He said the only thing he could see paying for without paying ourselves is the meter fee because that fee goes to paying back the loan they have with the state of NH and for future meters.

Mr. Dickie asked what the new bill is with the new system.

Mr. Tiffany said the bill he got now for the small meter was \$287.53 and for the big meter it was \$1,175.57 (for the Town office building and runs all the water seals and pumps). He said his budget was based on the flat rate and he is not budgeted for this at all.

Mr. Dickie said in a sense what they're doing is taking money out of one pocket and putting it in the other. He said Mr. Farrell had some recommendations for either a flat rate or...

Mr. Farrell said they could abate it this year and build it into the budget for next year.

Mr. Tiffany said it didn't seem right to build it into the budget next year for that much money which would just raise the budget and is just us paying ourselves.

Mr. King asked if would be beneficial as a user for the Town to pay for the water or would it be no difference. He said they pay a rate based on a user fee so if the Town pays but that fee would come out of the Water Dept. budget which would raise the fee so if you take the money for the fees then you have to raise the water rates to cover the fees so if they zero it out there is less money that they have to put on the users because all those costs for the water is borne by the users. He said taking it off or making it zero is not a detriment to the user because right now all the users pay 100% of everything right down to his salary and the trucks, etc.

Mr. Tiffany said the water they use is also budgeted for the chemicals in the chemical line, the electricity they use to pump that water is already budgeted out of the electrical line and he is willing to do it whatever way the board recommends that it be done.

Mr. King said he was okay with a flat rate but the meter replacement should be on top of that.

Mr. Vachon said they charge the other users a flat rate plus a meter fee and they only have this issue with a non-profit type situation where they charge them a flat rate plus the meter fee on top of that. He said they have no problem with the flat rate and the meter fee and they understood all of that. I'd be alright with paying a flat rate and paying for your meter when everybody else that has a meter has to pay for it he said.

Mr. King asked what their flat rate has been.

Mr. Tiffany said it was \$31.86 per quarter and \$22.62 per quarter on the other meter but that price hasn't been raised in years and he didn't know what the board wanted to do about that.

Mr. Vachon noted there is 4 times as much usage on the cheaper meter.

Motion: (King, second Morin) to change the flat rate billing to \$50 per meter per billing amount plus the meter fee for both meters;

Discussion: Mr. Tiffany asked if the motion had to say this is going forward and not just for this

billing cycle so if it happens again they can change it and he doesn't have to go before the board again.

Mr. King said his motion is to change the flat rate billing from here going forward until it's changed by the next board or the next vote.

Mr. Staples asked if he had enough in his budget this year to cover that.

Mr. Tiffany said yes.

Blanche Tanner asked how that would affect the users' bills.

Mr. King said the water is paid 100% by the users so if they make the Town pay say an extra \$4,000 then \$4,000 will have to be raised in additional users' fees to cover the additional \$4,000.

Ms. Tanner asked if that \$4,000 would be divided up among the users and their bill would show that.

Mr. King said that is correct.

Mr. Dickie said it would if that is what they said you're going to pay but they didn't go that route. He said they are not going to \$4,000 so the usage fees should not be increased.

Mr. King said this would not drastically affect the user rate because the difference is maybe \$100-\$150 a year that has to be raised in Mr. Tiffany's budget. He said if he pays the full bill his budget will be maybe \$4,000 more and the rates would have to adjust up to that and it would be a small amount.

Ms. Tanner said in the past there has been some concern for some people in the community about taxpayers footing the bill for the users and she just wanted to make sure she understood.

Mr. King said the sewer is a little bit different based upon the last plan upgrade but he was pretty sure the water is 100% user based.

Vote: The motion passed 5-0.

Mr. Tiffany asked the board to sign the abatement application forms.

Mr. Vachon asked if the board had to vote to abate the current amount as they only voted for a flat rate going forward.

Mr. King said that would require another motion.

