

MINUTES OF THE BOARD OF SELECTMEN'S WORK SESSION
MARCH 31, 2009 PAGE 1

Board members present: John R. LaCourse, Chairman; Frank W. Reinhold, Jr. and W. James Griswold.

Others present: Diane L. Guimond, Town Administrator; Robb Dix, Town Assessor and Donna F. Eisenhard, Recording Secretary.

1. Chairman LaCourse opened the Work Session at 6:30 p.m.
2. Town Assessor Robb Dix met with the Board and presented warrants for the Collection of Land Use Change Tax for PID#15-02-0000 – Clyde Fogg, Sr., PID#07-10-0000 – Kevin Crawford and PID#21-05-0100 – Leigh Estes. Selectman Griswold made a motion to sign the Warrants. Selectman Reinhold seconded. Chairman LaCourse called for a discussion. There being none, Chairman LaCourse called for a vote. Motion passes.

Selectman Griswold made a motion to enter into Non-Public Session to discuss personnel. Selectman Reinhold seconded. Chairman LaCourse polled for a vote: Griswold-aye; Reinhold-aye; LaCourse-aye. Motion passes. The Board entered into Non-Public Session at 6:32 p.m. The Board exited Non-Public Session at 6:45 p.m.

3. Chairman LaCourse reported he spoke with Dwight Barney about the Board not reappointing him to the Planning Board. He said Mr. Barney also received the letter sent by the Board and understood the Board wanted to get new blood on the Board. He said Edward Bannister had expressed interest in serving as well as Nathan Allison. Leslie Martin was also suggested as a possible candidate. The Board also agreed Planning Board Chairman Robert Smith should make recommendations for an appointment and if the Selectmen had recommendations, they should pass the names to Mr. Smith.

4. Selectman Griswold said, as Mr. LaCourse was not present at the last meeting, he had reported he spoke with Attorney Mark Beliveau about serving as Town Moderator and he declined. He said he also declined resigning from the Planning Board.

5. The Board discussed the need for representatives from the Board to sit on various Committees and Boards such as the Planning Board, Town Center Committee and Advisory Budget Committee. Chairman LaCourse said he would like to continue to go to Planning Board meetings as a selectman Representative. A discussion ensued in which it was noted there are many Committee and Board meetings and the Board felt it would be impossible to attend all of them even if only one Board member was chosen as representative. The Board agreed it may make better sense to have the various groups come to them at their Regular Sessions. Of particular concern was the Advisory Budget Committee. Selectman Griswold said the Board should request they start the budget process in August and that budget presentations be limited to one half hour to 40 minutes max. Town Administrator Guimond said her presentation takes a lot longer than that. It was also suggested presentations done at Selectmen Work Sessions and that the ABC have the budget done by December 31st. It was noted that ABC Chairman Bugbee has difficulty meeting in the evening, however, the Board stated this was unfortunate but

evening meetings were preferred and this would allow residents to attend, if desired. Chairman LaCourse asked Town administrator Guimond to set up a chart of meetings for the various Boards and Committees with the ABC meeting at Work Sessions and to get it out to the various groups concerned. Selectman Reinhold also said budgets should be submitted by e-mail prior to the presentations and then scheduled for the Work Sessions. He felt they should start in July or August at the latest. Again, the own Administrator was asked to create a schedule. Following this, Selectman Reinhold made a motion that the Advisory Budget Committee and Board of Selectmen work as a joint committee in action to establish the operational budget with actions to start on August 1st. Selectman Griswold seconded. Chairman LaCourse called for a discussion. There being none, Chairman LaCourse called for a vote. Motion passes. Town Administrator Guimond was asked to draft a letter to include this to be sent to the Advisory Budget Committee. Selectman Griswold said the Board would not assign Selectmen to the various committees/boards but all committees e-mail them to keep them informed. The Board also decided to meet regularly with all committees, board and commissions to facilitate communication. Therefore, there is no longer a need for Selectmen representatives on various boards, committees and commissions but they can attend, if they so desire at any given time. Selectman Griswold said you come to us, not us to you.

