

Town of Farmington  
Board of Selectmen Public Meeting Minutes  
Monday, April 1, 2024  
Selectmen's Chambers  
356 Main Street-Farmington, NH 03835

**Board Members Present:**

Gerry Vachon, Chairman  
Penny Morin, Vice Chairman  
Ann Titus  
Doug Staples  
Charlie King

**Others Present:**

Ken Dickie, Town Administrator  
Kelly Heon, Finance Administrator  
Royal Edgerly, Asst. Fire Chief

**1). Call to Order:**

Chairman Vachon called the meeting to order at 5 p.m.

**2). Non-Public Session A:**

**Motion:** (Vachon, second Titus) to enter non-public session under RSA 91-A: 3 (L) Consideration of Legal Advice passed 5-0 by a roll call vote (Vachon, Morin, Titus, King, Staples-aye) at 5 p.m.

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

**Motion:** (Morin, second Vachon) to seal the minutes for 3 years as disclosure would render the proposed action ineffective passed 5-0 by a roll call vote (Vachon, Morin, Titus, Staples, King-aye).

**3). Non-Public Session B :**

**Motion :** (Morin, second Titus) to enter non-public session under RSA 91-A : 3 II (c) Reputation passed 5-0 by a roll call vote (Vachon, Morin, Titus, Staples, King-aye) at 5:23 p.m.

**Motion :** (Staples, second Titus) to come out of non-public session passed 5-0 at 5:47 p.m.

**Motion :** (Morin, second Staples) to seal the minutes for 1 year as disclosure would adversely affect the reputation of a person other than a member of the board passed 5-0 by a roll call vote (Vachon, Morin, Titus, Staples, King-aye).

**4). Non-Public Session C:**

**Motion:** (Vachon, second Staples) to enter non-public session under RSA 91-A: 3 II (a) Compensation passed 5-0 by a roll call vote (Vachon, Morin, Titus, Staples, King-aye) at 5:47 p.m.

**Motion:** (Morin, second King) to come out of non-public session passed 5-0 at 6 p.m.

**5). Reconvene Public Session:**

Mr. Vachon reconvened the public session at 6:04 p.m.

**6). Pledge of Allegiance:**

All present stood for the Pledge of Allegiance.



**7). Public Input:** None

**8). Review of Minutes:**

**March 25, 2024-Non-Public Sessions A-E-** No errors or omissions

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

**Motion:** (Morin, second Staples) to seal the Non-Public Session D minutes for 3 years as disclosure would adversely affect the reputation of a person other than a member of the board passed 5-0 by a roll call vote (Vachon, Morin, Titus, Staples, King-aye).

**9). Old Business:**

**Paramedic Intercept Agreement-** Asst. Fire Chief Royal Edgerly came forward and said with Frisbie Hospital being bought out by HCA they realized that they have been out of compliance since they took inception. He said they used to get the bundle bill payments but they said that was actually illegal so once HCA found out about it, they stopped the payments and just let us continue billing. He said they said they didn't have a plan yet but they knew it was out of compliance so they wanted to not do the bundle bill they were doing to make sure they weren't doing something illegal.

He said the legal dept. at Frisbie or at HCA figured out they needed to start charging for paramedic intercepts only, so not mutual aid so if we have a motor vehicle accident and we need to get another ambulance here they're going to send another ambulance here-that's not a charge. He said the charge is actually when they go to a difficulty breathing call or a cardiac arrest and they need more procedures or medications than their Advanced EMT which we're licensed at we cannot provide.

He said if they transport on our ambulance, we charge accordingly but then Frisbie will send us a bill every month for the charge of \$175 per call. He said the \$175 is still a great rate and like Frisbie said it's not about the money it's just about being in compliance and a lot of other intercept places like Concord charge \$500. So, we're signing this contract which will put us at \$175 flat rate and it's a good deal. We've been privileged for a long time by having free paramedics so it's just the big corporation has finally caught up to us he said.

Mr. Vachon asked if that is just for an intercept so that if they actually transfer the patient into their ambulance, we're responsible for that.

Mr. Edgerly said we will not transfer into their ambulance it's a medic from Frisbie that will jump into our ambulance and we do the transportation. He said what he already started with Frisbie is a unified billing and with that he can attach Farmington's run report to Frisbie's run report to be able to send both those reports to the billing company so he can bill at a higher level so he was hoping to get some money back to recoup.

He said the problem they start running into is Medicare and Medicaid which is about 86% of their calls here in Farmington which they get a revenue of about \$356 from each call so minus the \$175 from that.

Mr. King asked if it qualifies for a higher rate with Medicare/Medicaid.



Mr. Edgerly said no Uncle Sam pays one price. He asked the board if they had a chance to look over his projections and it's really hard for him to project what next year will be so he went off their average for the past 3 years. He said he could never know who has what type of insurance, how many accidents or how many calls for service they're going to need but his best guess estimate would be the low end of \$18,375 going off the average of the last 3 years and his high average was the worst-case scenario that every single call was with Medicare/Medicaid. The down fall if we don't sign it, they'll still come but they'll charge us probably the \$500 rate he said.

Mrs. Morin asked how long the contract is good for.

Mr. Edgerly said there was no end date so it would be good until it was if we decide we need to renegotiate or something like that.

Mr. Vachon asked if legal has reviewed the contract.

Mr. Edgerly said not our legal.

Mr. Dickie said he would want to review it with legal first.

