

## SELECTMEN'S MINUTES MONDAY, FEBRUARY 29, 2016

The Selectmen's meeting for Monday, February 29, 2016 started at 5:00 p.m. Present were Selectman Bussiere, Selectman Gaudiello, Selectman Hatch, Selectman O'Brien, and Chairman Clark. Selectman Bussiere moved to go into non-public session at 5:01 p.m. per RSA 91 A: 3 II a for personnel, seconded by Selectman Gaudiello. Chairman Clark asked for a roll call, Bussiere – aye, Gaudiello – aye, Hatch – aye, O'Brien – aye, Clark – aye. It was unanimously voted in the affirmative.

The Board discussed an employee's evaluation.

Selectman Bussiere moved to come out of non-public session at 6:25 p.m., seconded by Selectman Gaudiello. It was unanimously voted in the affirmative.

The public portion of the meeting of the Board of Selectmen started at 6:30 p.m. Administrator Scruton and Clerk McNeil joined the meeting. Chairman Clark welcomed everyone and led in the Pledge of Allegiance.

### APPOINTMENTS

James Jennison – Planning Board Applicant – Mr. Jennison has attended several Planning Board and Selectmen meetings. Selectman Hatch moved to appoint James Jennison as a Planning Board alternate with a term expiring in March, 2017, seconded by Selectman Gaudiello. It was unanimously voted in the affirmative. Chairman Clark swore in Mr. Jennison as an alternate to the Planning Board.

### PUBLIC COMMENTS

Selectman Hatch presented a plaque to Chairman Clark thanking him for his service to the Board of Selectmen, School Board, School Building Committees and other volunteer positions he has held. This is Chairman Clark's last Selectmen's meeting as he is not running for re-election.

REVIEW OF MINUTES – February 15, 2016 – Selectman Bussiere moved to accept the minutes of February 15, 2016, seconded by Selectman O'Brien. Selectman Hatch abstained as she was not present at the meeting. The motion passes.

### STAFF REPORT

Administrator Scruton

1. One of the town's nonunion hourly employees working at the Highway Department, Justin Avery, questioned the interpretation of a number of personnel policies including earned time, overtime and a time sheet dispute. Administrator Scruton presented the concerns for the Board's review and decision. Administrator Scruton stated that the town's Personnel Policy has been applied as written, and asked if it should be modified for the Highway Department. Peter Cook commented that he feels earned time should be counted as hours worked in calculating overtime. The Policy would need to be reviewed and possibly changed to adopt Mr. Cook's position. Justin Avery stated he felt that the Policy was very gray and a lot of it is up to interpretation. The Highway Department is an emergency services department just like the Police and Fire Departments. Mr. Avery questioned several

comments that Administrator Scruton made in a meeting and noted that he taped his meeting with Administrator Scruton. Administrator Scruton commented that he was unaware that the meeting was being taped and he felt that is illegal. Andy Knapp suggested that the personnel/HR manager review the Policy and then it should be sent to all departments for their review. Chairman Clark suggested that the Department Head write up some suggestions for changing the Policy for the Board's review. Until any change is made to the Policy it needs to be upheld as written. Selectman Gaudiello questioned the budget impact if the Policy is revised for the Highway Department only; since overtime expenses would increase. An issue had also been raised by Mr. Avery about amendment of time sheets by payroll. Finance Director, Norma McCulloch clarified that the time worked was not changed, only whether the hours were paid at straight time or overtime rates. Administrator Scruton suggested that a thumb-print time clock be installed and the timesheets would be electronic. Selectman O'Brien feels that if we were to implement such technology at the Highway Department, then all departments should have a time clock. Justin Avery feels that once the original issue about counting earned time as time worked is solved, the time clock won't be needed. Norma McCulloch noted that the town has been put on notice of the problem with timesheets and the Labor Board may get involved. The current time slips will be updated to be clearer.