Motion: (Vachon, second Morin) to abate two invoices for the water plant the first invoice is 2022W01001047 in the amount of \$1,167.83 and the second invoice is 2022W01001044 in the amount of \$270.55 passed 5-0.

b). Master Plan Leadership Committee Discussion- Mr. Farrell said at their last meeting the board had a question about the status of the Leadership Committee and no one has applied. He said they need to get some interest in the committee and he thought by bringing it back at this meeting word would get out. He said as part of Master Plan the Leadership Committee is supposed to make sure that the Master Plan is being followed.

Mr. King said he was involved with agreeing this should be done as a member of the Planning Board and he is willing to volunteer as the Selectmen's rep. and try to get this rolling. He said he

would bring it to the Planning Board at their next meeting and try to get the committee membership up to a minimum of 5 members. He said the membership they are looking for is 5-9 members including a representative from the Board of Selectmen and a representative from the Planning Board and community members that would volunteer to work closely with the Planning Dept. to try to meet the goals and objectives set forth in the Master Plan.

Motion: (Morin, second Vachon) that Charlie King represents the Board of Selectmen in the Leadership Committee passed 4-0-1 (King abstained).

Mr. King said he would bring it up at the next Planning Board meeting and would get back to this board about when they would have their first meeting and he will try to get it started in the next couple of weeks.

6). Old Business:

a). Tax Increment Finance District Advisory Board- Mr. Farrell said this was brought up to him by the Planning Dept. and it was noted that similar to the Master Plan Committee the TIF District has an advisory board and its been non-functioning since 2018. He said this is a statutory requirement of the TIF District and that is why he included some background information for the board.

He said the TIF District is producing revenue and gave the board a short spreadsheet that shows each year and that we're at a point where they will be adding \$40,000 a year to the district. He said without the advisory board we are not following the statute.

Mr. King asked who was the advisory board before 2018 and if it was the Economic Development Committee.

Mr. Farrell said one member of the EDC was on the advisory board and the Town Administrator was the District Administrator and there was one Farmington resident who was not an owner/occupant in the district and then you had to have 3 members (occupants, renters or landowners) of the district.

Mr. King said then they have to reform this committee to meet the statutory compliance. He said he was involved in the formation of this from the beginning from the Planning Board side. He explained that the TIF District takes incremental tax revenues above when this district was set, sets those aside for the improvements that are defined in the district and those are to bring water and sewer out to the intersection of Rt. 153 and move it along Rt. 11 south and north to the exact boundaries set in the TIF formation. He said some of the estimated costs were set forth in the formation of the district and he believes it was formed for 15 years.

He said the fund was formed and was voted on by the taxpayers in 2014 and there were no improvements in that area until 2018. He said in 2018 there were improvements in the valuation that totaled \$16,000 in revenue which is earmarked for these improvements and at this point \$40,000 is earmarked based on the increased valuation from when the TIF District was set.

Mr. King said some communities do the infrastructure, establish a TIF and bond it from the

beginning and some districts are set up where the improvements aren't done until the end when all the money has been saved. Some towns do a hybrid and that's what was originally proposed which was this is the estimated cost for the improvements, set up the TIF District for 15 years and as the revenues start to accumulate there would be a point where the Town feels comfortable that it has enough revenue to pay for a bond and can seek additional funding that was somewhat earmarked in this TIF designation. One would be from a CDBG grant or through economic development with some bond financing. To put that infrastructure in place you need these grants and this revenue stream to pay for the balance he said.

Mr. King said the fund was set up to fund those future improvements without a direct hit on the taxpayers. He said this money is being set aside from taxation and currently totals \$129,056 from over the past 7 years and at this rate it may be 10 or 12 years before we have enough revenue here along with the grant funding to put that infrastructure in.

He said he didn't think we could actually put the infrastructure in until we have that secured so those grant revenues may need to be targeted for a certain year and they would have to reassess what the cost would be and what the new profile would be for financing which is a decision the board would make.