Mr. Edgerly said he talked to the Milton Fire Chief and he has 4 paramedics that are all per diem not full time so depending on their schedule, which we have access to their schedules through IM responding so it's mutual aid and they can see who is on. He said if they know there's a paramedic on, we can call Milton instead of Frisbie for a paramedic intercept and he talked charging a lesser rate of \$100. He said this is further down because he is in the beginning process of all this because Milton has to go under the same agreement. It's not just a Farmington thing, us and New Durham are the last 2 that haven't signed yet he said.

Mr. King asked if this agreement has been the same to all the other communities.

Mr. Edgerly said yes.

Mrs. Titus asked if an elderly person has Blue Cross/Blue Shield and Medicare and those 2 insurances will cover the ambulance ride if we are still obligated to pay \$175 to Frisbie.

Mr. Edgerly said they will see it depends on their insurance and if they have dual insurance it depends on what their policy states whether or not it would cover a paramedic intercept. He said his numbers were about 18% of all of their calls last year were people that had full insurance so those 18% he is not worried about-it's the rest.

Mr. Vachon said currently Strafford County Dispatch is automatic for Delta level and that Mr. Edgerly would like to go to automatic for Echo level (roll-overs, head-on and entrapment accidents). He asked if they roll an ambulance and they transport if we are still responsible for \$175 if they're rolling back with a patient in their ambulance.

Mr. Edgerly said it would be a rollover car accident.

Mr. Vachon said if there's an entrapment, by the time the FD gets them out of the vehicle their ambulance is going to be on scene.

Mr. Edgerly said they would go in our ambulance.

Mr. Vachon asked no matter what.

Mr. Edgerly said unless we had multiple patients. He said Farmington takes care of Farmington



and if our ambulance is there, they're in our bus. He said they are fortunate now that the levels for paramedics from Frisbie started automatically. He said when you don't have to worry about anything it's fine it's a comfort level so by moving to taking away the Delta automatic start we want the automatic start for Echo so cardiac arrests, severe difficulty breathing, head-on accidents, rollovers and entrapments paramedics will still be started automatically but what we're going to do is challenge our EMS professionals in the Fire Dept. to go on scene, do an assessment of the patient then if you need the paramedic then call for it so delay time is about 5-6 minutes if that. He said the EMT system is not perfect and he has been to Alpha level calls that were Echo level calls and vice-versa and by us stopping automatic Delta response our providers will get on scene, do an assessment and then call for a paramedic instead of having that automatic so there would be a 5 or 6-minute delay from what they're doing now.

Mr. Dickie said they could start transporting and meet them halfway as we do today.

Mr. Vachon asked if we get charged as soon as they get toned out to respond to Farmington.

Mr. Edgerly said we're only charged if they ride in our ambulance.

Mr. Vachon said they could still be automatic on Delta and we could cancel them half way and not be charged for it.

Mr. Edgerly said either way we won't be charged and we could keep it the same and do that if they like this was just his recommendation trying to give our employees a little bit more ownership, a little bit more work into their level.

Mr. Vachon said if they're not going to charge us until they actually set foot in our ambulance, instead of that 5 or 6-minute delay, if we don't get charged until they set foot in our ambulance.

Mr. Edgerly said his only concern with that is when a paramedic gets called and they make it to the scene and they triage down a patient. He said there might be a call where somebody had a seizure and if they're not epileptic and they're not going into status epileptic where they're not doing it every 2 minutes they may not have another seizure so an advanced EMT could safely transport that patient in put the paramedic may get on scene and take that person in just in case something happens because that paramedic once they're on scene they're responsible even if they clear that scene and something happens they're still liable because they're the ones that said they're good to go to be at an advanced level. The more times we bring paramedics in the more times they're going to take patient care. That was my only reason for that but whatever the board wants me to do is fine with me he said.

Mr. Vachon said he was curious about the 5 or 6-minute delay because they're not going to be here in 5 or 6-minutes and it's 10 to 15 minutes to the hospital.

Mr. King asked if that's on calls that are not at the highest level.

Mr. Edgerly said from when they get toned to when they get to their home that should be 3 to 5 minutes depending on how far they live and their assessment on scene should take 1 to 2 minutes to call for the paramedic and that's a model that 98% of Fire Depts. go after. He said we're very privileged to have the paramedics free so it was just easier to do that.

Mr. Vachon said this has to go in front of legal before the board can make any motions on it.



Mr. Staples asked how this is going to work with mutual aid if Middleton needs us and we get up there and we need a paramedic and he jumps on our ambulance and we transport them down we're getting billed for it.

Mr. Edgerly said that's something he and Mr. Dickie have been talking about too. He said again, it depends on what they have and if they have commercial insurance, it won't be an issue.

Mr. King asked if we go to Middleton for mutual aid, the paramedic has to come on site...

Mr. Edgerly said if they call them, yes.

Mr. King said Middleton needs to get the bill.

Mr. Edgerly agreed.

Mr. Staples asked would that then not be mutual aid.

Mr. Edgerly said it's mutual aid for us to go with the ambulance but it's not mutual aid to get an extra service which is what they classify paramedics-as a service.

Mr. King asked if Middleton would get the bill.

Mr. Edgerly said because Farmington called we would get the bill. He said technically we would be getting the payment also so if it's Medicare patient from Middleton...

Mrs. Morin said but we need an agreement with Middleton that says if we get charged it needs to get charged to you so that needs to be part of the package.

Mr. King said they need to pick up the \$175.

Mr. Edgerly said it could be Middleton, New Durham or Milton.

Mr. King said he didn't have a problem with it if we're in the same mix if we have a call for mutual aid and we need a paramedic from Frisbie we need to pick up that bill because it's our patient even though they're doing it and that needs to be worked in because we have some towns at times where we do a lot of mutual aid and it's not fair for Farmington taxpayers to pick up this \$175 that is not going to get reimbursed by Medicare/Medicaid over there so there needs to be an agreement between all of us that we're picking up our own.

