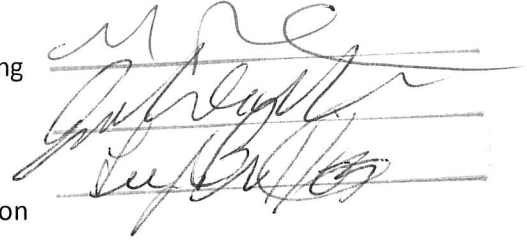


Town of Middleton
Board of Selectmen Meeting
February 2nd, 2022

Approved By
Board of Selectmen

The image shows three handwritten signatures in black ink, written over a rectangular stamp. The stamp contains the text "Approved By Board of Selectmen". The signatures are written in a cursive style. The first signature is the largest and most prominent, followed by two smaller ones below it.

Called to order at 1:30 pm.

BOS Members Present: Joseph Varga, Michael Boisvert, Lee Britton
Pledge Recited

Public Input: First 10 minutes for those who do not plan to stay for whole meeting.
Nothing.

New Business:

Selectmen Boisvert makes motion to unseal 12/31/2021 meeting minutes that was held as a nonpublic. Selectmen Britton seconds. All in favor.

Selectmen Boisvert makes motion to amend minutes that were posted to reflect the decision making process that was part of that meeting. Selectmen Varga asks how we are going to amend those minutes. Selectmen Boisvert states we are going to add the discussion for ARPA to the final minutes. Selectmen Varga asks if the plan is to have them done by the end of the day. Selectmen Boisvert states yes. Selectmen Britton seconds. All in favor.

Selectmen Boisvert states based off that the minutes did not have to be sealed, but due to the nature of them being related to Covid the thought was that they needed to be but he was wrong. We did make a motion during the meeting to seal them, so it was a legal action. That is why they were sealed and we could not produce them per 91-A requests. After speaking with legal specifically that technically we took legal action in our note process so we had to follow the steps to get them out, which is more or less why we are here today.

Selectmen Varga states he is going to add something to new business. Earlier this week, I had recused myself for Fire Department Fire Chief hiring. The rest of the board had brought in Farmington Chief Reinhardt, to assist with the hiring process of a new fire chief. It was a unanimous decision to hire Michael Watkins as Fire Chief for the Town of Middleton. Selectmen Britton states he would like to thank all the candidates, it was really a tough decision between most of them. Selectmen Boisvert states it was not based off of opinions, who liked them or who did, that's why we brought in an outside opinion. We all had a grading scale that we graded the applicants on. We made that decision to move forward with Mr. Watkins, think he will be a great fit for the town.

Public Input:

R. Tufts-Keegan how many of you on board have attended 91-A workshops. Selectmen Boisvert states he has read the book, Selectmen Varga has read it, as well as Selectmen Britton.

R. Tufts-Keegan asks if there will be discussion about ARPA discussion, as it is on the agenda, or is it with the minutes.

Selectmen Boisvert states he can elaborate on that. The decision to use ARPA funds as compensation premium pay for town employees was because SB-85 came up as a state wide type of infrastructure bill and we are working specifically with the senators office to obtain funding for that. It is a matching grant, we can not apply the ARPA funds to that, and we will receive more from SB-85 than from the ARPA funds themselves. As far as rumors going around about who did or did not receive them, the first round that we went through we did have an issue with the bank. Only able to release certain amount of funds at one time. With it being covid related, we were unable to disclose this information to people until speaking with legal. It was a misunderstanding on Selectmen Boisverts part. Working with bank for next pay period for the remaining employees to get the funds as well.

T. Donovan-Laviolette asks if the selectmen will be answering 91-A requests, because it was very specific of the number of employees, and what departments were those. Selectmen Boisvert responds per legal a few things we have to redact. Minutes will be released today. T. Donovan-Laviolette asks if there is a complete department that was missed. Selectmen Boisvert states there was a complete department that was put at the end of the list. They are paid at the end of the month, and going through our payroll process they are at the end of the list. T. Donovan-Laviolette asks if any municipal building employees, including the selectmen paid. Selectmen Boisvert states the municipal employees were paid. Question asked and answered again. T. Donovan-Laviolette asks what the total amount paid out is. Selectmen Boisvert states \$90,000. T. Donovan-Laviolette asks if that's with everyone in town. Selectmen Boisvert states that's with every employee that will be paid out.