He said he would also volunteer to be the representative from this board to TIF District Advisory Board but they also need to reach out to the membership, residents and current owners in the district because they have to have 3, the Town Administrator served as one and a rep from the EDC is needed.

Mr. Farrell said a Selectmen's rep is not required but they do need a resident that doesn't live in the TIF District.

Mr. King said he would fill that seat.

Mr. Staples asked if he could fill one of the seats for property owners within the district because his company is right there.

Mr. King said no because the district doesn't go down that far. He asked that a letter be sent to the residents or landowners affected and then they should be able to fill that board but they first want to look at what their statutory requirements are at a minimum on an annual basis so they can tell them we're projecting that it's going to be 1 or 2 meetings a year.

Mr. Farrell said when he was the Town Administrator in Hooksett, they created one of the first development TIF's in the state in 1992. He said they took a played out 25-acre sand pit and at Town Meeting they voted to do a road bond to put roads into those 25 acres and with that road which is actually off of exit 10 off Rt. 93 just north of Manchester they were able to put 600,000 sq. ft. of retail space in those 25 acres. The bond was only \$1.2 million and they paid it off in 2 years through the revenue from the TIF with the new increments. It went from \$25,000 in overall taxes received to a 100,000 sq. ft. Home Depot and they pay a lot of taxes so they work really well and all you need is one good tenant and you're off and running he said.

Mr. King said he was willing to be one of the members and he would work with Mr. Farrell to get some letters out to refill that board.

7). Town Administrator's Report:

a). New Cruisers-Mr. Farrell said he wanted to get Capt. Orlando on the agenda as he has some updates for the board. He said they both did their own search for a \$55,000 ARPA commitment for a cruiser and neither one of them have found any documentation.

Mr. Vachon said he saw in the minutes that that never happened. He said it was never slated to come out of the ARPA fund and both cruisers were coming out of the detail fund.

Capt. Scott Orlando said on April 25 the board asked him to look into and get more details regarding the ordering of 2 Police cruisers for the agency and to try to understand a little bit more about the detail fund which helps reimburse the payment of the cruisers.

Mr. King asked for the current solid balance of the detail fund that can be allotted to cruisers.

Capt. Orlando said the balance is very tricky to understand and he did a report that he had copies for everybody. He said this is broken down into 3 sections when they do a detail-the officer's pay, an administrative fee and a cruiser fee.

He said he created a spreadsheet and all the data comes from the 2017-2021 Annual Town Reports. He said the balance on Dec. 31, 2017 was -\$34,747; on 12/31/18 it was -\$1,274.15 and on 12/31/19 it was -\$6,771.82.

He said from there he was able to go in the archives and look at their detail logs and come up with how many hours that they did and 541.5 hours of details were completed in 2020. He said he took the \$18 cruiser fee and did the math and did it again for 2021(626 hours) and 2022 (306.5 hours as of April 1) and he is trying to match what the Annual Town Report says and he can't do that.

Mr. King asked if he gave this information to Mr. Farrell.

Capt. Orlando said yes and that he gave copies of his entire report for everybody.

Mr. King said they would have to have the Finance Administrator do some research on the last year which seems not to be filled out correctly. He said the reporting in the Town Report is suspect because they had a beginning balance of \$10,499.30 and the balance at the end of the year was \$10,499.30 with no data entries along that line. He said in 2021 they started and ended the year with the same balance even though they worked 626 hours.

He said the Capt.'s report says the cruiser fees were \$11,268 so if you added that to the \$10,499 it would be approx. \$22,000 starting this year.

Capt. Orlando said he came up with a balance as of April 1 of approx. \$19,760.18.

Mr. King said that doesn't make any sense and if they started with \$10,500 and added \$11,300 that's \$21,800 and if the revenue from this year to April 1 is \$5,500 that should be like \$27,000.