Mr. Edgerly said that was Mr. Dickie's first concern.

Mr. Staples said we go to New Durham and Middleton now and Farmington is already carrying their tax bill covering them with our guys and now we're going to pick up \$175 when we need a paramedic-no.

Mr. Edgerly said New Durham would be our biggest one we go to and Middleton calls Milton all the time.

Mrs. Morin said he said New Durham already has this agreement with Frisbie.

Mr. Edgerly said he didn't think they have signed it yet.

Mrs. Morin asked if they could check with HCA and see what they are doing for mutual aid to other towns and how they're handling that.

Mr. Edgerly said this was something he did bring up to them and the way that they're looking at it is because even if we get a Medicare/Medicaid call Farmington is still receiving \$356.80 in revenue. So, the way HCA is looking at it that \$175 you're still getting something so I think this would have to be an agreement between the 2 towns he said.



Mr. Dickie said they would have to change the mutual aid agreement so wherever the resident is coming from is where the \$175 would be picked up by that town.

Mr. King said the Medicare/Medicaid amount isn't even covering our costs but yeah but you're getting paid for it. He said we're already getting a rate set by the government that's not really covering our costs and now you want to make it worse by taking \$175 out of it.

He then asked how many towns have signed this agreement.

Mr. Edgerly said he could get them that number. He said he knew that it's all the surrounding communities except for us two. He said New Durham and Farmington were the last 2 and they waited because of the transition with the Chief and it was something that could have brought in earlier.

Mr. King said they need to address the mutual aid calls with that town has to pick it up and that it should have been in this agreement.

Mr. Staples said the paramedics should bill whatever town they're going to it's their resident.

Mr. Edgerly said Frisbie will bill whatever service calls them so if that's us going to New Durham he could almost guarantee they're not going to charge New Durham it's going to be up to us.

Mr. Staples said they should have Att. Keriann Roman write up something for mutual aid coverage and whatever town doesn't sign it we don't send out the EMS for.

Mr. Vachon asked how many times we've gone to Rochester to cover because Frisbie is busy because Rochester Fire doesn't run ambulances Frisbie does.

Mr. Edgerly said last year they did 34 transports but that doesn't mean how many times they've gone there and it's probably double that.

Mr. King asked if there is a paramedic intercept in Rochester are they going to send us the bill too.

Mr. Edgerly said not if it's in Rochester and they had the same discussion because it's their resident.

Mr. King asked how that is different than going and getting a Middleton resident and it's the same argument just with different towns.

Mr. Edgerly said if we go to Rochester that means they have no ambulances so we're not getting a paramedic from Rochester because they would have already sent their paramedic.

Mr. King said maybe they have a paramedic but no ambulance available.

Mr. Edgerly said that's plausible and he would have to get that answer for him tomorrow. He said the biggest tie-up was mutual aid vs. service so they can't look at paramedic intercepts as being mutual aid because we can't provide mutual aid to Rochester for paramedics. It's classified as a medical service and that is the medical service the paramedic is providing he said.

Mr. King said some towns can provide that medical service and asked why wouldn't they be in a scenario where we offer mutual aid to Rochester and we have paramedics so basically we're mano-a-mano here.

Mr. Edgerly said when former Fire Chief James Reinert was here this was their same argument and they believe for the amount of times that they go there it's mutual but looking at the



numbers for the amount of times Frisbie came to us and transported compared to the 34 that we actually transported in Rochester it's not typically equal and it's not classified as mutual aid if we're calling for a paramedic.

He said if Farmington is out on a call and we need to call Frisbie to go to Lancelot Shores because we can't provide an ambulance that's mutual aid and Frisbie will do all that billing because they are in their ambulance. Only 1 service can bill a patient wherever that patient is transported in that ambulance can do the billing he said.

Mr. King asked if they get called to mutual aid and then a paramedic has to go who is picking that up.

Mr. Edgerly said Frisbie has paramedics on every one of their ambulances. He said if Frisbie calls us, we're their first resort but last because there are no other ambulances in the city. He said they call us because they know we're available and they know that we do pretty well.

Mr. Vachon asked what it would cost for us to outfit an ambulance at the paramedic level.

Mr. Edgerly said to up the ambulance itself is inexpensive it would be about \$3,000 to buy the equipment per so it would be about \$6,000 but it would be finding paramedics to work for us.

Mrs. Morin asked what the starting rate for a paramedic is.

Mr. Vachon said it depends on where you go because some ambulance services only pay \$17 an hour because they're trying to keep their rates low.

Mr. Edgerly said his best guess is the starting minimum would have to touch Frisbie which is \$25,000 or \$26,000 and even in Milton that's where they're at to advertise for paramedics.

Mrs. Morin asked if that was less than the cost of a Firefighter.

Mr. Edgerly said in his numbers they would be more. He said it would be more fiscally responsible for us to go into this agreement and then somewhere down the line as we keep progressing and keep growing absolutely.

Mr. Vachon said he was just asking the question and there is a lot more that has to go in the ambulance at the paramedic level.

Mr. Edgerly said there are a lot of drugs and they would have to put a safe in there and pumps.

Mr. Vachon said and there's a lot more recording keeping as far as those substances.

Mr. Edgerly said his biggest concern would be if he only had 1 or 2 paramedics per diem not having consistency and the liability is not anything he thought we should take on yet.

Mr. Vachon said they have to get legal to look at it and then they can bring it back to the board.

