

**OFFICE OF SELECTMEN
6 HOLLAND STREET
PO BOX 139
MOULTONBOROUGH, NH 03254**

Selectmen's Meeting

December 30, 2015

MINUTES

Selectmen: Christopher P. Shipp, Chair, Russell C. Wakefield, Vice Chair, Josiah H. Bartlett, Jean M. Beadle, Paul T. Punturieri; Walter P. Johnson, Town Administrator; and Carol Fucarile, Executive Assistant.

I. CALL TO ORDER: Chris called the meeting to Order at 7:00 P.M.

II. PLEDGE OF ALLEGIANCE:

III. REVIEW / APPROVAL MINUTES: Chris asked to amend the meeting minutes of December 17, 2015, page 2, under "New Business," line 10, replacing the word "they" with "the Board of Selectmen," and on page 4, under "Other Business," line 3, replacing the word "join" with "joint." Chris asked to amend the work session minutes of December 18, 2015, page 1, under "Fire Department," line 12, replacing "LGMFA" with "LRMFA." Paul Made the Motion to approve the meeting minutes of December 17, 2015 and the work session minutes of December 18, 2015 as amended. Josh Seconded. The Motion carried Unanimously.

IV. CITIZEN INPUT: 1) Joe Cormier asked about Section V, Item 4 of the Agenda "New Planner Search & Hiring Plan, and Chris advised that it will be discussed later. 2) Hollis Austin stated that he is also interested in the Town Planner position as well as the DPW duties and responsibilities. Chris advised that it will be discussed later, and public comments are welcome at that time.

V. NEW BUSINESS:

1. Review for Action: Consent & Signature File:

DATE	DOCUMENT	MAP/LOT#
12/29/15	Northern Forest Resources Contract	N/A

Jean Made the Motion to approve the Consent & Signature File as presented. Josh Seconded. The Motion carried Unanimously.

2. Review for Action: Staff Report, NH Public Works Mutual Aid Program Agreement:

Chris explained that this is for emergency situations only. Paul Made the Motion to authorize the Chairman of the Board to sign the NH Public Works Mutual Aid Programs Agreement as recommended. Russ Seconded and the Motion carried Unanimously.

3. Review for Action: Restructure DPW Duties/Responsibilities: Walter stated that he and Scott Kinmond had been working on a plan to present how the duties of the DPW supervisor will be distributed and handled and how the Town will continue the relationship with the elected Road Agent position in the future. Walter provided the Board of Selectmen with an outline for consideration and review, as well as how Scott feels he can continue to accommodate the Town in his elected position and help with a

transition period. Paul stated that the Road Agent and the DPW Director are two different positions and feels that the Town needs a full-time DPW Director, and if Scott wanted to continue as Road Agent until his term ends, or sooner if he preferred, he may be taking on too much, and that Walter maybe overwhelmed too. Paul would like more time to read this over before making a decision. Russ has concerns about handing off responsibilities to the highway foreman as well as the times that Scott would and would not be accessible to us after January 11, 2016. Scott stated that he would not refuse a phone call from the Town during the inaccessible times, but said there could be times that he would be in a meeting and could not answer. Chris feels this is providing a smoother transition to an appointed position. Josh and Paul agreed with Russ that the time available to access Scott is a concern. Jean stated that Scott's offer is very generous and she appreciates it immensely. Further discussion among the Board of Selectmen was had concerning an elected position vs. an appointed position. Scott feels very strongly that this should not be an elected position because an elected position makes it awkward, difficult and political, and this person would have to manage one-third of the Town's budget. Scott stated that he wants to help with the transition, but he does have to put restrictions on, in order to bridge the gap. Chris stated that the plan protects the Town's interests the most, and Jean agreed. Paul felt that the plan is desirable, but three to five hours a week that Scott has offered should be supplemented with something else. Chris suggested the Town wait until Town Meeting when they could find a career person, rather than someone for three months, and Jean agreed. Russ would like to move on this now rather than wait three months. Chris agreed, especially since Scott staying on, they could find someone permanently and not someone to fill an interim position based on what happens at Town Meeting and what the Board's recommendations are. Paul Made the Motion to put a Warrant Article to Town Meeting asking voters if they agree with the Board of Selectmen to have an appointed Road Agent. Jean Seconded. Joe Cormier asked and was told why the Board is beginning a hiring process for the DPW Director, and felt that the Board is confused on the distinction of the statute for Road Agent. Josh understands the statute to be that the Road Agent supervises the DPW Director, but the Road Agent is supervised by the Board of Selectmen, and the salary for the Road Agent is determined by the Board of Selectmen. Jean objected to Josh's statement wherein he said the Road Agent would supervise the DPW Director as she felt that is not the case. Josh responded by saying that legally he has to if he is an elected Road Agent and it is his duty. Russ stated that if the Road Agent is an elected position, he is responsible to the voters (directed by the Board of Selectmen) and not anyone else, but if the Board of Selectmen appoint this position, there could be issues, as there were in the past. Chris stated whether it is appointed or elected, the people still have the ultimate say because if the Board of Selectmen are not doing their job managing them, then the people can get rid of the Board of Selectmen. Paul stated that they should put it to the voters. Paul asked Walter to word the Warrant Article legally. The Motion carried Unanimously. Paul suggested that a hiring packet be put together for a DPW Director in the next couple of weeks – the sooner the better. Paul Made the Motion to implement, as presented to the Board of Selectmen, the Moultonborough Department of Public Works Temporary Assignment of Duties Effective January 11, 2016, as written and amended. Josh Seconded and the Motion carried Unanimously. Walter proposed the plan because he feels it is a workable plan and is in the best interests of the Town. This is a unique situation, but feels confident that he can deal with anything that comes up, but needs to have guidelines so that Scott is not getting a lot of calls from a lot of people during the day. Walter stated that his vision for a DPW Director would be someone that would have