Capt. Orlando said he wrote out the math in his report so they can follow how he did it and gave a copy to Mr. King.

Mr. King said this has to be correct on the Town's books and the Finance Administrator would

have to supply Capt. Orlando with the correct information and maybe she can figure out what the balance is from her books because what will happen is if we only have \$19,000 to \$27,000 the rest of it has to come from somewhere and if the vote was never officially made on the ARPA funds that's not going to meet what we need anyways because the total is almost \$100,000. If the number is \$25,000, we're going to need an additional \$75,000 and based on what he brought in as his budget at the last meeting he doesn't have an extra \$75,000 so that vote has to be taken for a fixed amount but we don't know what we're starting with he said. Capt. Orlando said the last known communication was on Feb. 24 where an e-mail went back from Chief Drury and the Finance Administrator where it cited we have \$21,574.12 in cash and \$12,895 in accounts receivable.

Mr. King said he was at a meeting where those numbers were given and the board took that to mean that there was \$35,000 but that accounts receivable comes for everything-officers' pay, overhead and the detail money that goes to the cruisers is only about 20% of that value so if there was \$12,000 in receivables there would only be \$2,400 that would go toward the cruisers. Capt. Orlando said on his spreadsheet he just stuck with the \$18 and multiplied it by how many hours based on the known balance from an Annual Town Report. That's the only way I could figure out what I thought an accurate balance was he said.

Mr. King said at the last meeting the board froze any new purchase orders on the ARPA funds until they get all of the accounting because in this case, they may have to take some of the balance of the money left over to cover the cost of these cruisers. The \$55,000 is penciled in there but it sounds like the board didn't make that decision yet he said.

Mr. Vachon said he was under the impression it was coming out of the detail fund.

Mr. Staples he thought they were going to do the radar and stuff like that from the ARPA funds. Capt. Orlando said in the Selectmen meeting minutes and the documentation that he found for cruiser 1 the board approved and authorized the Chief to place an order for a replacement cruiser in the amount of \$34,909 and that was on Sept. 13, 2021.

Mr. Dickie asked if that was the cruiser that was in Maine.

Capt. Orlando said no and that was a subsequent conversation in February.

Mr. Vachon said that was a unit the Chief had found that was ordered and not picked up. They dangled the carrot and then sold it he said.

Capt. Orlando said he was able to confirm that 2 cruisers were ordered through the Irwin Automotive Group and they came with a code of F-1 where "F" is the 6th month of the year and "1" is the first week so that is the first week in June. He said Chief Drury gave him an e-mail where the Sales Manager says they could probably expect it in early July if there is not an issue with a chip.

He said for the second cruiser he located correspondence back and forth where there is a back out clause mentioned and the Chief and the Sales Manager communicate with one another that the Town can back out.

Mr. Vachon said that's why he was trying to get the one out of Maine so they could back out of the ordered one and purchase that one.

Mr. King asked if we need 2 cruisers and right now we have potential funding for 2 as there is plenty of ARPA funds and next year his budget is going to be up.

Capt. Orlando said he looked at a quote dated Jan. 11, 2022 from the Irwin Automotive Group for that Police cruiser at the sum of \$35,309 and Selectmen motioned to authorize the Chief to place an order for a replacement cruiser in the amount of \$34,909.

Mr. King said the quote is a little bit different than the motion and then asked if there was a quote on the second cruiser.

Capt. Orlando said not that he has. He said also in his report Chief Drury was able to obtain on Feb. 9, 2022 a quote from Addison Industries, Inc. to outfit the cruiser and he included an itemized list of everything it includes in the packet.

Mr. King asked if they have a price on the second cruiser that they ordered.

Capt. Orlando said he does not have a price on the second cruiser.

Mr. King said they need the price on the second cruiser, quotes for the outfitting 2 cruisers...

Capt. Orlando said the quote for the outfitting for one cruiser was \$12,689.