Mr. King said they also have to address mutual aid with other communities about who is picking up the \$175.

Mr. Staples said Mr. Edgerly was talking about per diems and asked if he thought it was something down the road they could work with Milton who has paramedics to where they would cover these days and we'll cover these days and we'll cover each other's towns for free.

Mr. Edgerly said that was something they tried to work with them last year and they tried to do like automatic aid so if we got a fire alarm activation at the school it would be nice to have another ambulance coming from Milton but it just never seemed to work with the 2



communities. He said the answer to his question is maybe and that he talked to their Chief about the \$100 fee and he was on board with that. He said that would be a good starting point and they have 2 options-talk to Frisbie and talk to Milton and the crews would know that day who was on so it wouldn't be a guessing game.

Mr. Vachon asked how many paramedic levels they have down there besides himself.

Mr. Edgerly said 1 newly minted one as TJ Arnst just became a paramedic 2 weeks ago.

Mr. Vachon thanked Asst. Chief Edgerly for putting this all together for the board.

**Rec Dept. Internet Update-** Mr. Dickie said he sent an e-mail and had something put in their packets that came in from Breezeline and they increased the Town Hall/Rec. Dept. internet from 104.1 for upload to 100 download and 20 upload with no additional cost to the Town.

Mr. Staples asked if that was enough to cover the "fiasco" that we had for Town Meeting.

Mr. Dickie said yes and he was told by both that 6 was the minimum they would go with but they gave us 20 to upload that should be sufficient.

Mr. Vachon read that they upgraded our internet up there to hopefully avoid any more live streaming issues from the Town Hall for Town Meetings and such so they'll have to get that tested at some point

Mr. Dickie said they have a meeting on the 4<sup>th</sup> with Breezeline and John Heimann to review what we're using for the upload system and what it would be to convert from a standard definition to a high definition and what would be needed from that point. He said he made sure he was involved as well as what we got for the upgrade for the Town Hall. We are working it, I'm just waiting for them to resolve that and get us an equipment list of what we need to do to get our equipment up to current standards he said.

Mr. King said it sounds like they may have that for next week.

Mr. Dickie said that's what he is hoping for.

**Roads Update-Postings-**Mrs. Morin asked where they are at with the road postings.

Mr. Dickie said Highway Dept. Supervisor Ed Brannan is recommending to remove everything next Monday.

Mr. Staples asked even with all the snow coming.

Mr. Dickie said yes. He said the dirt roads are pretty solid right now even with the snow and rain we've had they're not rutted up and the frost is gone.

**Motion:** (King, second Morin) based upon Ed's recommendation to remove the road ban as of next Monday, April 8 passed 5-0.

**Grading-**Mrs. Morin asked about the grading schedule moving forward.

Mr. Dickie said he is resisting going out grading until after the snowstorm because when you go out and grade the roads you soften it up and you dig in so he is trying to hold off until after the snowstorm and then go back out and hit the country roads after.

Mr. Vachon said next week looks like a lovely week to do that and also if they go out and grade them before the snow and they try to float the blades and not dig them in they're going to have to go out and fix them again so as long as they're passable he agrees with that.



**10). New Business:**

**Drug Testing Policy-** Mr. Dickie said they have a drug testing policy created by the company that does the on-site drug testing and they have a policy to represent and he put that in their packets for them to review. He said he has not reviewed this with legal and he recommended that he send this to Att. Roman and make sure it covers the bases and that it meets our standards for what we need.

Mr. King asked didn't they already approved that and implemented it based on hiring this firm and taking their recommendations and if they never put those in force.

Mr. Vachon said he thought they approved them writing a policy for us because they wanted money to do the policy specific to Farmington so we approved that and were waiting to get it.

Mr. King said that was a while ago.

Mr. Vachon said under reasons for testing it goes into post-accident but it references Federal Motor Carrier rulings and asked if they need to have them also add in our policy to this as far as an accident and we drug test because this is just saying if there is actual bodily harm. He said this follows Federal Motor Carrier that says if the accident involved the loss of human life or receive a citation under state or local law arising from the accident if the accident involved bodily injury, one or more vehicles incurring disabling damage as a result of the accident requiring the vehicle to be transported away from the scene by a tow truck or other vehicle. He said if you run a wing down a vehicle sitting on the side of the road that might be on somebody's front lawn because you're trying to push back that vehicle may not be disabled and there's no bodily injury because the person is inside sleeping but if you call \$6,000 worth of damage because you rip 2 doors off of a car they probably ought to be drug tested but that's not in here.

Mr. King said so they should add or per our policy so they can capture anything that may not be in there.

Mr. Vachon said per our accident policy for the Town which should be a \$500 limit. He said any damage above \$500 being on a vehicle when you hit it-a tail light, a truck lid.

Mr. Dickie said basically any accident just change it to any accident to be tested.

Mr. Vachon said in a commercial vehicle he would think so, so if they could get them to reference the accident policy and add something under the post-accident another little highlight that says in accordance with the Town accident policy as well. He said this is what this company does and they're pretty good at it so the rest of it looked pretty good but legal needs to look at it as well. That's the only thing I saw no reference to the policy and legal may say they don't have to reference the policy because we have a policy on it but if we have them sign off on this that this is when you will be drug tested, they probably ought to at least reference the policy so they know they're going to follow that he said.

Mr. Dickie said he would work with them to get that changed, get it over to Att. Roman and once that's solidified, he will bring it back to the board. He asked if the board was in agreement with if they test positive once they go to rehab and what the policy is on that now.



Mr. Vachon said it should be in this drug testing policy.