a strong, experienced background both in personnel management as well as have either schooling or degree or perhaps a professional designation as a civil engineer, as well as managing the public facilities and the Waste Management Facility. Walter stated that he will do his best to make it work, and feels confident that it will work. Hollis Austin feels that if this is a non-elected position, that it will create a distance between the people and their government and would rather not see any more of that. Russ asked Scott about the very impressive plow route schedule. Scott stated that it was updated when he took over and is fine-tuned each year, and is now added to the GIS mapping system.

4. Review for Action: New Planner Search & Hiring Plan: Walter stated that the current employment agreement with Bruce Woodruff as the Town Planner expires tomorrow. Bruce has indicated that he is willing to stay on another three months so that he can finish up on some of his responsibilities, continue managing his department and also help with the search to find his replacement. Josh Made the Motion to have the Board of Selectmen approve the Employment Agreement Extension between the Town and Bruce Woodruff, to authorize the Chairman to sign the Agreement on behalf of the Town, and to approve the search and hiring plan for the new planner. Russ Seconded and the Motion carried Unanimously. Jean commented that in the Job Opportunity for the Town Planner, she would like to see the experience be seven to ten years, rather than five years. Discussion was had concerning the length of experience, and the Board will leave it at five years. Joe Cormier asked if this would be an employee position and if it would be exempt or non-exempt, and Chris responded that it would be an employee position.
5. Review for Action: Waste Management Facility Manager Position: Chris questioned why this did not address discipline at any level. Walter answered Chris by saying that the Personnel Policy spells out what the discipline policy is for the employees and the disciplinary process. Jean stated that the co-managers were to be for a temporary time until one was appointed. Walter stated that assuming and sharing responsibilities is difficult in a management position and can create conflict between the two co-managers and really not fair to the co-managers or to the community. Walter feels it would be best to move forward to get one person which would help with accountability as well. It has served its purpose, but it is time to make this move. Russ Made the Motion to authorize the in-house promotional posting for the position of Transfer Station Supervisor, and direct the Road Agent and/or the Town Administrator to receive applications/letters of intent with resumes, conduct interviews of the applicants using one (1) DPW staffer, one (1) Administrator, one (1) BOS DPW Liaison (which Josh is willing to do), and bring forth a recommendation to the Board of Selectmen by February 4, 2016. Paul Seconded and the Motion carried Unanimously.
6. Review for Action: Finalizing Meeting Date 2016 Budget/Capital Items/Review of Articles: Walter stated that the original scheduled date set up for the budget preparation process was January 8, 2016 at 8:30 a.m., and asked the Board of Selectmen if that date still works or would they prefer to do it as part of a work session. Walter stated that it would be to finalize the budget and review the money warrant articles (for wording). The Board of Selectmen agreed to keep the date of January 8, 2016 at 8:30 a.m.
7. Review for Action: Agenda Topic Schedule: The Board of Selectmen agreed that they will work on prioritizing the list and submit it to Walter to finalize. Walter suggested the Board of Selectmen email Walter anything they would like added to this list.

VI. OLD BUSINESS:

1. 2015 Encumbrances & Carryovers Update: Russ asked about the difference between the total continuing appropriations and the grand total. Walter explained that it is broken up into budget encumbrances and the second section which is continuing appropriations which were separate Warrant Articles, so the two combined totals \$733,911.50. Paul pointed out that, if approved, the Police/Fire Department message board, Police cruiser fully equipped and the single stream compactor and site work is under money that has already been appropriated so it would not need to be appropriated next year. Josh Made the Motion to accept these adjustments per the December 30, 2015 letter from Vachon, Clukay & Co., for a total of \$733,911.50. Paul Seconded and the Motion carried Unanimously. Walter noted that the encumbrances to the budget may change again because there will be another A/P run before we close out FY15. The auditors will make those adjustments.