Mrs. Morin asked if it is an additional \$12,000 to outfit the second cruiser.

Capt. Orlando said that is correct and that is where they came up with the estimate of \$55,000.

Mr. King asked how old that quote is.

Capt. Orlando said the quote was dated Feb. 9, 2022.

Mr. King asked if this is a company they deal with on a routine basis.

Capt. Orlando said yes.

Mr. King asked if he asked where our cruisers are coming in July if the quote is still valid or if the quote says it is valid for so many days.

Capt. Orlando said no and it does not specifically state that on the quote.

Mr. Dickie said he may want to call them and make sure that price still holds.

Mr. Vachon said they've had salesmen tell them with the price changes they are giving 72 hours for a yes or a no.

Mr. King said he would preface it by saying he is trying to make sure he can get both of these cruisers, that he is putting together numbers and ask if the quote is still valid because if it's not they may not get 2 cruisers. He said that quote was for one cruiser but they need outfitting for the 2 they purchased and they need the price on the second one so they know what the total cost is for those 2 cruisers.

He then asked which 2 cruisers they are replacing and for their age and condition.

Capt. Orlando said they would be replacing the 2 Dodge Chargers that have over 100,000 miles on them and estimated they are over 7 years old.

Mr. Dickie asked if a week would be enough time to get the information the board is requesting.

Capt. Orlando said absolutely.

Mr. Vachon asked if they are willing to take the Chargers as trade-ins which would cut the cost.

Capt. Orlando said no.

Mr. King said there are a couple of other vehicles we use for other Town employees that seem to be limping along but whether these are good enough to repair and put back into limited duty he did not know. He asked if they have a maintenance record or issues for each cruiser and what is known that is wrong with them before they make a decision because the last thing, they want to do is give it to the Code Enforcement Officer and then have to go fix it.

Capt. Orlando said they do have records.

b). ARPA Funds-Mr. Farrell said he spoke to the Fire Chief about the \$13,000 boat listed and he has no idea what that is for.

Mr. King asked if it was term used for some Fire Dept. equipment.

Mr. Farrell said not as part of the Fire Dept. and that was what it was penciled in next to.

Mr. King asked if the Finance Administrator had any idea what that was.

Mr. Farrell said no.

Mrs. Morin asked if they have a boat lying around anywhere.

Mr. Farrell said no and that he asked that question. That's found money he said.

Mr. King asked if they were getting closer to getting all the expenditures to date and the PO's cut for those funds.

Mr. Farrell said she is working with the accounting software firm and what they are going to have to do is stop the conversion and put it back to where it was before the conversion because they can't do the conversion without the closing entries from the auditor and he didn't know why they didn't understand this from the get-go.

Mr. King asked if they should have waited for the transition until after the audits.

Mr. Farrell said they jumped the gun and they have almost all of it put back to where it was and BMSI spent their weekend doing that.

Mrs. Morin asked if that was at an expense to the Town.

Mr. Farrell said no. He said the Finance Administrator was a lot more relaxed today (because they got it put back to the old system) and the plan is stay there until they find a new software vendor.

Mr. King said that will have to come back before the board with their concerns and recommendations. He said he assumed they planned to migrate onto the BMSI software and asked what they are using now.

Mr. Farrell said they are using BSMI now and it was supposed to be an upgrade but it never balanced and the numbers were not valid.

Mrs. Morin asked when the audit is scheduled to be finished.

Mr. Farrell said it is starting on May 23 and probably won't be finished until the fall.

Mr. King asked if they would have solidified numbers for the ARPA funds by next week or if

would take longer than that because they suspended all spending from that until they get it tightened up.

Mr. Farrell said he couldn't answer that right now.

Mr. Dickie said he expected it would take 2 weeks to get those answers and the board would look for it in 2 weeks.