Mr. Dickie asked if they test positive, they have to go to on their own at their own expense not the Town for rehab and if they refuse to do that then they're terminated.

Mrs. Morin asked if that is our policy.

Mr. Dickie said he would have to it but he thinks it is in their policy in the handbook.

Mrs. Morin said if they are reflecting policy, they should reflect that one as well.

Mr. King asked if they should have different thresholds for what it is, at what level, what severity is the accident. He asked if you tested 3 times the alcohol limit and you're high on coke and you cause a death and we're going allow the person to go to rehab and come back and maybe they should have some play in their policy.

Mr. Dickie said in that situation maybe it's more like the random testing where they randomly have to be tested and if they test positive during...

Mr. King said that's a random test not the one that's involved in the accident. He said he was okay with the random testing he just didn't want it to be an umbrella over all situations.

Mr. Staples said to do it per the policy and then they can change the policy to it.

Mr. King said we may say a certain level of infraction that's involved in an accident, injury or death is immediate termination and we would have to work through the policy and not just say the policy says they need to go to rehab and then come back to work.

Mr. Vachon said there is some wording in there for follow up for a positive test but it just says they can be tested at any time per the program. He said he didn't have a problem with revisiting the drug and alcohol policy or the handbook as far as it states on that or if they need to put it into this so that it's all in one spot just like the other policy. He asked if they need to review the policy, they have on the books already before instituting this.

Mr. King said no as long as this points to our policy they can review and amend it after the fact because there may not change this year but it could change next year upon subsequent review.

#### **11). Finance Administrator's Business:**

**Trust Fund Requests-** Finance Administrator Kelly Heon said she had some housekeeping stuff to discuss with the board and began with the formal requests for funds from the Capital Reserve Funds. She said the town is in a reevaluation this year and we're in a revaluation contract with Avitar so every month we are getting billed not only for our general assessing but for a monthly fee to cover the reevaluation costs and thus far we have been billed \$14,666 for 2 months so she would like to make a formal request that the board request those funds from the Town Reevaluation Capital Reserve Fund Account.

Mr. King asked if the Trustees (of the Trust Funds) are in charge of that.

Mrs. Heon said yes.

**Motion:** (Morin, second King) to request \$14,666 from the Trustees from the Reevaluation Capital Reserve Fund passed 5-0.

Mrs. Heon said the 2<sup>nd</sup> account they need to request funds from is the landfill closure. She said there is a little bit from 2023 so some bills that came in towards the end of the month and then



one bill for a 2024 expense. She said the 2023 expense was \$5,563 and the 2024 expense is \$818.60 and she wanted to also point out that requesting that much would then bring the balance in that fund down to \$33,329 which is still okay because at Town Meeting it was voted to withdraw up to \$32,000 from that account in 2024. She said she wanted to bring that up to the board knowing that this year will likely deplete it and they will have to do something different next year.

Mr. Vachon said he and Mr. Dickie talked about that and that we are going to have to fund that account somehow, budget it or something.

Mrs. Heon said for now she is requesting that they withdraw from the Landfill Closure Fund \$5,563 to cover the 2023 bills and an additional \$818.60 for 2024.

**Motion:** (Morin, second Vachon) to request \$6,381.60 from the Trustees from the Landfill Closure Capital Reserve Fund;

**Discussion:** Mr. King asked if there might be a grant they could seek to replenish that fund for monitoring or groundwater monitoring.

Mr. Vachon said he has not heard of any but he could look into it.

Mr. King suggested that they ask Planning Director Kyle Pimental to look into it because otherwise they are going to have to put it into the budget but if there is a grant they could apply for groundwater monitoring or landfill closures and not put it on the taxpayer.

Mr. Vachon said he had a feeling they may not have to ask Kyle to look into that for them but he will reach out to him. He said one thing he and Mr. Dickie looked at when they were looking at using unexpended revenue before Town Meeting was that next year, we may have to fund that account and it will have to be high up there because it's something we have to do every year and keep the groundwater monitored. It may have to be towards the top of the list for Town Meeting with funding accounts and unfortunately, we won't be able to use it for something else but it's either that or we do general taxation for it. It's got to get paid for otherwise we're not in compliance he said.

Mr. Staples said another way they could come up with funding for it is if they have Mr. Brannan work with Transfer Station Supervisor Pete Spencer to clean that lower pit part to allow the expansion of the solar project and then just have that money earmarked where they pay it every year to cover the testing.

Mr. Vachon said it's a possibility depending on when that gets up and running and they may have enough to foot the bill at the beginning of next year anyways.

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

Mrs. Heon said the final request for withdrawal from Capital Reserve is from the Bridge and Road Design CRF. She said on the warrant last year the article where the town approved to get the bond for \$1.4 million was also to expend \$200,000 from the CRF so thus far we have expended \$35,633.69 on engineering costs for the Hornetown Rd. and River Rd. bridge so she would like to request those funds from the Bridge and Road Design CRF.

**Motion:** So moved by Mr. King and seconded by Mrs. Morin.



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

**Cheryl Harper Tax Refund-** Mrs. Heon said hopefully they would remember the discussion from 2022 regarding Cheryl Harper and the Cartwright land donation. She said the good news is that deal is finally done and the Town/Conservation Commission is the owner of that land and back in 2022 Mrs. Harper had requested that the taxes be abated and the discussion back in 2022 was that her taxes would be refunded once the Town had the land. She said that discussion and their motion was in 2022 and it was for taxes paid in 2022 and 2023. She said they already abated her 2023 the second half so she didn't pay it they abated that and that's done. She said but she did pay the full year of 2022 and half of 2023 and that total amount is \$14,321.

