

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, July 31, 2023
Selectmen's Chambers
356 Main Street-Farmington, NH 03835

Board Members Present:

Charlie King, Vice Chairman
Ann Titus
Doug Staples
Penny Morin

Board Members Absent:

Gerry Vachon, Chairman

Others Present:

Ken Dickie, Town Administrator
Ed Brannan, Highway Dept. Supervisor
Erica Rogers, Rec. Dept. Director
Erica LaBombard, Asst. Rec. Dept. Director
Joe Pitre, Budget Committee Chairman
Tim Brown, Budget Committee member

1). Call to Order:

Vice Chairman King called the meeting to order at 5 p.m.

2). Non-Public Session A:

Motion: (King, second Titus) to enter non-public session under RSA 91-A: 3 II (b) Hiring passed 4-0 by a roll call vote (King, Titus, Staples, Morin-aye) at 5:01 p.m.

Motion: (King, second Morin) to come out of non-public session passed 4-0 at 5:22 p.m.

3). Non-Public Session B:

Motion: (King, second Morin) to enter non-public session under RSA 91-A: 3 II (a) Compensation passed 4-0 by a roll call vote (King, Morin, Titus, Staples-aye) at 5:22 p.m.

Motion: (King, second Morin) to come out of non-public session passed 4-0 at 5:35 p.m.

4). Non-Meeting with Town Counsel:

Selectmen then met with Att. Huddy Grandy to discuss a legal matter.

5). Reconvene Public Session:

Vice Chairman King reconvened the public session at 6:19 p.m.

6). Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

7). Public Input: None

8). Review of Minutes:

July 24, 2023-Public Session Minutes- no errors or omissions

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

July 24, 2023-Non-Public Sessions A-D- no errors or omissions

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

Motion: (Morin, second Titus) to seal the Non-Public Session A minutes under legal for 3 years passed 4-0.

July 10, 2023-Non-Public Session A- amendment: to add "Jr." to two sentences

Motion: (Morin, second Titus) to accept the minutes as amended passed 4-0.

9). Old Business:

Rec. Dept.- Fernald Park Shed- Mrs. Rogers gave the board copies of the quote for the new shed and said she wanted to make sure these numbers were correct and they didn't get the official phone call until 5:30 p.m. tonight so that is why they are just getting this now. She said they have visited this a few times and right now they are running a 10% discount that she highlighted on the sheet. She said this is the same shed that they talked about last time the 10' x 18' lofted all of that is the same but the price is different and is a little bit better than it was prior to.

She said what they were missing was the quote for the electric so that has now been included for the \$2209.43. She said that is the same electrician that is doing the work at the Rec. Dept. currently and she also included the e-mail from Building Inspector Ron LeMere stating that the shed should be replaced.

Mr. Staples asked for the cost of the repairs.

Mrs. Rogers said they never quoted that out. She said when Mr. LeMere inspected it he said it needed roof shingles, sheathing, replace the exterior wall texture panels, windows and doors should be replaced and the electrical service.

Mr. King asked what they are proposing to do with the old shed.

Mrs. Rogers said the Water Dept. wanted it.

Mr. Staples said Mr. Tiffany wanted to put it at the water tower to use for chemical storage.

Mr. King said so we are going to take it out of there and then we're going to fix it and then put it up there.

Mr. Dickie said Mr. Tiffany said he was going to look at it and see if he could use it.

Mr. King said so it's going to be on the Town to get it out of the way to have the new one set.

Mrs. Morin said this says after 07/31/23 the price goes up.

Mrs. Rogers said that's the confirmation they got tonight that if the board approves it tonight she can text him and he will honor that price for the 07/31. She said they just got the quote from the electrician so she got an updated quote for the shed and they just happened to be running a discount right now that ends today.

Mr. King asked if the existing shed has power to it.

Mrs. Rogers said yes.

Mr. King asked if they were going to bring water into this also.

Mrs. Rogers said yes.

Mr. King asked if it was inside or outside.

Mrs. Rogers said she thinks it is just outside there's spigot but there is no sink in there.

Mr. King said so this is just to reattach the power inside the building and asked if she knew how big the service is for that.

Mrs. Rogers said she let the electrician do that.

Mr. Dickie said it was to put some outlets in the shed too.

Mrs. Titus said its \$1,289 for materials.

Mrs. Morin read that was for the lights, the outlets and the new box and to disconnect and then reconnect once the new shed is in. She asked if this would be from the American Rescue Plan Act funds.

Mr. Dickie said they have \$8395 set aside for the shed.

Mr. King said this is going to be over that and asked if they would take the extra out the ARPA funds.

Mr. Dickie said above and beyond the ARPA funds they were going to take out of the Rec. Revolving Fund to cover the additional cost.

Mrs. Morin asked if they only got a quote from this one company.

Mrs. Rogers said they had a lot of quotes from a lot of different companies and the last couple of times this company has been the lowest and what they went with last time but the board didn't approve it because they were waiting for the quote for the electric kind of a whole package so they just stuck with this.

Motion: (Morin, second Titus) that we move forward with the shed and electricity in the amount of \$8,686.73 passed 4-0.

Hay Day in September Next Year- Mrs. Rogers said they wanted to propose moving Hay Day to Sept. 7 for next year for a few different reasons. She said they are at the point where they are trying to figure out how to best bring this event back to be the best that it can. She said they have been doing a lot of talking to different types of people and one big thing is the food trucks. She said one reason they can't get a lot of food trucks is because there's a huge festival that weekend every year and they are already booked for next year for that weekend and they're not going to give up that profit margin for what they're going to make in Farmington. She said they are booked mostly through Aug. and they ran into the same type of thing when they were trying to get entertainment for kid stuff. She said those last few weeks of Aug. everybody is doing the same thing so they are running into a lot of problems and they have heard that from some of their vendors are already booked at different events that weekend. Mrs. Rogers said when talking to people one of the things they brought up is it's the last weekend right before school starts and that is the weekend they're doing their back to school shopping or doing that last harrah with their kids so they're not necessarily around that weekend. She said if they move it to the 7th they can lock in the food trucks and would have an easier time locking in entertainment. She said also one of the other big things that they liked is the kids are back in school then, families are back, people aren't vacationing they're here and

they can send out that reminder from school with the kids whether by e-mail or paper so it's going out. I think we would reach more people-right now we have Face book and we have the sign downtown so if you don't drive by the sign or if you're not on Face book... she said.