VII. OTHER BUSINESS:

1. Board Update Reports: None.
2. Town Administrator's Report: Walter asked Scott Kinmond to comment on the Single Stream conversion project. As information is coming in daily, a staff report was not done. The funds have been encumbered for the project based on estimates. Scott Kinmond stated that he and Walter have worked on a timeline and the weather has cooperated. Scott received a preliminary estimate from a contractor and a plan; this work can be started tomorrow morning. Scott would like the Board to consider waiving the current bidding policy to get the work done and by local contractors now. Josh asked how much it would be for the two contracts, and Scott replied that it would be roughly around \$32,000 to \$35,000. Chris is in favor of this since it would move the Single Stream process time up about three months. Paul Made the Motion to waive the competitive bidding process for the concrete and site work at the WMF. Josh Seconded and the Motion carried Unanimously. Paul Made the Motion to authorize the Town Administrator to order/purchase the appropriate compactor equipment from the money to be provided from the encumbrances (discussed earlier). Josh Seconded and the Motion carried Unanimously. Walter discussed the cover and the dedication of the Town Report for this coming year. Jean suggested dedicating the Town Report to summer residents, part-year residents, or lake-front residents. Josh felt that they are owed a huge thank you and thought it was a good idea. Chris felt that both residents and non-residents deserve thanks, and doesn't want to alienate one group from another. Jean felt that the wording needed to be worked on. Walter asked if there was an agenda for the joint meeting with the School Board. Chris would like to discuss the Joint School Board/Board of Selectmen subcommittee and marketing. Walter asked the Board of Selectmen if they wanted to further discuss going back to an evening meeting for Town Meeting and a separate evening meeting for school meeting and not in the same week. Josh said that the discussions around the whole voting issue is something to discuss with the school, and Chris thought they had come to the consensus that the Board of Selectmen wanted it at the PSB. Josh agreed if it can be done legally, but, in the past, they have voted at the school, and would like to know what has changed. Chris said if the space wasn't large enough at the PSB, they would pull out the fire trucks. Jean said that this is going to be a big election, but there have been big ones in the past and that one of the school's stumbling blocks is security regulations. Paul reminded the Board of Selectmen that it was decided by the Selectmen that voting was to take place at the PSB. Joe Cormier stated that it is published with the state that the Moultonborough Academy was the place

to go for voting. Walter will run an agenda by the Chairman on the issues. Walter reminded the Board of Selectmen that there will be an appreciation reception for the departing DPW Director, Scott Kinmond, on January 7, 2016 at the PSB from 5:00 to 6:30 p.m., and it is open to the public. Walter noted that there will be one additional FY15 A/P run on January 13, 2016 for bills for services and for purchases that took place in December and billed in January. There will also be a FY16 run done that day. Walter also noted that revenues are up about 26% over what was indicated for budget purposes.

3. Advisory Budget Committee Minutes, (2) November 24 & December 11, 2015: Acknowledged.
4. Zoning Board of Adjustment Minutes, December 16, 2015: Acknowledged.

VIII. CORRESPONDENCE:

1. Time Warner Cable, December 16, 2015, Possible Program Changes: Regarding new prices. Acknowledged

IX. CITIZEN INPUT: 1) Hollis Austin asked if the Town Planner was a full-time position, and Chris answered that it is. Hollis stated that our community has changed and wondered if any other form would make it more functional such as a consultant(s) or continuing it as a contractor. Chris advised that the Board of Selectmen are in agreement to continue with it the way it is. Paul stated that with the work Bruce Woodruff has done has showed them what has been missing and that Bruce has done a great job. Hollis asked if the Town's people feel there should be change, what would be the best way of going about it. Chris advised that by way of a Petition Warrant Article. Walter commented that the position is not only as a Planner, but also a Department Head for the office of Development Services which not only takes care of the planning for the community, but takes care of the land use boards, code enforcement/health department staffing. Consultants are available if needed and we have the funding for consultant(s) as well as the opportunity for grants which Walter will bring up in a future meeting. 2) Joe Cormier stated that if a twenty-five signature petition was submitted, the wording of that Petition would have to be exact.

X. ADJOURNMENT: Paul Made the Motion to Adjourn. Josh Seconded.
Motion Carried Unanimously
Chris adjourned the meeting at 8:33 p.m.

Christopher P. Shipp
Approved

1/7/15 Carol A. Fucarile
Date
Respectfully Submitted
Carol A. Fucarile, Executive Assistant