**Motion:** (King, second Staples) to refund the \$14,321 to Cheryl Harper for the Cartwright/New Dam property based on the August 15, 2022 meeting where we agreed to do that; Mrs. Heon gave Mr. Vachon the documents for review requiring their signatures. After a brief review he called for the vote.

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

Mrs. Heon said this next item is also pertaining to Cheryl Harper's land and she had made an agreement to sell one of the lots to an abutter. She said some of the parcels that are house lots are coming to the Town with the agreement that they will be sold and the funds will be used to develop this conservation land. She said but prior to her making that deal with the Town, she made an agreement to sell one of the lots to an abutter but she hasn't done that yet so when she transferred all of the land to the Town and that one lot is left standing on its own and she still owns it, it triggers a land use change tax to be assessed to that.

She said she would like to request that the board waive assessing Ms. Harper a land use change tax. She said they just agreed that we're not going to charge her property taxes but then we would have to assess her a land use change tax because she still owns that.

Mr. King said she's taking the land out of Current Use or has to because it's less than 10 acres or doesn't meet the exemptions that allow for land less than 10 acres.

Mrs. Heon said she didn't know if she realized that would happen when she did that.

Mr. King said those revenues go 100% to the Conservation Commission.

Mrs. Heon said the way she is looking at it is the Con Com has already gotten this huge gift of land and it seemed like...

Mr. King asked if that is something they can even waive.

Mrs. Heon said the Board of Selectmen has the power to do that. She said it's the same thing as abating or waiving interest-the board has the power to do that if they so choose.

Mr. Vachon said she did keep a lot.

Mrs. Heon said she kept it and her intent is to sell it to an abutter.

Mr. Staples said so she is going to sell this for a profit and she wants them to waive the taxes.

Mrs. Heon said if they don't waive it they have to issue her a land use change tax bill.

Mrs. Morin asked how much that is.



Mrs. Heon said it's 10% of the current market value as determined by our assessor.

Mr. King said for example if he assesses it at \$45,000-\$50,000 they would be waiving potentially \$4,000 to \$7,000.

Mr. Vachon asked if they just abated the taxes for that parcel she's selling.

Mrs. Heon said yes the property taxes but to understand that those taxes, that was all under Current Use assessment so that wasn't a lot of taxes.

Mr. Staples said but they're abating it and eventually it's going to get sold for a profit.

Mrs. Morin said on land she gave us for free.

Mrs. Heon said there are different ways to look at it and she looks at the value of the land that she gave us is probably a lot more than anything she's going to make off of a lot that she sells.

Mr. Vachon asked if she knew which lot that is.

Mrs. Heon said it's one of the one acre lots.

Mr. King said that cost could be picked up by the buyer.

Mrs. Heon said it could be that would be her choice and it has to be assessed to whoever owns the lot when it's no longer eligible to be under Current Use and that would be Ms. Harper. She said she knows how frustrating the process was to her because it was dragged out for so long and she paid the taxes even though we are refunding them but she thought it would be confusing to refund her on one hand and then send her a bill on the other hand.

Mr. King said but the bill is based upon taking land out of Current Use and he couldn't recall a situation where the board has waived those current use penalties when he has been on the board.

Mrs. Heon said she couldn't recall one either this is just a very unusual circumstance because the town is benefiting so greatly from that land and it's a valuable asset.

Mr. King said if they go forward with this approach somebody could come in and say I'm developing this 230 acres of land on Ten Rod Road and I'm going to put 30 acres in conservation and I want you to waive the Current Use penalty so I can do that development because I'm giving something to the Town.

Mrs. Heon said they could negotiate that with them and if they decided that was worth it they could do that.

Mr. King said if they grant this one they could say you've done it in the past, the Town has got something out of it so I want you to waive because I'm waving something in front of you I say is of value and I want you to waive the fees over here which in some ways is money that should have gone to taxpayers. He said in this case they're going all the to the Con Com and he can remember when it used to be 25% and there was a big push to go to 100% which he was opposed to. He said when people put their land in Current Use, the Town gives up the tax revenue and when it goes back on the books, we dedicated it to the Con Com on behalf of the Town but the taxpayers don't get any relief for that so he put forth the argument 12-15 years ago it should be 50/50-50% to the Con Com and 50% back to the taxpayers who gave the tax relief under the state law. That wasn't a popular vote so it's been 100% ever since then he said.



He said unfortunately as much as he appreciates the gift, he would not be in favor of waiving the Current Use penalties on this piece of land.

Mr. Vachon said nor would he.

Mrs. Morin said she was in favor of waiving it, she gave us a gift, she still has a lot of work to do.

**Motion:** (Morin, second none) that we waive the Current Use change penalty;

**Discussion:** Mr. King asked Mrs. Heon if she had the tax map numbers and which lot it is.

Mr. Vachon said he brought up the map on his computer and saw 4 house lots and was curious which one she kept. He said the map shows green as the Cartwright/New Dam property that was donated so he was curious which one of those 4 lots, which we were told there were 4 house lots.

Mrs. Heon briefly left the meeting to get the tax map and lot numbers for the board.

While waiting for Mrs. Heon to return the board reviewed the map of the properties.

Mrs. Heon returned to the meeting and said it's Tax Map R60, Lot 18-6 and that's the 5<sup>th</sup> house lot so the Town is still getting 4 house lots.

Mr. King asked how much acreage it has.

Mr. Vachon said it's 1.23 acres.

Mrs. Morin said so it's not even a buildable lot and it's a non-conforming lot.

Mr. King said yes it is, it's a 1 acre zone on that side and even if it's non-conforming it's still buildable if it's a lot of record provided it can get a septic design.