Mrs. Morin said we also have the cable TV station.

Mrs. Rogers said sending it home with all of the kids they're going to reach a lot more people than just electronically or on a sign downtown. It would give us an opportunity to send that flyer home or to send that e-mail blast out with the beginning of school stuff she said.

Mrs. Morin asked if we send out an e-mail blast through the Town when we have an event coming up.

Mr. King said he is not sure and that he thinks it is only when they ask for it or it may have been sporadically he wouldn't say it was consistent. He said normally Hay Day is held the third week of Aug. or they are proposing to move it to the first weekend in Sept.

Mrs. Rogers said it would be after the holiday and she wouldn't do it on the holiday weekend.

Mr. King said Sept. 7 is the first Saturday in Sept. next year.

Mrs. Rogers said they talked to the food trucks and they're available that day and they tend to cool off in Sept. and a lot of the kids entertainers cool off because kids are back in school and people have already done their big stuff so it gives us an opportunity to pull in some more things that we're missing currently.

Mrs. Morin said it's worth a try but she wondered if there should be some survey that goes out to the people to see what they're looking for in a Hay Day or a Home Day. She said there was a lot of discussion about moving from downtown to Summer St. and they're all a little shell-shocked already so they need to get some input from the community.

Mr. King said they should give an indication from this board. He said he was not opposed to it, it's only a 2 week move from typically where it's held so it's worth a shot. He said he would like to solicit some public input and if they find that there's no substantial pushback from it then they can solidify it at a later date. I'm okay with the move I would just try to seek some public opinion to it he said.

Mrs. Titus said they need to put out a survey on Hay Day and give it to the people.

Mrs. Rogers said that is why they wanted to get in front of the board now because they have Hay Day coming up and they could do that then.

Mrs. Titus said they should ask the elderly, the young, the 40's-all the age groups. She said she was not opposed to having it in Sept. but if you have 3 or 4 kids and you're going out school shopping you're not going to have money in Sept. and you're doing hot lunches and there's a lot to it. People plan for August and I just think there are a lot of expenses for parents before they go to school and that they won't have money in Sept. she said.

Mrs. Rogers said August is when they are doing their school shopping and they have to buy all the supplies and stuff too so she didn't know that moving it cuts into that.

Mrs. Titus said the vendors pre-plan them for the following year so if they do move it to Sept.

they're going to be okay but if they don't then give them an application to say we're going to do it Aug. 24 next year here's your application so they have a year in advance to plan.

Mr. King said but they may have other venues that are better opportunities.

Mrs. Titus said if they want to be here they'll make it happen. She said she definitely wants to see what the people want because they might like August.

Mr. King said it might be a little bit cooler in those couple of weeks. He said Hay Day out in the open downtown can be pretty warm.

Mrs. Titus said it can be hot in Sept. too.

Mr. Staples asked when they would propose doing the fireworks.

Mrs. Rogers they probably would still be at the school and it would be moving the whole event to that Saturday and then do the cleanup on Sunday.

Mr. Staples said back when they were little it used to be Hay Day all day and then they'd run home and have dinner and then go up to the school for the fireworks.

Mrs. Rogers said that's how it was last year and that's how it is this year too all on one day.

Mr. King said one thing they have to resolve is if it's moved into the school year is the potential for a conflict with a school event on that Saturday.

Mrs. Titus said or maybe with the 500 Club and asked when they start their fall programs.

Mrs. Rogers said soccer practice may have started then but usually the games aren't until the end of Sept. or the beginning of Oct.

Mrs. Morin said those will probably happen down at Paulson Rd. anyway.

Mrs. Titus said they have fall baseball and asked if they have asked them if it was okay.

Mrs. Rogers said not yet this was their first stop.

Mrs. Titus said she wanted to hear from the people-some people like it in Aug. and she didn't want to make a decision. I'm on the fence she said.

Consensus of the board was to ask Mrs. Rogers to look for input at Hay Day and to do a survey and then come back to the board.

Alcohol Tent Next Year at Hay Day Proposal- Mrs. Rogers said this could roll over into Hay Day next year but this is actually supposed to be for their Dog Days event in Sept. this year.

Mr. King said the agenda says alcohol tent next year for Hay Day proposal and asked if that is not it.

Mrs. Rogers said it's an alcohol tent proposal at Dog Days this year on Sept. 17.

Mr. Staples asked what a Dog Day is.

Mrs. Titus asked if they are not going to have alcohol at Hay Day.

Mrs. Rogers said not Hay Day this year potentially next year which is the conversation they were having but it was misunderstood. She said what they would like to ask right now is they are doing a Dog Days of Summer event on Sept. 17.

Mr. King asked for the structure of this event.

Mrs. Rogers said there's a shelter coming in with dogs for adoption and then they have Pet

Smart, Peavey Hill and different vendors coming in.

Mrs. Morin asked if that would be held at Fernald Park.

Mrs. Rogers said yes.

Mrs. Morin said she didn't think that alcohol belongs at the park.

Mr. Staples said he didn't think alcohol belongs at any Town event. He asked if they ran this by the Police Chief.

Mrs. Rogers said she ran it by Primex and the Police Dept. She said that it is not us serving it and it would be a Chef from Crescent City doing his food truck down there and a beer tent that he runs with the food truck and gave the board a form with the answer from Primex. They do say that it should be another person serving it, that they provide us with the liability and the only thing that they said they should do would be to have a Police detail she said.

Mr. Staples asked who she talked to at the Police Dept.

Mrs. Rogers said she talked to Capt. Favorite and he said if the board approves it, it's something they could move forward with.

Mrs. Titus asked her to go back to what the Dog Days event is. She asked what is going to be happening and if it would just be a bunch of vendors and people walking around.

Mr. King said people bring their dogs and there are vendors for dogs. He asked what time the event will take place.