Mr. Farrell said if the Finance Administrator has it he will get it to them next week.

c). Bridge Update- Mr. Dickie said he met with State Rep. Jim Horgan and he has been meeting with the NH DOT Chair and pleading our case of how we have 12 bridges with 4 bridges red listed and he is trying to get the funding for the bridges. He said Mr. Horgan is going to try to meet with DOT again and he is thinking that the state has changed the mandates so it is possible they may fund the total amount of bridges not just 80%/20% but he is not sure yet. He said Rep. Horgan is asking us if possible, to get some bridges shovel ready so if he does get some funding they can push it over. He said he is not sure how much money they had set aside for infrastructure but it is a significant amount of money and Rep. Horgan is saying its \$8 or \$9 million and he would like to see us at least have applications ready to submit.

Mr. King said this will take another meeting with their bridge consultant ASAP. He said they need to understand what is involved in making application for each bridge some may be prepared and easier than others, determine the priority of where they want them to be in pursuit of this funding and what it will take to get the top 4 or 5 bridges ready to go. Even if that money doesn't become available it gets us in a position of better understanding of what the financial implications are on each bridge. If we can get this funding that's great but if we can't we're better prepared to seek other avenues because this work is ready to go he said.

Mr. Vachon said it is going to cost about \$500,000 to make 4 bridges shovel ready and asked where that money would come from.

Mr. King said shovel ready and application ready are 2 different numbers. He said shovel ready is with all the engineering done.

Mr. Dickie said Rep. Horgan said both but he would be satisfied just to have applications ready to be put in there so they can see we are ready to go with the applications.

Mr. Vachon said he specifically asked Hoyle Tanner consultant Josif Bicja how long it would take to get the applications ready and he said it would take a couple of days.

Mr. Dickie asked if Mr. Horgan is successful in getting another meeting scheduled with the DOT Chairman, he is willing to travel over with Rep. Horgan and meet with him.

Mrs. Morin asked if the Hornetown Road Bridge is considered shovel ready.

Mr. Dickie said it still needs to have the engineering done.

Mr. Vachon said it is still a red listed bridge because it has a temporary bridge on top and there was no engineering done.

Mr. King said asked if there was any engineering done on any of the bridges.

Mr. Vachon said no. Hornetown Road was never made shovel ready because we put that

magical 15 year bridge on it. They were waiting for the bridge funding to open he said.

Mr. Staples asked if they budgeted to do the engineering for the Hornetown Road Bridge this year.

Mr. Vachon said they put money in the bridge fund but it only has \$250,000 or \$300,000 in it and to have 4 of them ready it's \$500,000 plus you have to have 20% unless they fund the whole thing.

Mr. King said there was \$105,000 that was penciled in under the ARPA funds.

Mr. Staples said that is for repairs to the bridges.

Mr. Vachon said the ARPA funds have to be used and can't be put in the Capital Reserve Fund.

Mr. King asked if they have a list totaling in \$105,000 worth of bridge repairs.

Mr. Staples said yes and it came out of the consultant's report.

Mr. Vachon said the consultant raised a safety concern at the Spring St. Bridge where they were supposed to cut rebar and patch some concrete in the pedestrian area and hopefully it was taken care of. He said so that money shouldn't be taken out of that \$105,000 because it should have already been done because of the safety concerns that need to be fixed within 72 hours.

Mrs. Morin said that fund can't be used for engineering.

Mr. Vachon said it can be used for engineering they just couldn't put it in a savings account (the bridge CRF) and had to utilize it and they put it into the operating budget for the bridge repairs recommended by Mr. Bicja.

Mrs. Morin asked about the amount in the undesignated fund balance.

Mr. Vachon said it is down to the 8% recommended balance with all the expenditures they had put places.

Mr. King said they don't know where they are going to be at the end of this year.

