

*FINAL*

**PRESENT:** M. J. Farinola, Chairman; Maryann Kasprzak, R. P. McDermott, Selectmen;  
L. A. Ruest, Administrative Assistant; R. Robinson, Road Agent

**BID AWARD FOR REMOVAL OF TREES AND LIMBS FROM THE FEBRUARY STORM:** M. J. Farinola reported that E. N. Small has informed that the bid submitted and accepted was not complete. C. Merrill, of C. Merrill, Inc., was informed and allowed time to submit the missing information by the end of the day Monday, May 24. L. Ruest reported that C. Merrill stopped by her office and completed the questionnaire and indicated that he would have a Certificate of Insurance for his subcontractor faxed to the Town Hall.

C. Merrill was present and reported that he arranged for the Certificate of Insurance to be faxed and was unsure why it wasn't received. He stated that he interpreted this bid similar to the bid he was awarded for the December 08 Ice Storm. M. J. Farinola noted that the terms of this bid are different from that one. C. Merrill added that he did the work for the Ice Storm without Workers Compensation insurance and assumed that he didn't need it for the work for this storm.

The Board discussed the requirements of the bid, the issues relating to the need for Workers Compensation coverage and whether they applied to a single individual. C. Merrill stated that this requirement may eliminate some from bidding as the cost for this coverage is prohibitive to an individual. R. P. McDermott stated concern with a potential lawsuit against the Town. M. J. Farinola stated that he felt that a lawsuit could not be brought against the Town by law; general liability is provided by the contractor for any damage he might cause to others.

The question of the need for Workers Compensation coverage was made to the Town's insurance carrier, Local Government Center. The response was that the Town would not be covered under its workers comp policy in this regard and that both contractors and subcontractors should supply their own coverage. It was also indicated that it is better for the Town to hire those with workers comp and general liability insurance limits of \$1million or more and not less. M. J. Farinola suggested that this matter be researched further. M. Kasprzak stated that she would like more information as to this requirement and added that it is important to protect the Town.

Road Agent D. Robinson reported that ProBark is unable to remove debris from the Brush Dump until after June 5. Arrangements will be made to push back as much debris as possible to allow for room for solid waste containers for the spring white goods collection day on June 5. C. Merrill stated that he plans to start work Saturday, May 29.

The Board agreed to continue with this bid as awarded on the condition that a Certificate of Insurance is received from the subcontractor (N. Freeman). M. J. Farinola informed C. Merrill of the requirement that all brush is to be taken to the Brush Dump in conjunction with a FEMA requirement and that safety cones and vests are to be utilized when work is being done. C. Merrill was also informed of the need to remove the trees from the Pike Cemetery located at the westerly end of Exeter Road. It was determined that permission will be needed from the property owner. R. P. McDermott stated he would contact D. Birdsall.

***FINAL***

**MOTION:**To continue with the bid from C. Merrill, Inc. subject to receipt of a Certificate of Insurance from N. Freeman before work starts by him.

**MOTION: M. J. FARIOLA  
SECOND: R. P. MCDERMOTT  
UNANIMOUS**

**MOTION:** To adjourn the meeting at 7:53 p.m.

**MOTION: M. J. FARINOLA  
SECOND: M. KASPRZAK  
UNANIMOUS**