Mrs. Rogers said it will run from 11 a.m. to 3 p.m.

Mrs. Titus asked if they would serve alcohol at 11 a.m.

Mr. Staples asked if the Town has an ordinance about alcohol on Town property.

Mrs. Rogers said not that she is aware.

Mr. Staples said so he could go down to Fernald Park, watch his kids play and drink a beer and the cops aren't going to toss him out of there.

Mrs. Rogers said she thought that would be an open container (violation) but she wasn't sure.

Mr. Staples said so they are going to put an open container on Town property.

Mr. King said he was a no and asked Mrs. Titus for her thoughts. He said it's a Town event and it may have been done in the past but he was not for sponsoring alcohol at a Town event and he didn't think that sends a good message.

Mrs. Titus said she would love to get the Rec. Dept. and the theater going and at some theater places they have a vendor that comes in and serves beer and wine. She said if the Friends of Farmington, the PTA or the Woman's Club, etc. wanted to have an event and serve beer and wine they could have somebody like that come here and Primex would probably okay it. She said she would probably in favor of something like that but she was not in favor of an event with the Town doing that.

Mr. Staples said he agreed that if a private company wanted to host something on Town property and apply he would be more willing for that than for a Town event serving alcohol or having alcohol served.

Mrs. Rogers said one of the things that they've heard over and over again is the Paint Nights with alcohol and it's not for people to go out and get drunk and it's not like they'd be serving 6, 7, 8 beers, it would be the food truck would be there, they'd be ordering lunch and could order a beer and they would have to stay in that section.

Mr. King said Mr. Vachon is not here and he didn't have this conversation with him so he didn't know what his opinion is. He said the type of this event and the time that it's placed doesn't fit with alcohol being served and if it was some type of night event that would suit that-maybe he would have to be talked into it.

Mr. Staples asked if they could hold their Paint Night downstairs at the Farmington House of Pizza.

Mrs. Rogers said that is where the school does it and it would be like stepping on their toes.

Mrs. Morin said she didn't think they would be stepping on their toes and either way they are both doing a Paint Night.

Mrs. Titus said they would be giving money to a local business too.

Mr. Staples said if they want to serve alcohol to their guests it's on them.

Mrs. Titus said for this event it's not appropriate.

Playground Update- Mrs. Moring asked if the old playground at Fernald Park has been taken down yet.

Mr. Dickie said yes it came down last Friday.

Mr. King asked if the guys that are coming in to do it and everything is on schedule.

Mrs. Rogers said she sent out the requests so they are working on a schedule for them to come and do it and she didn't want to do it ahead of time because she wanted to make sure it was done and prepped first.

Mr. Dickie said it will be excavated Friday and then once it's excavated and the poles have been cemented in with the platforms they will do a staff development day to develop team work so they all have to work with each other to put that thing together.

Mr. Staples asked if they would be looking for volunteers when the staff is up there doing that.

Mr. Dickie said he would where they end up in one day and he could be back saying they need some more volunteers but he hopes that the staff can pull together and they can get that thing done.

Mrs. Rogers said once she gets a hold of them they can give us if you want it done in one day you'll need this amount of people so if they say you'll need 30 people then obviously that answer will change.

Mr. Staples said if he is given a week's notice he would be able to give them a hand.

Mrs. Rogers said that it's moving and the new playground has been delivered. She said tomorrow night is National Night Out at the park from 5-7 p.m. and they will have lawn games like they did last year and they will do ice cream sundaes.

She said Wednesday is their last Family Night in the park event and a comedian/juggler will be

down there and that will be the last of those 6 events and the show will start at 6 p.m. She said the family nights have been good and they have been picking up and each week they've seen a little bit of growth in who is attending. I think those have gone really well she said.

Hay Day Update- Mrs. Rogers said they had 4 food trucks signed on but one of them is on the fence right now so they are waiting for confirmation from them. She said they have between 30 and 35 vendors signed up and they have literally going to places and asking them to come.

Mr. King said the date is Saturday, August 19 so that's 3 Saturdays away.

Mrs. Rogers said the fireworks will be that night.

Mrs. Titus asked if there would be a vendor up there selling any food or...

Mrs. Rogers said not as of right now. She said they were working with one guy who is a possibility but he has an event that day so he is not sure if he can make it up here for that time and he was going to check and get back to us.

Mrs. Morin asked about the entertainment.

Mrs. Rogers said the Thursday Afternoon Band.

Mr. Staples said they should talk to Mr. LeMere as there is a food truck that wants to hang out at the old fire station.

Mr. Dickie said he had his application and Mr. LeMere has already checked with him and he is going to be at Hay Day.

Mr. King asked for the name of the business.

Mr. Dickie said the guy's name is Raymond Borden.

Mrs. Rogers said they will get back to the board on that one.

Mr. King asked what else is left to be finished up and what they need help with from members of the community.

Mrs. Rogers said right now they're going thru the vendor list and where everything is going to go and coming up with a schedule. She said they are going to do a foam party for the kids so that will be kicked off first thing in the morning, they have a magician coming in and someone coming in to do characters so they are going to put out a schedule with the times for different things and they are trying to schedule it so things are not taking place at the same time.

Mrs. Titus asked if they would be doing Little Miss and Mr. Hay Day.

Mrs. Rogers said no. She said they talked about bringing it back and it's something they might look at later on. This is my 2nd year into it and her (Asst. Director's) 1st year and we don't want to bite off more than we can chew and get the basics and then we can (add more) she said.

Mrs. Titus said sometimes mixing the old with the new does work. She said they have to see what we had in the past and what worked and bring it forward and bring it with the new.

Mrs. Morin asked if they were working in collaboration with the library on some of the events.

Mrs. Rogers said yes-the library, the 500 Club, the Friends of Farmington so there is lots of outreach.

Mr. King asked if they still have a plan to have a car show at the old fire station.

Mrs. Rogers said no. She said it's one of those things where you have 4 or 5 car shows going on around the state on that same day and they just can't pull enough people to make it work.

Mr. King asked if there was a local person sponsoring that and putting that together.