2. The Board wanted the woman requesting permission to buy an adjacent lot from the Town located on Berry River Road to show evidence that she had the ability to build on her own lot. She supplied the requested documentation. Clerk McNeil was instructed to move forward with notifying the abutters if they are interested in putting in a bid for the Town owned property.
3. Selectman Bussiere moved to approve the request of the Greater Barrington Chamber of Commerce to allow the 22<sup>nd</sup> annual Peeper 5K run on Saturday, May 14<sup>th</sup> to close traffic on Mallego between Route 125 and the Post Office from 8:00 a. m. to 10:15 a.m., seconded by Selectman Bussiere. It was unanimously voted in the affirmative.
4. Selectman Gaudiello moved to approve the Post-Issuance Tax Compliance Policy and Procedures for Tax-Exempt Obligations Policy as amended, seconded by Selectman Bussiere. It was unanimously voted in the affirmative.
5. Selectman Gaudiello moved to allow the Children's Librarian to use town owned land for a project known as "Story Walk" which is an innovative approach to encourage people of all ages to get out and walk while enjoying children's books, seconded by Selectman Hatch. It was unanimously voted in the affirmative. The Conservation Commission and Trails Committee support this project.
6. The Town's Attorney offered two possible alternatives for the purchase and sale agreement of the Pond Hill Road property that was offered for sealed bid and is to be cleaned up by the high bidder. The Board agreed to the option to add a reverter clause to the P & S and deed whereby if the buyer does not clean up the property, the property reverts back to the town. The new owner has 9 months from the date of deed transfer to clean up the property.
7. Administrator Scruton presented several changes in the Board's meeting schedule that were approved.
8. The Trustees of Trust Funds need more clarification on several votes by the Board. Selectman Bussiere moved to request that the Trustees approve money for payment to Hoyle, Tanner Associates for the Green Hill Road Bridge engineering with the money to come out of the Transportation Trust Fund, and also request that the Trustees of the Trust funds pay the engineering and related costs out of the Transportation Trust Fund for the Young Road culvert, seconded by Selectman Gaudiello. It was unanimously voted in the

affirmative. Selectman Gaudiello complimented the Trustees on their accuracy and efficiency. Peter Royce seconded Selectman Gaudiello's compliments of the Trustees of the Trust Funds. As Treasurer, Peter Royce also requested that all withdrawals use the account numbers rather than just the names of the accounts. There was praise for the Trustees of the Trust Funds from the full Board.

9. Administrator Scruton also noted a list of lessons learned with the demolition of the old town offices. Also, the outstanding bill has not been paid. Currently, Chairman Clark is discussing the payment with a representative for S & R Construction seeking a further reduction due to the lower volume of material removed. Selectman Gaudiello moved to pay \$165,000 holding out \$25,000 pending further negotiations, seconded by Selectman O'Brien. It was unanimously voted in the affirmative.

Clerk McNeil

Clerk McNeil requested signatures on a Land Use Change Tax Warrant, abatements #7 - #13, two Intent to Cut permits, two Intent to Excavate permits, Vendor Manifests dated 2/8 & 2/24 and Payroll Manifests dated 2/14 & 2/21.

#### OLD BUSINESS

Dan Ayer thanked Chairman Clark for his work on the Board. Mr. Ayer also feels the bill for S & R Construction should be paid. He also asked that the minutes from the Planning Board meeting of March 17, 2015 be attached to the record.

#### NEW BUSINESS

There was no new business.

#### SELECTMEN'S REPORT

Selectman Gaudiello went to the "Meet and Greet" for the candidates on Saturday and felt that it was very successful. She also joined a site walk with the Conservation Commission. on Thursday

Selectman Hatch noted that she attended the recent ZBA meeting where two cases were continued.

Selectman Bussiere stated that he attended the recent Planning Board meeting where they discussed a subdivision proposal and had a discussion regarding impact fees.

Selectman O'Brien hadn't attended any recent meetings.

Chairman Clark also attended the recent Planning Board meeting.

#### PUBLIC COMMENTS

Chief Walker asked the Board if they would waive the requirement for advertising for the purchase of the air packs because he had sent notices to the three companies that provide the product and put it on the Town's website. Selectman Bussiere moved to waive the air pack bid, seconded by Selectman O'Brien. It was unanimously voted in the affirmative.

Chief Walker asked the Board for permission to start working on acquiring an emergency radio frequency channel with the Town of Lee. He stated that it is a lengthy process. The Board supported Chief Walker's request.

Chief Walker noted that the Firemen's Association will be having their spring pancake breakfast on March 19<sup>th</sup> and 20<sup>th</sup>. The proceeds will be used to purchase a thermal imaging camera. The Board supported his request.

Sam Boduch thanked Chairman Clark and the Board for their work. Mr. Boduch also noted that his employer Earth Shift Global will be holding a sustainability assessment and planning boot camp the week of March 7<sup>th</sup> in Portsmouth. Code Enforcement Officer/Building Inspector will be attending.

Selectman Bussiere moved to go into non-public session at 8:00 p.m., per RSA 91A:3II a, c d or e for reputation, seconded by Selectman Gaudiello. Chairman Clark asked for a roll call, Bussiere – aye, Gaudiello - aye, Hatch - aye, O'Brien - aye, Clark – aye. The motion passes.

The Board discussed two situations involving back taxes, interest and penalties but took no action.

Selectman Gaudiello moved to come out of non-public session at 8:15 p.m., seconded by Selectman Hatch. It was unanimously voted in the affirmative.

Meeting adjourned at 8:16 p.m.