J. Brown asks how much has been paid out thus far in the first round. Selectmen Boisvert states about \$40,000. J. Brown asks what was the payment to each employee. Selectmen Boisvert states \$3,600.00. J. Brown asks how did they arrive at this amount. Selectmen Boisvert states we took the number of eligible employees and divided the sum of money that was received so that each employee would receive the same amount. J. Brown states that premium pay is for essential workers. Selectmen Boisvert states after speaking with NHMA, the state, and our lawyers, they can be distributed by us to the municipal, and all town employees. J. Brown asks why there was no discussion at any given time about ARPA funds to use as premium pay. Why never discuss publicly, why discussed in nonpublic, and why the selectmen decided to seal minutes in the wrong way. Why were those methods chosen. Selectmen Boisvert states he is not familiar with the HIPAA law and violations or patient confidentiality. I was under the impression that covid related incidences were patient confidentiality so that is why we had it in a nonpublic, and that's why we came to the determination to have them sealed. Discussion on 91-A and what reasonings there are to seal minutes.

J. Brown asks again why was there no discussion on premium pay for employees. Selectmen Boisvert states because they were distributed on a covid related basis. Selectmen Varga states so you're saying why didn't we just say at the meeting that we were going to use it for premium. So we were going down the infrastructure line. At the end of the year we were looking into the new SB bill that is coming through and realized that we can't match the SB with ARPA funds. So we had to come up with a new plan for ARPA pretty last minute. It required us to have a decision made by the end of the year. J. Brown states it says we have until 2024. Selectmen Boisvert states to expend the funds but we had to submit a use by the end of the year. J. Brown asks what is the use for the remaining funds. Selectmen Varga states we had to make a commitment on how to use the funds by the end of the year.

A. Bowden states speaking as EMS Captain that she was made aware that it was told to one of her subordinates that it was the EMS Captain and Fire Chiefs fault that the Fire Department and EMS members did not receive the premium pay and would like an explanation. Selectmen Boisvert states that was not the comment. The conversation that was held in private with your subordinate, no facts were stated to him, because I had not heard back from legal. Had I spoken with legal before that I would have been able to give him the answers he was looking for. A. Bowden asks why did the EMS Captain and Fire Chief come up. Selectmen Boisvert states he brought that up. Discussion on accusations that was subordinate stated to EMS Captain.

L. Parker states premium pay does not work if you had Covid. So it has nothing to do with HIPAA. Selectmen Boisvert states its covid related incidences. L. Parker states it is if you had possible exposure to people in the public, so you also had to work during the state of emergency which ended 6/11/2021. Discussion on how it is or isn't supposed to work.

J. Kalar states her question regards 91-A she sent. States that in a BOS meeting in December it was stated that the 2019 audit was done, however the email she received states that it is not done. Now the Trustee reports were lost in a fire. Why were there no copies in the Town Hall, and how do you expect to get them done. Selectmen Varga states 2019 was done in December and just received the report

today. Selectmen Varga responds the Trustee funds, just like when you were trustee, you had everything, everything including the check book at your house with no back up at the town hall. He had taken the reports to his house to write, with the bank statements, check book locked in the town hall, and in that process he had a fire in his house. J. Kalar states he should have had those filed long before that fire happened. Selectmen Varga states he found a discrepancy that he was investigating and that was the delay in the filing of that report. Just like every trustee prior to this individual he had taken everything home with him. R. Tufts-Keegan asks if this process is going to change. Selectmen Varga answers yes.

R. Tufts-Keegan in regards to the premium pay, if for some reason the state comes back and says that you did not have authority to release those funds as premium pay, where do those funds come from. Selectmen Varga states have spoken with legal through the whole process, do not believe it will come back. R. Tufts-Keegan states everything she has read about premium pay, is essential front line workers, so just curious if it comes to a point that they didn't meet the criteria and have to give the money back. Selectmen Boisvert states none of the employees will be made to give it back. R. Tufts-Keegan states she means as a town. Selectmen Boisvert states that in the event of anything the town would be on the hook for it. Further discussion about what would happen if this took place.

Unnamed resident asks how many employees are receiving this. Selectmen Boisvert states 25.

Discussion on how the money was divided up between 25 people.

M. Knapp asks if the BOS spoke to each department head. Selectmen Boisvert states no. M. Knapp suggests in the future should meet with all department heads.

L. Parker states that every decision has to be in a public meeting and voted on by the 3 of you.

Selectmen Varga states yes, we thought the 91-A meeting we had covered this we were doing correctly to protect the employees. We obviously were wrong and should have done it differently. Another discussion regarding 91-A rules. L. Parker states premium pay is if you were working during the pandemic, if you could have had exposure, I'm just trying to help you. Selectmen Boisvert states I understand. L. Parker states so it isn't coming back to us \$90,000 later. Selectmen Boisvert asks if she is suggesting we shouldn't pay the remaining departments. L. Parker states should look at it a little clearer. Selectmen Boisvert states those guidelines aren't ARPA. Discussion on premium pay guidelines.