Mrs. Rogers said yes they did have. She said they are going to have fire truck rides again the Fire Dept. is doing a car seat check and both of those things will be happening at the old Fire Dept. so they are going to put out a flyer in conjunction with that. She said as far as knows the library is still doing their book sale on Main St. so they will be pointing people in that direction as well.

Mrs. Titus said the church used to do a few things and asked if they were going to be doing anything on their lawn.

Mrs. Rogers said the only thing they've heard from them is they will be opening the Blessed Bargains.

Mrs. Morin said the Farmer's Market will still be open as well.

Highway Dept. Update- Mr. Brannan said they had spoken about a roadside mower last week and right now they are looking at pulling that money out of the Block Grant. He said he would like to also pull out another \$2,300 for tree trimming to get the total for that up to \$10,000 just to round that number off.

Mrs. Morin asked if he was suggesting that they pay for the tree trimming out of the Block Grant as well.

Mr. King said the Highway Block Grant comes in as the general fund and right now that money hasn't been dedicated to the Highway Dept. that he is aware of he is just referring to where it would come in. He said it comes in as general revenue and is not allocated specifically to the dept.

Mr. Dickie said the first payment isn't, the second that they got is \$136,000 and is in its own bank account. It never got put in the general fund he said.

Mr. King asked if the board at any time designated that and dedicated it for a certain purpose.

Mr. Dickie said no.

Mr. King said so right now it's still as a general revenue that hasn't been earmarked and is in a separate account of \$135,000.

Mr. Dickie said there is \$136,548 in that account.

Mr. Staples asked if they would not exceed their budget if they use that money and how that works. He asked if that comes in as revenue to offset the tax rate.

Mr. King said it is general revenue and has not been earmarked upon receipt by the Board of Selectmen that's why he asked the question did it go to a dedicated purpose. He said now it's sitting there as revenue to come in and Mr. Brannan is suggesting that we take out of that instead of his budget.

Mr. Staples asked if then they wouldn't be over budget.

Mr. King said it wouldn't come out of the budget lines he has already.

Mr. Staples said then it would be like spending out of the ARPA funds.

Mr. King said yes. He said it's another discussion for another night when Mr. Vachon is back to say this is the money that has been set aside but the board needs to make a decision if, what and to what extent that money is going to go to the general fund or its going to be dedicated for highway purposes.

Mrs. Morin asked Mr. Dickie if he said the second payment was earmarked for a different purpose.

Mr. Dickie said the state gave us that with the intent to be spent on improvements of roads or equipment that will improve the roads. He said they did not confine it like they did the first payment in other words it doesn't necessarily have to be in your budget to be able to expend from it. The original payment of \$141,000 that we got for the Highway Block Grant was very tight this one doesn't fall under those regulations he said.

Mr. King said we normally get money usually from this once a year and it's usually not \$135,000 and asked if that is the money they got for the first part or if the second part is the money they typically get.

Mr. Dickie said the first part is what we normally get. He said the second payment is abnormal so this \$136,548 is abnormal so they did it last year and they're going to do it one more time this year.

Mr. King said he was saying in the first payment there is a requirement that that money has to be in our budget for the Highway Dept.

Mr. Dickie said in order to expend from it, it has to be a line item in the budget on the first payment.

Mr. King said but we already have a budget expended from that historically for that dept.

Mr. Dickie said that's right but the second payment that's in the bank account doesn't have those stipulations on it.

Mr. King said but our highway expenses far exceed that \$135,000.

Mrs. Morin said it sounds like the second payment was just for the purpose that is being brought to them now.

Mr. King said that as a board they need to officially do something with it though he was not saying it was going to hinder this decision and if his suggestion was to take it from that he is okay with that.

Mr. Brannan said pending their decision they have a number of things.

Mr. King said originally he was talking about \$8,000 at the last meeting and asked if he is referring to that number plus \$2,000 for trees.

Mr. Brannan said yes and that would bring the tree trimming line up to an even \$10,000 which if possible that should be at least that much yearly just dedicated to tree trimming. He said they don't have the means to get up that high and hopefully if they get some crew they can do the stuff that's lower but the higher stuff they're just not going to be able to get.

Mr. Staples asked if the Town ever got rid of their old bucket truck.

Mr. Brannan said they don't have one anymore. He said it's not a bad thing to have but you definitely have to have people that know what they're doing when they get up in there especially when you're on the road because there are a lot of power lines you have to worry about.

Mr. King asked if the board was in favor of his recommendation.

Motion: (Morin, second Titus) to pay the \$10,300 out of the second Highway Block Grant to subcontract for tree trimming and mowing passed 4-0.

Mr. Brannan said they have a...

Mr. Staples asked if they need to waive the purchase policy because they only got one bid for mowing.

Motion: (Morin, second Titus) to waive the bidding process for mowing;

Discussion: Mr. King asked if they put it out to multiple people.

Mr. Brannan said they did not put out a Request for Proposals.

Vote: the motion passed 4-0.

Mr. Brannan said they approached another gentleman who was mowing for the state in Barnstead and he never got back to them.

He then said between 61 and 65 Glenn St. they have a culvert that drains that should go out between the 2 properties and it's a metal pipe that rusted out and is flooding out their property so this pipe needs to be replaced.

Mr. King asked if it is on private property.

Mr. Brannan said it runs across private property.

Mrs. Morin asked if it is our (the Town's) culvert that runs on private property.

Mr. Brannan said it comes out of our catch basin. He said the catch basin is in the street and the pipe comes out of it and there are a number of them in town.

Mr. King asked it goes between 2 properties to where.

Mr. Brannan said there's a creek that runs down between some other properties beyond that that's where it has been draining.

Mrs. Morin said so it's supposed to be diverted to that.

Mr. Brannan said it should be going to it.

Mr. King asked for the size of the pipe.

Mr. Brannan said it's a 12 inch metal pipe that's rusted completely.

Mrs. Titus asked if the Town put that there or did the private citizen do it.

Mr. Brannan shrugged and said it comes out of our catch basin and it's the Town's water.

Mr. Dickie said the Town put it there back years ago.