Mr. Dickie asked Mr. Farrell to let the board know when Mr. Bicja can meet with the board.

d). Highway Dept. Summer Schedule- Mr. Vachon asked about the decision that was made last week when he was absent to change to 4 ten-hour days for the Highway Dept. He said they are always saying they don't have enough help so now if we get 3 rain days that's 30 hours vs. 24 hours at 6 hours per guy so that's 18 extra man hours lost for 3 rain days vs. 3 rain days and still having another 16 hours to complete the work not 10. He said with such a small crew we're always hearing we don't have enough staffing and now if we get 3 rain days in a week that week is lost for the 3 guys.

Mr. Staples said they were told there are plenty of small projects they could do like the bridges and stuff like that they just can't cut a road and grade it.

Mr. King said at the last meeting he was running the meeting and he was under the impression that what they presented is what they were doing over the previous few years which is straight 4 ten-hour days. He said when he sat on this board before that was done most of the time so that is the way he remembers it but Mr. Vachon said it was different last year.

Mr. Vachon said the last 2 years they did a mutually agreed upon 4 -10's if they have a project

and the weather is correct. He said they do not work 4-10's all summer they work 5-8's all summer and if there is a good stretch of weather where it's going to be good working weather and possibly correct times for grading roads that gets them 4-10's to do the project. It depends on the weather and they mutually agree upon it and he gives the one week notice to the crew to shift that one week not for the entire summer he said.

Mr. Dickie recalled that during last year's discussion there was a concern because we were going through the pandemic that we'd be short staffed even worse because people would be out. He said they learned in the policy that the Road Agent and the Town Administrator could authorize 4-10's and through that for the special projects that came up that need to be authorized by the board they have a policy there but they weren't going to say the whole crew was going on 4-10's.

Mr. King said the members that were here for that meeting took the information that was presented and made the decision but he didn't have any problem revisiting it because he was not knowledgeable about what they had been doing.

Mrs. Morin said she asked about overtime and she was told it would be overtime either way and if they had those 4-10's and if there was an emergency it would have been the same regardless because they would have the same amount of overtime.

Mr. Vachon gave the example of an emergency occurring at 10 a.m. on Friday working 5-8's is an emergency on straight time and there would be no overtime. He said if they work 4-10's and have an emergency at 10 a.m. on a Friday that's overtime for everybody that comes in.

Mr. King asked for the size of the current crew.

Mr. Vachon said it is supposed to be 7 full time and 2 part time employees. He said they can allow up to 50% of the crew to be off so they could have only 3 guys a week.

Mr. King said 50% of the guys could take vacation but through the summer they're not at 50% staffing. He said summer is 12 weeks and an employee could be taking 2 weeks off out of those 12 weeks so the half-staff is only some of the time and it doesn't mean they are running half-staff all summer.

Mr. Vachon said even if the crew had 8 guys and you have 3 days of rain that's 30 hours vs. 24 hours and 6 X 8 is 48-man hours lost because they went to 4-10's vs. 5-8's with a small crew. He said 48-man hours is a lot of work you can get done in a week extra compared to having 3 rain days because they put on 4-10's.

Mr. Dickie asked if the board wanted to revisit this.

Mrs. Morin asked if motion was needed to revisit it and noted this is supposed to start May 9.

Mr. King said the DPW Director would be back from vacation next week and they could have a discussion with him about it.

Mr. Dickie said he would also like to know what was agreed upon in their union contract.

Mr. King said the contract states they can propose it but it is up to management rights to approve it.

Mr. Vachon said they have to ask by May 1 in writing but they don't have to approve it.