J. Brown states above the 25 that you've paid, is there additionally being paid or is the total \$90,000.

Selectmen Boisvert states we came to the determination 25 people are going to receive it.

J. Brown asks if the selectmen have come to a plan for the remaining \$6k and next \$96K or is that going to be on the new selectmen. Selectmen Boisvert states probably on the new selectmen.

B. Gagnon asks how many employees in town, in all departments. Selectmen Boisvert states believes its pretty close to 25. B. Gagnon states its over 25, so there are people being left out of this.

R. Tufts-Keegan asks if the SB-85 grant is going to be for infrastructure. Selectmen Boisvert says correct.

T. Donovan-Laviolette states Selectmen Boisvert just suggested to L. Parker that you not pay 1 complete department. I'm just saying that if the lawyer actual said what you're doing is legal I don't know why you would suggest that. Selectmen Boisvert states I asked her if she would prefer us not to pay them.

D. Saliga states if we have more than 25 why aren't all of them getting paid. We need an answer for that.

M. Brisson states she appreciates that the board of selectmen really wanted to protect the employees with the 91-a, moving forward I would like to see the board of selectmen to protect the town as well on the flip side.

C. Maynard asks if there will be a list of who got the money. Selectmen Boisvert states if legal says we can put out a list, then yes.

B. Gagnon asks the Selectmen how do they pick and choose of who gets the premium pay. Selectmen Boisvert states we will make that determination. B. Gagnon states you have already made that determination by the sounds of it. How do you pick and choose who is and isn't getting it.

Unnamed resident asks how can you divvy up the money if you don't even know the exact number of employees you have. Selectmen Boisvert states it is exactly 25 who is getting it. Selectmen Varga we have a list of employees who no longer do anything for the town anymore.

Unnamed resident asks what happens to previous minutes once they are amended. Selectmen Boisvert states the previous ones are what we are amending to add the ARPA funds.

R. Tufts-Keegan asks what is considered an employee of the town, someone who collects a pay check. Selectmen Boisvert states as far as we are concerned anyone who receives a pay check is an employee of the town. R. Tufts-Keegan states so whether your elected, or appointed. Selectmen Boisvert states correct. R. Tufts-Keegan so I guess that's why we didn't get anything for budget committee.

L. Parker states when you make the decision on what employees that will be in a public meeting correct. Selectmen Boisvert states we already picked them, I don't have the notes in front of me. L. Parker asks if it's a part timer are they getting the same amount as a full times. Selectmen Boisvert states everyone is receiving the same amount.

J. Kalar states ARPA funds has to be public. Any money divvyed out is public record.

T. Donovan-Laviolette asks if all checks have gone out other than the rescue department. Selectmen Boisvert states Fire and EMS are the ones waiting. They get paid monthly so they come at the end of our list. T. Donovan-Laviolette asks Selectmen Boisvert if he will be doing training with the new selectmen. Selectmen Boisvert states he doesn't know if he will be a selectmen come march so we may have 3 new ones.

A. Bowden states has done a lot of research of other municipalities in the state for ARPA, a lot of them included the teachers. Was there any consideration given to our teachers. Selectmen Boisvert states no. Selectmen Varga states he believed they were covered by the school.

C. Maynard asks why wasn't the Fire/EMS talked to about the ARPA funds. Why didn't the liaison go to one of their meetings and talk with them. Selectmen Boisvert states he just said previously he should have sent out a memo. C. Maynard asks could the liaison not show up. Selectmen Boisvert states this is his responsibility so he is owning the mistake.

Selectmen Boisvert makes motion to become the liaison for Fire/EMS. Selectmen Britton seconds. All in favor.

J. Kalar asks Selectmen Boisvert if he wants to become liaison for planning board too. Selectmen Boisvert states he sure doesn't.

Selectmen Varga states with 3 candidates here looking for suggestions on when to have candidates nights. Asks if prefer weekday night, or weekend. R. Tufts-Keegan and C. Maynard state either.

D. Saliga states weekend so more people can show up.

Selectmen Boisvert states have been working on Goeffler Grant to obtain speed trailer for PD. We have been approved conditionally for this grant, and also an information board.

Selectmen Boisvert makes motion to accept Goeffler Grant. Selectmen Britton seconds. All in favor.

Selectmen Boisvert makes motion to adjourn meeting. Selectmen Britton seconds. All in favor.

Meeting adjourned at 2:20pm pm.

Respectfully Submitted:



Sierra Pawnell, Administrative Assistant