Mr. King asked if they have a written agreement between the 2 landowners for maintenance and an easement of this.

Mr. Brannan said they don't have an easement at the time that they know of.

Mr. Dickie said he is working with Att. Roman to get the easement with the landowners.

Mr. Brannan said they have permission from one of them he believes. He said they all want to see it done it's making a mess of their yards.

Mr. King said the only way he would want to proceed is if they have written permission from both and they could follow up with a legal agreement later as it would be in their best interest but if they don't give us written permission now then they have no business being out there and it needs to be from both.

Mr. Brannan said he agreed. He said there are actually 3 property owners- 2 side-by-side and then it's going to cross a third one behind it. He said everybody is in favor of getting it taken care of, they're all more than willing to give us written permission we just need to proceed down the road to get an easement for continued maintenance.

Mr. King said he was okay with proceeding with written permission but they need to be put on notice that until they have an easement that no future work can be done.

Mr. Brannan said he made it very clear to them that they need an easement so they can do perennial maintenance. He said he didn't think the weather has helped the situation but it really does need to be addressed. He said he got a price on the culvert pipe and he has a contractor that is willing to do it. He said they will purchase the pipe which is roughly \$1570 for 160 ft. of 12 inch plastic and the labor should be somewhere between \$3,500 and \$4,000. He said as for the money they can get the culverts out of their line but the labor part he was not so sure.

Mr. Staples asked if they have enough culverts in the shop.

Mr. Brannan said he didn't know.

Mrs. Morin asked if that was something he could work Mr. Dickie and find where the money is coming from.

Mr. King said if it is under \$5,000 Mr. Dickie can figure out where it's going to come from.

Mr. Staples asked if that would fall under something they could pay for out of the Block Grant.

Mr. Brannan said it's for maintaining the roads and it all connects to it.

Mr. King said to let Mr. Dickie determine it.

Mr. Brannan said the road work for the culverts on Cross Road and Dick Dame Lane when they put that out to bid is probably going to come out somewhere around \$75,000 and he thinks that may be high but he would rather give them a high number than a low number.

Mr. King asked if that is in prep for all the paving.

Mr. Brannan said that is taking care of the culverts and there is not a lot of shoulder or ditch work.

Mr. King said they are going to have to put out a RFP and have a vendor list and asked when that is going to go out.

Mr. Brannan said hopefully they will have everything together before the end of the week and get that out.

Mr. Staples said he said they are planning on paving in Sept.

Mr. Brannan said they are shooting for the end of Sept. and they definitely can't pave those roads without fixing these culverts.

Mr. Staples asked if could find contractors that have enough time to squeeze them in.

Mr. Brannan said we'll see.

Mr. King asked what they are going to put on it for a completion date for the contractors and suggested the third week in Sept.

Mr. Brannan said it would be somewhere in that neighborhood definitely by the end of the month and they still would have Oct. that you can pave in usually without any real major issues.

Mr. King said they will have to make sure they put a date in there that they can hit and the paving guy will have to be after that.

Mr. Brannan said they talked about the paving and the money that is allotted to it and there may be a possibility that they can encumber the money for the contract so you know that it's going to be expended on that and that only.

Mr. King asked if he meant for the following year.

Mr. Brannan said that's right and if that's what it comes to then you're better off holding off instead of paving over culverts that need repair.

Mr. King said they need to get the work done and they need to get it paved this year.

Mr. Brannan said it's either that or they redirect the funds for paving if they can't get this done. He said he fully expected this year to be a pretty difficult year to get things done with everything that's going on.

Mr. King said that Mr. Brannan and Mr. Dickie would get a RFP out for a potential subcontractor for the prep work potentially completed by the end of Sept. He said they will have to have a 2 week bid time they can't have too much (time).

Mr. Brannan said hopefully they will get some back by mid-August.

Mr. Staples asked if they don't get anything back if that was something the dept. could on the weekend on overtime.

Mr. King asked how they would do \$75,000 worth of work in a weekend. He said they're good but when you boil that down to man hours...

Mr. Brannan said that price includes Bunker St. as well. One way or another that absolutely needs to be done he said.

Mr. Staples then said he feels a lot better about the \$75,000 now.

Mr. Brannan said the only other thing is a truck and gave the quote they got from Fairfield for a new truck to Mr. King. He said the quote is from back in April and he would assume the price is probably a little bit higher now.

Mr. King said they will have to put this on next week's agenda when the Chair will be back and they can have quote in their packets.

Mr. Staples asked after 3 months if they still have the truck.

Mr. Brannan said he has to get in touch with the sales rep.

Mr. King read that it's a 4-wheel drive 6-wheeler.

Mr. Brannan said yes it's comparable to the 5500.

Mr. King asked why we would go with International.

Mr. Brannan said he was not overly particular on the brand and that is the same thing as the new Chevy mid-duty trucks that they came out with. He said it is basically the same truck the difference is the interior. Chevy and International worked together to design the truck he said.

Mr. Staples asked what the "damage" is on it (cost).

Mr. King said its cheap-it's just under \$150,000!

Mr. Brannan said that model has a steel dump cart and he would recommend getting a stainless steel cart and over time they will save just in the repair work on it and it will last. He said with most dump trucks out there once they hit 8 or 10 years you're patching them.

He said if it's going to get serious look then he would price it out again and he would price it both ways.

Mr. King said they aren't getting one tonight but if wanted to get some additional information for next week he could give to Mr. Dickie to put in their meeting packets.

Mrs. Morin said maybe with some other options for a truck.

Mr. King asked if this is a proposed replacement for the 5500 we currently have.

Mr. Brannan said yes but he would keep the 5500 until it actually runs no more.

Mr. King said he disagreed and that he looked at the truck and in his opinion they need to "cut bait" and sell that thing because we keep putting money into it.

Mr. Brannan said he was not suggesting that they put much money into it.

Mr. King said we say that, then we're using it and it breaks down and we end up fixing it.

Mr. Brannan said at this point he would let that truck run as long as it could and keep the one ton which is not in a whole lot better shape that they also use as a front line truck.

Mr. King asked the model year of the one ton truck.

Mr. Brannan said it is a 2006 or 2007.