Mr. Dickie said they will revisit this next week.

e). Waiver Request- Mr. King said he sent the board copies of an e-mail from a Ten Rod Road resident (Joshua and Amanda Murphy, 770 Ten Rod Road) who is building a new house and he met with him and he showed him the driveway. He said the driveway is currently on that side of the road and there is a swale not really a ditch line and there are no culverts on any of the driveways along that side and currently the water is running down the swale and at times exiting onto each driveway and at the end it goes into a wetland area after the last driveway. He said they were asked to put in a culvert by the Road Agent as a condition of the occupancy permit and there's no ditch line so if they put in a culvert it would be a culvert to nowhere. He said their driveway slopes away from the road and you'd have to go back, dig a 3 ft. hole, put a culvert in and then put a 3 ft. hole on the other side. He said they would be channeling the water to run where it's not currently running and unless they have a plan to completely rebuild that ditch line and do the drainage correctly it's an unnecessary burden on this resident to put a culvert in when there is no ditch line for the water to run.

He said in the e-mail the resident is requesting a waiver to that requirement so they can get the occupancy permit and move into their house and they stated that if and when the Town puts a ditch line in and requires culverts they'll put one in at their expense.

Motion: (Morin, second Vachon) to waive the requirement for a culvert and if one is required in the future the property owner will bear all expenses as they have agreed to;

Discussion: Mr. Dickie said he went out and looked at it and there is a driveway further down from where they are with no culvert so if they are going to put culverts more down to where the water is going to be running even stronger based on that he didn't see the need for it. Mr. King said he was concerned that if they were to establish a ditch line at the top of the hill to go all the way to the bottom is one-quarter of a mile and at the bottom there is a big wetland so right now the water is running off from each property owner. He said if they put it all on one ditch line and are going to run more water into a wetland that they currently are not doing correctly they are going to create a much bigger problem that they're going to need more of an engineered solution because right now for the bottom third of this they're running off the ditch line and piling sand and trash into a swampy wetland area.

He said they already have a problem and they need to go out there and clean it up on an annual maintenance. If we did put a ditch line there, we're going to have to have some type of containment area for that to not destroy that wetland. If we plan to do that, I want to see a real set of plans because we could potentially make it a lot worse out there, he said.

Mr. Vachon asked if they have a planning file for new houses and asked to have the e-mail and the minutes attached to the property records.

Vote: The motion passed 5-0.

f). RFP for Hedges- Mrs. Morin asked if they have put out a Request for Proposals to remove

the hedges and put up a fence at the Rec. Dept. She said they talked about it last week and the DPW Director had no idea that they had requested a quote for fencing.

Mr. Vachon said he recalled that the Rec. Dept. Director said she was going to get the quotes. Mr. King said when the DPW Director was here they mentioned it and he said that he handles that and he was made aware of it at the last meeting and now he is on vacation.

Mr. Vachon said they wanted to see prices on fencing and the types of fencing before the stay of execution for the hedges was lifted.

g). Paving Payment-Mr. Vachon said he was going through the finances asking for Selectmen's signatures and asked why they are paying S & S Paving another \$3,990 on April 28 when they haven't performed work in this town since the fall and that should have been warranty work. Mr. Farrell said he didn't know.

Mr. Vachon asked him to find out what the payment to S & S Pavement was for.

h). Fernald Park Survey Invoice-Mr. King said they contracted with Norway Plains for the Fernald Park survey and asked Mr. Farrell to look into it to see if they have any outstanding balances that are due. He said he was copied on an e-mail as an FYI and it looks like they may have an outstanding invoice for Norway Plains for the survey work and he will forward the e-mail to Mr. Farrell.

8). Next Meeting: Monday, May 9, 2022

9). Non-Public Session A:

Motion: (Vachon, second Morin) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 5-0 by a roll call vote (Dickie, Vachon, Staples, Morin, King-aye) at 7:46 p.m.

Motion: (Vachon, second Staples) to come out of non-public session passed 5-0 at 8:10 p.m.

10). Adjournment:

Motion: (Vachon, second Staples) to adjourn the meeting passed 5-0 at 8:10 p.m.

Respectively submitted

Kathleen Magoon, Recording Secretary

Ken Dickie, Chairman

Gerry Vachon, Vice Chairman

Douglas Staples

Penny Morin

Charlie King