6. The Board discussed Department Head meetings and agreed minutes would not be taken in depth, rather summarized, to facilitate Department Heads speaking freely. Only action items will be listed.

7. Following a quick review of the Purchasing Policy, which had been reviewed in depth previously, Selectman Griswold made a motion to adopt the Revised Personnel Policy. Selectman Reinhold seconded. Chairman LaCourse called for a discussion. There being none, Chairman LaCourse called for a vote. Motion passes. Town administrator Guimond was directed to insure that all Department Heads received a copy of the new policy.

8. It was noted that Information Director Chris Buslovich will be coming to the April 7th Work Session in regards to cell phones and the policy governing them.

9. Regarding the Personnel Policy, Selectman Reinhold said we need to determine whether the Step Program implementation and procedure is based on merit or longevity and, if merit, what are the mechanics. Selectman Griswold said we need to review the policy as written. Selectman Reinhold said the Board is remiss if it is not merit-based. Chairman LaCourse and Selectman Griswold concurred. Chairman LaCourse asked if there was any information at the Local Government Center regarding merit-based. Town administrator Guimond said there is no merit in a Step Program. Selectman Griswold said in a Step Program, if you do a capable job, you get the step. Selectman Reinhold said he did not necessarily disagree, if an employee is performing to the level of the job description as defined, you get the step or merit. Town administrator Guimond said at the last Personnel Policy Committee – Phase II meeting on December 15th, it was not merit-based. She said she was charged with developing a form for Department Heads to use to say an employee met the job description and gets the step. Selectman Reinhold said our

lawyer said not giving a merit is just ludicrous. We have to have some mechanical solution to say they met the requirements. Town Administrator Guimond said she did not think the Committee meant no merit and there should be some criteria by which evaluation is made. Chairman LaCourse felt if we don't have some type of merit, employees would not be happy. Selectman Griswold said step or merit is the same. If you don't perform well, you don't get it. Town administrator Guimond said you need documentation but keep it fairly simple. Selectman Griswold again said if you meet the job, you get the merit. Chairman LaCourse said if you do the basis tenets of the job and it is done well, you get the merit. Town Administrator Guimond said if you went out and got extra training, like taking a course or getting a certificate, this should count as something extra. Selectmen Reinhold said the next 24 months will be a tough budget and he did not expect to see much in the way of merits. Chairman LaCourse directed the Town administrator to contact other towns with Step Programs and see how they manage increases. Town Administrator Guimond said this had already been done by the former Town Secretary Donna Eisenhard.

10. Selectman Reinhold updated the Board regarding the Old Mill Road project and said the town needs to move 250,000 yards of material by April 15th. He said the Recreation Commission and Conservation Commission are supportive regarding clearing a space behind the Highway Department to store 15,000 yards, whose value is estimated at \$100,000. It was noted the gentlemen chipping at the Transfer Station may take care of the brush from the clearing. The Board felt there may be great merit in having an informational meeting for the public regarding this transfer of material as it involves about 100 truck trips a day down Pinkham Road. Trucks would be going empty Route 125 to Route 4 to Old Mill Road and then loaded down Pinkham Road to Route 125. The Board felt we need to tell people on Pinkham Road, especially the Merrilee Daycare, which is on that road. Selectman Reinhold said the FRP has been released outlining the project so it can now go out to contractors. By April 30th bid proposals should be in and a spread sheet created so that Code Enforcement Officer Dennis, Highway Supervisor Stevens and himself could look at it and then the Board could make a recommendation. Chairman Lacourse asked when the meeting would be. Selectman Reinhold said he would work on this tomorrow but would like permission to move forward. Following this, Selectman Griswold made a motion to approve the town committing to moving 35,000 yards, as outlined on the plan, from Old Mill Road to the Highway Department (15,000 yards) and Little River Park (20,000 yards) and authorize the Highway Department to cut, clear and stump the previously designated area behind the Highway Department for storage of highway sand. Selectman Reinhold seconded. Chairman LaCourse called for a discussion. There being none, Chairman LaCourse called for a vote. Motion passes. Chairman LaCourse asked that the Board personally write a letter to all Pinkham Road residents. Selectman Reinhold said he and Planning & zoning Secretary Caren Rossi are already on this and to inviting them to a meeting. Selectman Griswold said to ensure contractors use caution and watch their speed.