Mr. King said he didn't see any reason why they wouldn't continue using it. He asked Mr. Brannan to get Mr. Dickie some additional information for their next meeting.

Mr. Brannan said on grading roads they have a contractor that can come and help us and that would free the crew up to do some other stuff.

Mr. King asked if they would be using our equipment or their equipment.

Mr. Brannan said they would be using their equipment.

Mr. King asked for the rate.

Mr. Brannan said their rate is \$125 an hour.

Mr. King asked how much grading they have left to do.

Mr. Brannan said by the time they get around it will be a couple of weeks to start again.

Mr. King said he was referring to the number of hours and if he feels they have 40, 50, 100 or 2

hours left to do this season and what the scope is they're talking about.

Mr. Brannan said he wouldn't say he would be doing it for the rest of the season but if they can get in 50-60 hours at the most and he would try to limit it to no more than 50. He said that would help them to get some of the roads that are a little more difficult with our grader because there's no room to turn around on them.

Mr. Staples asked if he has a smaller machine.

Mr. Brannan said it's a much smaller machine it's a John Deere 570 and is about $\frac{3}{4}$ the size of our grader with an 11 ft. blade.

Mr. Staples asked about his skill set.

Mr. Brannan said his skill set is very good and it's the same person that is going to do the culvert work on Glenn St.-Paul Barron who has many, many years in the business.

Motion: (King, second Titus) to authorize the Town Administrator to contract with this individual for up to \$4,000 worth of time and then evaluate from there;

Discussion: Mr. Staples asked where the money was coming from.

Mr. Brannan said they should be able to get it all out of the gravel roads line.

Mr. King said to let Mr. Dickie decide that but if it goes up from what he proposed it's going to have to go out to bid or they would have to waive the bid and he would rather try this individual out and see how he works out and how much he gets done and then they can figure out how much is left and they can put another dollar value on it at the finish of the season. He said this amount would potentially get them half way or maybe $\frac{2}{3}$ from what he just said.

Mr. Staples asked if he is going to pack it too or if we are going to go out with our roller and pack it.

Mr. Brannan said it would be with our roller.

Mr. Staples asked if one of our crew would be following him around and compact it.

Mr. Brannan said at the end of the day they would go out and do it and when you're rolling these roads a lot of the time there's no reason to roll the whole road because if you look at one of these roads by the time they get done grading it $\frac{3}{4}$ of that road has already been driven over with the amount of traffic there is. He said the biggest part they have to worry about is the edges of the road where the cars don't go. That never gets rolled in by traffic that's what the roller really does make a difference on he said.

Vote: the motion passed 4-0.

Japanese Knotweed Update-Mrs. Morin asked if they got any information about getting rid of the knotweed.

Mr. Staples said Mr. Vachon was supposed to get back to Mr. Brannan on that.

Mr. Brannan said Mr. Vachon was going to give him some information and he hasn't made any progress with that.

Posted Roads-Mrs. Morin said Poor Farm Rd. is still posted for 8 tons as of yesterday.

Mr. Brannan said there might be a sign on the far end of the road.

Mrs. Morin said on the Ten Rod Road side.

Me. Brannan asked if that sign was still up too.

Mr. King asked him to get somebody to change the signs.

Stairs at Old Fire Station- Mrs. Morin asked if they put up the barrier.

Mr. Staples said no.

Mr. Dickie said they met with the Building Inspector who looked at them and they are coming down.

Mr. King asked who is taking them down.

Mr. Dickie said they will probably have to use the Highway Dept. guys unless they want to put it out for bid.

Mr. King said no he just wanted to make sure if they are going to be doing it that they would do it safely.

Mr. Dickie said they are bolted into the wall so they will just undo the bolts and take them down.

Mr. King asked if then they would barricade the doors.

Mr. Dickie said there would be plywood over each door that would be screwed to the casing inside so they can't get to the door to open it.

Mrs. Titus asked if the Fire Dept. is cleaning out what they have to.

Mr. Dickie said yes and he would be working with them possibly on Wednesday. He said he has been working with them to drum up some manpower and he has had 2-3 Firefighters volunteer so far.

Mr. Staples asked if the plaques found a nice new home on the Fire Dept. walls.

Mr. Dickie said some others have volunteered to help too but he would see who he can get from the Fire Dept. first. He said he would be one of them because his father served in the dept. for many years and he wants to be part of it in honor of his father.

Mrs. Morin asked if they figured out the long term parking that is happening at the old fire station.

Mr. Dickie said he was going to have the Police Chief go over there to notify them to move their vehicles out of the way.

Mrs. Morin added especially with the stairs coming down she wouldn't want her car there.

10). New Business:

Budget Committee Request for Legal Representation- Mr. Pitre and Mr. Brown came forward to discuss the Bud Com's request with the board. Mr. Brown said the Bud Com made a motion at their last meeting and the motion was unanimous with the exception of one abstention which was Mr. Staples because he knew they were requesting legal services.

Mr. Brown said the first issue they have is the Bud Com discovered that during the budget process as this board most likely knows that once you close your budget hearing you cannot add money to a warrant article. He said the SAU Superintendent on video and in the minutes

represented on the default budget for Warrant Article #3 which is the school's main funding warrant article that there were no federal ESSER salaries in the Warrant Article #3 default budget. He said Warrant Article #3 was written with \$1,100,000 in federal ESSER money for both the Deliberative Session and the ballot.

He said the question from the Bud Com is, is it unlawful to Town Counsel and if it is what is the remedy and how do they fix it and to communication that with the board.

Mr. Brown said their second issue is reviewing the fiscal year that closed in June 2023 if you look at Fund 10 budget that is funded a 100% meaning there's a budget of \$16,245,000 in that Fund 10 account and that was raised by NH Adequacy Aid, revenue and taxation to get to that total. He said when you look at what the district spent and what's in the bank there's a pretty big over a \$1 million deviation in the budget.