Mrs. Heon said she didn't know if it matters to them but she thinks the person is just going to merge it into their existing lot.

**Amendment:** by Mrs. Morin to add for Tax Map R60, Lot 18-6;

Mr. Vachon seconded the motion for discussion. He asked if there was any further discussion and hearing none called for the vote.

**Vote:** the motion failed 1-4 (Morin-aye; Vachon, Titus, Staples, King-opposed).

**Audit Update-** Mrs. Heon said they were all here last week working diligently and there are a few other things that she needs to get to them and then they'll finish up. She said what she wanted to bring up to the board now is that they let us know there will be a "significant finding" in the audit relating to our water and sewer funds.

Mr. King said that doesn't surprise him but what did surprise him was why it hasn't been a finding before.

Mrs. Heon said it's been noted in the audit it just hasn't been a significant finding. She said this year the decline in the fund balance was a bit more drastic and because it has continued to trend that way and it hasn't moved back in the other direction they're going to call it a significant finding. She said they understand that we're aware and we'll be making changes. She said she and Mr. Dickie have had multiple discussions with Water/Sewer Dept. Supervisor Chuck Tiffany, with people from NH DES and with some other people who understand this process and as we've been going thru this, we realized doing a rate analysis for water and sewer rates is not necessarily something that's a simple thing and most towns that go thru this process



hire professionals to do a rate analysis. She said she wondered if that should be part of the conversation that if they're going to do this, they should have something to hang their hat on when they have to bring this to a public hearing that we have a professional analysis done and not just a few of us crunching numbers and hoping we're going to get it right.

Mr. King said he thought it is pretty simple-our rates have not kept up with the costs and the cost is the cost. He said both depts. are managed pretty fiscally responsible if not border line cheap most of the time regarding their expenditures and the rates need to reflect the expenses. He said we can pay somebody to tell us that so we can say an expert told us that this is why the rates have to double because it's pretty obvious that rate needs to double. I'm ready to tackle it and deal with the discussion at any time because this problem is not going away and not paying an expert \$20,000 and waiting 3 months he said.

Mrs. Heon said she agreed it's not going away and the reason why she said it's not as simple that is it is simple to just say the rate needs to be this to meet these expenses in this year's budget but there is how much do they need to save for the future, what are the potential costs coming down the line that we don't know about, how much should be fixed and how much should be based on usage, what are the trends in energy efficient appliances, what are the trends in usage that we need to take into account, how much should we be saving in the fund balance, when are we going to have to make upgrades to the wastewater treatment plant and we have a bond for a new well so there's just so many things.

Mr. King said everything but the energy efficient appliances would add to that rate so they could say they're going to take into account the replacements, the upgrades, the things they should put in CRF's or the Capital Improvement Plan and we're going to put that on the rate that would be an addition not a subtraction.

Mrs. Heon said she agreed but she didn't feel like she has any real expertise in this area. She said she wouldn't want to just throw a number out there and then next year find out that they have to do this again. She said ideally, they would want to have a rate analysis that would take them out 5 years.

Mr. Vachon said but nobody knows what the cost of chemicals is going to look like in 5 years.

Mrs. Heon said but there are trends and people in the industry could speak to it better than she could.

Mr. King said they know it needs to go to a minimum to here, they could make that adjustment this year sooner than later and then say we're going to get a rate analysis to go there forward.

Mrs. Heon said she would feel comfortable with that she just felt like that's something that has to be done at least for the future.

Mr. King said they send out the water and sewer bills quarterly and those adjustments need to be sooner than later and this board needs to decide how quickly it goes to full rate, whether it's all one billing or over several billings and that gets us to bearing the current budgeted cost.

Mrs. Heon said it's possible at least on the water side that a rate analysis could be part of a new well project but she didn't know.



Mr. King said they could move the rate to here and then put the rate analysis as part of the well funding on that side but really they need to do them both so they should do them both at the same time. He said that's going to take time and it's going to be 3 months later and that's one whole billing so they need to move it to what our costs are that's budgeted and put people on notice they're going to be doing this analysis. He said the analysis doesn't have to be fast tracked and they have potentially a year to complete that and then make a change in year 2 with a plan for that the rate is going to go up over the next 5 years.

Mrs. Heon said she thought between Mr. Dickie, Mr. Tiffany and herself they could give them a rate that they think it needs to be right now but she is not comfortable with a 5-year plan.

Mr. King said the Selectmen are responsible for setting the rate so it's their responsibility for not doing it so they're going to have to deal with the repercussions because this should have been done sooner than since the last 5 years. He said the rates have to cover the cost and they're going to have to take the beating that they're due by the taxpayers.

Mr. Vachon said they need to get the ball rolling on getting up to where it needs to be for this budget. He said it's going to be a large increase which we've discussed before but everybody is starting to do large increases-every wastewater and water treatment plant in the area is starting to do huge increases because it's just been so lax for so long and COVID didn't help it with the price of chemicals and everything skyrocketing. He asked them to get some stuff together and bring it to the board so they can start posting public hearings because we're at April 1 which starts the second quarter.

Mr. Heon said she agreed but she didn't feel comfortable with her, Mr. Dickie or Mr. Tiffany's expertise to do a comprehensive rate analysis over a 5-year term.

Mr. King said they just need to bring them the costs and they'll take care of the rest.

Mr. Vachon said to divide the budget by the units and that's what it's going to have to cost. It's going to get us close enough he said.

Mrs. Heon said they might want to look at not tying it completely to usage and they might want to look at fixed plus usage and a lot of towns are doing that.