11. Selectman Reinhold updated the Board on the Town Center Committee.

12. Selectman Reinhold said he met with Mr. Peters on the 50/50 ownership of the dirt pertaining to the boundary dispute. Mr. Peters will be hired at \$90.00 per hour, using his excavator, for which he will pay half. The survey indicated excavation will go down thirteen feet and sand divided into two windrows and both he and the town will haul off in even amounts. The area will then be re-surveyed with monumentation by NRCS which will pay for this. He said everyone seems to be happy, including the attorneys, so deeds are being prepared.

13. The Board discussed the gravel operation at Little River Park and what came to light at Town Meeting regarding a five-year contract with a contractor Hartmann Enterprises. Selectman Reinhold said the Board became aware of the contract at that time and will take action. Selectman Griswold said we need to take steps real fast to resolve this. Chairman LaCourse said there was no lawyer involved nor was the Board of Selectmen made aware and they want full disclosure on current contracts and Board of Selectmen approval on any future contracts. The Board agreed there is liability for the town and themselves. The Board will ask the Recreation Commission to come to the April 7th Work Session to discuss contracts and public disclosure especially regarding Hartmann Enterprises who are working at Little River Park.

14. Selectman Reinhold updated the Board regarding Danall Partners, whose property was taken by tax deed. He said Mr. D'Annolpo is still unsuccessful in getting power of attorney to handle his father's affairs or a court order to remove personal property stored there. Selectman Reinhold said he still needs a letter designating him as President of the corporation and granting approval for him to remove property.

15. The Board agreed to wait six months before drafting a new job description for the Land Protection Administrator in order to allow time for her to determine what she will be doing in relation to commercial development.

16. The Board briefly discussed PAYT (Pay As You Throw) and recycling in the town. The Board agreed checking into other sources of selling recyclables might be prudent and perhaps instituting fines for non-recycling. Transfer Station Manager Rice would be expected to police for violations. The Board agreed they would like to study a town that had recycling and went to PAYT and see how they did.

17. The Board signed a new Ordinance which prohibits dead animals from being disposed of at the Transfer Station. A copy of the Ordinance is on file at the Town Office.

18. The Board noted they were remiss in the formal acceptance of Town Assessor Robb Dix's new contract between Lee and Durham. They agreed to send a letter to the Town of Durham and inform they formally accept the contract.

20. Town administrator Guimond updated the Board on the budget and fund balance and the GASB34 project she is working on with Town Bookkeeper Joanne Clancy.

21. Recording Secretary Donna Eisenhard informed the Board that Planning & Zoning secretary Caren Rossi noted that the March 17m 2009 Work Session minutes did not mention that Dwight Barney was not reappointed to the Planning Board. Following this, Selectman Griswold made a motion to amend the March 17, 2009 Work Session minutes to say the Board consensus was to choose not to renew Dwight Barney's appointment as a member of the Planning Board. Selectman Reinhold seconded. Chairman LaCourse called for a discussion. There being none, Chairman LaCourse called for a vote. Motion passes. The minutes will be so amended.

22. There being no further business, meeting was adjourned at 9:00 a.m.

Minutes recorded by:

Donna F. Eisenhard, Recording Secretary

Minutes accepted by:

John R. Lacourse, Chairman

W. James Griswold

Frank W. Reinhold, Jr.
Lee Board of Selectmen