He said the taxpayers appropriated \$16,245,000 and the School Board spent according to their records a little over \$13 million which is almost a \$1 million down from what they spent the last fiscal year. He said the only way he could describe it is their books are catastrophic and if they don't resolve where the money is, nobody seems to know, then that potentially is going to affect the Town tax rate setting because as it stands right now the school is required to file their financial reports on Sept. 1 unless they get an extension which they normally do for 30 days. They should be ready in 4 weeks to have those done but those financial records make no rhyme or reason he said.

Mr. King paraphrased the first one the legal question has to do with the \$1.1 million that was in Article #3 that was stated that there was no ESSER money.

Mr. Brown said yes and in fact there were.

Mr. King said the legal question was not whether that is allowed but what the remedy is. He asked what their legal question is on their second topic.

Mr. Brown said part of the statutory function of the Bud Com is a review of the expenditures so they are reviewing the expenditures and they did make a motion and requested the records from the school district.

Mr. King asked if they have indicated that they are going to give them to them.

Mr. Brown said they asked that they provide that within 10 days because of the time limits they are faced with. We'll see if that happens as the 10 days are not up yet he said.

He said the question for legal is part of the board's function is the review of expenditures so when they are seeing a large deviation what the remedy is, what their boundaries are and how they get to that resolution.

Mrs. Morin asked what the school district is doing in order to get their books in order. She asked if they are in the process of doing an audit or a forensic audit.

Mr. Brown said as a taxpayer he appeared before the School Board the night of the Superintendent's evaluation which was weeks ago. He said he told the School Board that night there was at least \$1,400,000 in unaccounted for revenue and nothing has changed since that

day.

Mrs. Morin asked since that day did they start the forensic audit.

Mr. Brown said no and as far as he knows they are doing absolutely nothing.

Mrs. Morin said but he doesn't know that for a fact.

Mr. King asked if the \$1.4 million is in reference to their second question which is from the \$16,245,000 that was approved and what has been expended that's the \$1.4 million difference.

Mr. Brown said it's at least \$1 million. He said they haven't gotten the bank records yet and once they're given the bank records they're going to know how bad that deviation is or if there is a deviation and it's a bad bookkeeping error. He said there are 1 or 2 possibilities-either there is a gross deviation in their records or money is going out the door.

He said as the Budget Committee we have some responsibility to review them and asked with legal what that responsibility is and when they see a gross deviation what the remedy is. It's to get to the root of the problem not to create litigation between the School Board and the Bud Com or the School Board and the Town he said.

He said he would like Town Counsel to say this is the solution, communicate with the school dept. attorney and get it fixed so it doesn't have to rise to an adversarial level.

Mr. Staples said he stayed out of the vote both times and shockingly the School Board rep did vote asking for legal advice and for a meeting with legal. He said there rep had no argument, didn't put up a fight and voted to represent. There was another School Board member present in the crowd and she did not fight the request he said.

Mr. King said this is really trying to get to the bottom of the numbers.

Motion: (King, second Morin) to authorize the use of legal counsel for the Budget Committee for the two questions were presented tonight;

Discussion: Mrs. Morin asked why they weren't asking the school to use their own attorneys to get these answers.

Mr. Brown said because the school doesn't represent the Bud Com and they are a separate, neutral and detached board.

Mr. King said the Bud Com doesn't have a budget for legal counsel it has to be authorized by this board and funded through their line.

Mrs. Titus said if the Town's legal comes up with a solution and they give that to the School Board they can say yea or nay though.

Mr. Brown said not necessarily.

Mrs. Morin said she wouldn't put that out into the universe that they might say yea or nay.

Mrs. Titus said but Mr. Brown said he wants to get a solution from the Town's lawyer.

Mr. King said he wants to ask on the first issue whether or not it was correct, allowed, not allowed and if it's not allowed it was done and what is the remedy. He said the second one has to do with what was approved, what was spent and the difference. He said they asked for additional records which he assumed are bank statements, receivables and so forth to try to

gross reconcile the budget because right now the perceived difference is over \$1 million. He said that's kind of like what is the authority position for the board to request the remedy to get that resolved to the gross reconciliation of where this budget money has gone or is. He said there is a lot of stuff in play and they made a request for some records and asked what they requested for documents.

Mr. Brown said they asked for the annual Fund 10 which they had a copy of but any changes that came in after that, the annual report of all revenues received, any monies that were held in receivable accounts, the full year of bank statements and reconciliations so they could look at from the bank perspective not the school books what came in as money and what went out as money and do they match.

Mr. King asked if they asked for the payables also.

Mr. Brown said yes that's the Fund 10.

Mrs. Morin asked if there are any encumbrances that are not journaled.

Mr. Pitre said there are encumbrances.

Mr. Brown said there is also an audit that makes reference to a half million dollars and a half million dollars fund balance. He said they also asked the School Board to clarify the auditor's comment in the audit because it's not clear whether we inadvertently as a school district gave back too much in the \$500,000 or whether \$500,000 is sitting in the bank or is supposed to be sitting in the bank that should have been given back and it's supposed to be in the bank this just raises this to a higher level of concern because at that point it's no longer \$1 million it's \$1.5 million.

Mrs. Morin asked if he knew when the last audit was done.

Mr. Brown said they concluded not the school year that closed this last June but the year prior which was the 2021-2022 school year.

Mr. King said but that isn't the audit that they reference this \$500,000 amount.

Mr. Brown said the audit references the \$500,000 error in the fund balance, the audit references over \$4 million in journal entries when the normal is somewhere around \$100,000 or \$200,000 in journal entries so there are some concerns.

Mr. King asked if that audit report is public.

Mr. King said believes that it was but he didn't know if it still is and at one point it was up on the SAU website.

Mrs. Morin asked if it is in the school report and that the audit should be.

Mr. Brown said he didn't believe it was done prior to the Deliberative Session.

Vote: the motion passed 4-0.

Mr. Brown said he wanted to be clear to the taxpayers because they need to hear that anything they are saying or asking for tonight is not a direct reflection on the School Board. He said part of this process and money actually happened on his watch and he struggled for months to get answers and couldn't get answers and now it's time to set a tax rate where they need answers.