Mr. King said those were things they discussed at prior meetings and he is all for considering that but it needs to be before the board sooner than later.

Mr. Vachon said they need to know what it needs to go to, they can figure out how they're going to split that up amongst users and fixed rates at that point but they need to know what it's going to cost to cover that budget to cover the water and sewer. We'll be discussing this further at another meeting he said.

**Finance Software Update-** Mrs. Heon said she is starting to look at different options for software in her office. She said the software that has been used in the Finance Office which has probably been for decades now is BMSI and it's a very outdated software that's been bought by a company named G Works and she didn't know how long the BMSI software she is using will have support. She said she didn't feel confident that she would be able to use it forever so she wanted to be proactive and start looking at different options over the next several months and



at some point, she will be bringing that back to the board.

Mr. King said when they've been bought out, they're going to continue with the software until it dies and try to migrate their customer base onto other products they're selling.

Mrs. Heon said she's seen this before in different depts. and when she first came to assessing they were using a very outdated assessing software before they made the conversion to Avitar and it seems to be the M.O. in town that we hold on to a software until its dying breath and then that's when we make a change.

Mr. King said there are fixed costs that is usually an increase but there are costs you can't quantify which is the cost to switch over, all the re-training, bumps in the road they say are not going to be there in the new software platform but you just find bugs in all the new software you just bought. He said they bugs in the other stuff they just know where all the potholes are and when you get a new software you just go through somebody else with different problems.

Mrs. Heon said the software she is using now is so outdated that she spends so much time just on data entry and trying to manipulate reports and she believes that moving to a more technologically updated software is probably going to cut her time. She said we are already into the second quarter and by the time is able to bring some options before them it's probably going to be much later in the year and maybe they would be able to budget for it for 2025.

Mrs. Morin asked if she has looked at the software the surrounding communities use and seen it in action.

Mrs. Heon said she hasn't seen anything in action but somebody is coming here tomorrow to do a demo for us and she is excited about this software because it was designed for NH municipalities so it's not a one size fits all government software, it was specifically design for NH so she is curious to see it.

Mr. king asked if this company has a large enough customer base that they're likely to survive.

Mrs. Heon said it's MRI they have a software company called MTS.

Mr. King said if it's designed specifically for NH that's not a very big marketplace and asked what its history is.

Mrs. Heon said she will find out and she is curious about it will talk to their Avitar system and right now there is a lot of double entry between her and the Town Clerk's office and it would be great if it could just be an import.

Mr. King asked Mrs. Heon if Mr. Dickie spoke to her about finding the deed references to some of the land they have for sale.

Mrs. Heon said no he did not.

Mr. King said some of parcels they were giving to the auctioneer there were 2 parcels they were looking to get a copy of the deed when they took it because there was a concern about access to 2 or 3 parcels.

Mr. Dickie said he met with Tabby Scott on rights-of-ways on 2 parcels of land.

Mr. King said when he looked at the online records as a guest it didn't say a book and page they could reference but the Town may have that.



Mrs. Heon said if it's a really old deed it might not be online but they probably have it or they can get it.

**12). Town Administrator's Business:**

Mr. Dickie asked the board if they wanted to discuss the Fire Chief and that he had clearance from the Chief.

Mr. Vachon said the board hasn't seen the clearance yet and they could do it next Monday so they can look at it before making an announcement and there is big packet that the Police Chief took care of for them.

Consensus of the board was to discuss this next week to allow them time to review the packet.

Mr. Staples said he had a concern with the paramedic agreement on how we're now going to be paying out but there is no budget line for that and asked Mr. Dickie to check with Att. Roman and make sure it's legal to enter into this year.

Mr. King said he thought they could it would just come out of the budget.

Mr. Staples asked how you allocate money that's not budgeted and they don't have a line for it.

Mr. Vachon said through the offsetting revenue from the ambulance service coming in.

Mr. Dickie said you're just not going to get as much revenue as you were before.

Mr. Staples said he was worried about the revenue coming in he was worried about paying for something we don't have in our budget-there's no budget line for it.

Mr. King asked don't we pay Frisbie Hospital cost items already for supplies and services.

Mr. Dickie said he believes so.

Mr. Staples said he argued this with the finance guy from the school because they were going to pay for their lights out of the power bill and it wasn't the same thing. He said the lease on the stuff is not your light bill and he finally put it in his budget and their legal agreed it had to be there and now he is worried they're going to start paying a bill that's not in our budget and how it's legal.

Mr. Dickie said he would review the Fire Dept. budget.

Mr. Staples asked him to also bounce it off the attorney and see how they can do it.

**13. Next Meeting:** Monday, April 8, 2024

**14). Non-Public Session D:**

**Motion:** (King, second Titus) to enter non-public session under RSA 91-A: 3 II (b) Hiring passed 5-0 by a roll call vote (Vachon, Morin, Titus, Staples, King-aye) at 7:32 p.m.

**Motion:** (Morin, second Vachon) to come out of non-public session passed 5-0 at 7:46 p.m.

**15). Adjournment:**

**Motion:** (Vachon, second Titus) to adjourn the meeting passed 5-0 at 7:46 p.m.



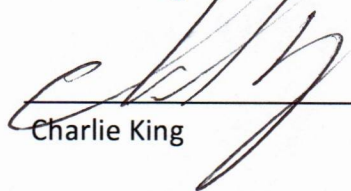
Kathleen Magoon  
Recording Secretary

  
Gerry Vachon, Chairman

\_\_\_\_\_  
Ann Titus

\_\_\_\_\_  
Douglas Staples

  
Penny Morin, Chairman

  
Charlie King