Mr. King agreed and said they need to have clear fiscal accounting on both sides. The SAU is in some transition and it may be a difficult time to ask for this but we need it in a timely manner to set the tax rate properly so if there are corrections or adjustments that need to be made on the school side the sooner we know the sooner they can plan for it and the Town can plan for it because it could go either way he said.

Mr. Brown said he agreed and we could end up a half million dollars to the better.

Mr. King said whatever it is they need to be prepared on the Town side.

Bradsher Property Closing- Mr. Dickie said on the 27th he traveled up (to Laconia) and signed off on the transfer of the properties from Tami Bradsher over to the Town and by 10:45 a.m. everything was done. He said the only thing they had to square up with Mrs. Bradsher was last year's lease agreement of \$1,050 that we were up to in that 50 year lease agreement. He said they agreed to that and it was amended on this paperwork and he told the Finance Administrator to cut them a check so that will be squared up and then he validated after talking with Mr. King today that it has been recorded at the Registry of Deeds. They did the physical phone call through the Registry of Deeds at 10:30 a.m. on the 27th so it is recorded and they saw it out on the line so it went smoothly he said.

Mr. King said one of these parcels that they inherited has a quarry on it that was somewhat active in the past few years. He said now that it's Town property in the short term they might need to assess that physically to see if they need to have it posted for any potential hazards and in the future have a discussion about whether they want to retain that parcel or not because it was grouped with these parcels.

Mr. Dickie said this is Tax Map R03, Lot 02.

Mr. Staples said on Wed. morning he could take him out there as he knows exactly where he is talking about. He suggested they could take pictures and bring them back to the board so they can make an adequate decision.

Mr. King said they need to evaluate it and they had to buy it whether they wanted to or not because they were grouped together. He said they should determine whether they want to retain that for the benefit or the liability or they should dispense of that through an auction or a sealed bid. There may have been an abutter that might have been interested but didn't want to buy all of it and we need to determine what our interest is he said.

He said they may want to look at some additional postings on the parcels just as being the new owner and where the boundaries are and that those parcels are now Town property.

Public Works Mutual Aid- Mr. Dickie said he received some information about public works mutual aid in the surrounding communities and Mr. King questioned who actually belonged to this so he will check into it and validate the cost which he believes is only \$25 a year. He said if we had a situation like they had in Alton we would have other communities to come help us and if we had a crew we'd be able to help them but right now it's not going to happen because we can't even take care of what we have here. He said this says they will give us 2 years free if

we signed up but he wanted to get it before the board to get their consensus before he signed it and we're into something that would catch them off guard.

Mrs. Morin asked if he was going to get more information.

Mr. Dickie said yes.

Mr. King asked that when he gets the list of communities to reach out to the ones that are similar to us and ask what they feel the pros and cons are. He said he would be very cautious at this point based on our ability to assist others right now.

Mr. Staples said he didn't want to get trapped into a bad situation like the Police and Fire are where it's all one way to some of the towns.

Water Issues on Memorial Drive & Trotting Park Rd. - Mr. Dickie said he saw some conversations on the Face book Community Forum page about people asking about yellow water and then the Water Dept. came in and he has a bottle of water on his desk and you can see a tint of yellow. He said last year when talking with Mr. Tiffany they had to adjust the volume coming out of Well #5 because in the summer months plus with all the rain we've been getting we're drawing about 80,000 gallons of water from Well #5 and about 200 from Well #6. He said they flushed the Trotting Park hydrant and they flushed the hydrant on Memorial Drive trying to clear up that side. He said Trotting Park was cleared but Memorial Drive still had a tint of yellow so he had them adjust Well #5 down to 50 and increase Well #6 up to 250 to keep that balance. We want to draw more out of #6 and less out of #5 so they are not drawing #5 down so much to try to prevent that yellow water getting into the tank he said.

Mr. Staples said he hopes they are not jeopardizing the infrastructure by forcing water from Well #6 up thru town because they have to replace pretty much from here down to the Fire Dept.

Mr. King said they have done that in the past but he didn't know what the limit is. He asked if it was possible to feed everything from Well #6.

Mr. Dickie said we can but he didn't know if they want to do that.

Mr. King said he wasn't saying to do that but was asking if they have proven that they can feed say 300,000 gallons a day into our system if Well #5 went off line.

Mr. Dickie said we can.

Mr. Staples asked if that would affect the water pressure or anything.

Mr. Dickie said he didn't believe so and they're getting water into the tank from #6 now. He said he wanted to make the board aware they are addressing it to eliminate the tint of yellow in the water.

TDS Channels Moving- Mr. Dickie said he received a letter from TDS Telecommunications notifying us that they will be switching channels from 28 and 29 to channels 992 and 993 effective Nov. 1 and he wanted to get that out to the public.

Selectmen asked to have that notice put that up on cable TV channel 26.

Mrs. Morin returned to authorization for the attorney and asked if they need to authorize the

Bud Com Chair to be in contact with our attorney or if our attorney was going to tell the Selectmen and then they would tell the Bud Com and how that would work.

Mr. King said he would call Att. Roman and pass along who she is to contact. He said they need to make sure she is clear on what they authorized which is these 2 points not anything plus that. If they need additional services past that they'd have to come back to the board he said.

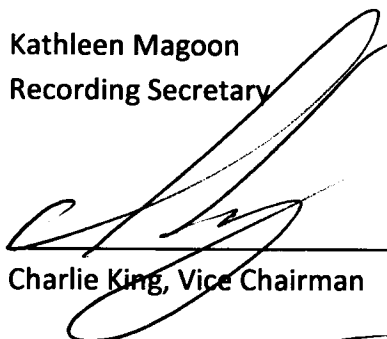
Community Power Committee- Mrs. Morin asked if the kickoff meeting was still tomorrow. Mr. Dickie said they had the kickoff but the follow up meeting is tomorrow.

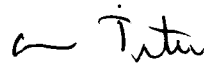
11). Next Meeting: Monday, August 7, 2023

12). Adjournment:

Motion: (Morin, second Staples) to adjourn the meeting passed 4-0 at 7:48 p.m.

Kathleen Magoon
Recording Secretary



Charlie King, Vice Chairman

Ann Titus

Douglas Staples

Penny Morin