

NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
May 4, 2015, 7:00 P.M.

DRAFT: These minutes are strictly a draft copy and are awaiting amendment or approval at a subsequent, duly noticed public meeting. Amendments to these minutes will be noted in the minutes of said meeting. The draft will be posted on the website as a draft copy for public informational use only.

Present

Chair David Bickford
Selectman David Swenson
Selectman Gregory Anthes

Also Present

Jeremy Bourgeois, Town Administrator
Corky Mork, Videographer
Mike Clarke, Road Agent
Peter Varney, Fire Chief
Joan Swenson, Resident- Ethics Committee, ZBA
Dot Veisel, Resident- Ethics Committee, Planning Board, Parks & Recreation Commission
Rudy Rosiello, Resident
Tony Bonanno, Resident- CIP & Budget Committee
Ellen Phillips, Resident- Budget Committee, Ethics Committee
Jen Nyman, Resident- Parks & Recreation Commission
Skip Fadden, Resident
Bob Craycraft, Resident- Planning, Conservation Commission
Marc Behr, Resident- Fire Department

Call to Order

Chair Bickford called the meeting to order at 7:00p.m.

Appointments/Announcements

Selectman Swenson stated that in the idea of changing the culture within the town, creating a positive work environment and motivating the right kind of behaviors, he gave a statement in recognition of Katie Woods 20 years of involvement in the Town and her subsequent retirement. (See attached.)

Public Input

Rudy Rosiello, resident, stated his comments are in regards to changing the environment within the Town, specifically when citizens come to the Board of Selectmen with a question. Mr. Rosiello stated the Board of Selectmen does have the right to not answer a question or say they will come back with one but when citizens are told to see the answer in the paper, that is inappropriate. Mr. Rosiello stated in *The Baysider* of April 23, 2015, there was a Letter to the Editor, one from Chair Bickford and one from a citizen, Ms.

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Chase regarding Chair Bickford's response to her questions and asking why there is no transparency. Copies of the letter were given to Town Administrator Bourgeois for the records. Mr. Rosiello stated he hopes the Town will go in the direction of answering questions in a public setting.

Ellen Phillips, resident, asked the Board of Selectmen if they would be hiring an administrator to take Ms. Woods position and if that process has been started. Selectman Swenson replied the position has been posted and several applications received. He stated he tried to set a date a month ago for the Board of Selectmen to meet to review these but there has been no formal decision at this point.

Ms. Phillips stated people are upset the doors to the Police Department are closed and they don't want the Police Chief to have to sit there to answer the phone.

Chair Bickford replied they haven't decided what they are going to do yet but would in the near future.

Ms. Phillips confirmed the Police Department is going to be closed 7 days a week. Chair Bickford replied they have 5 full time police officers and part time officers who can help people. Ms. Phillips replied they don't have anyone in the office to answer the phone and questioned who would help when the police officers are out doing their job.

Selectman Anthes stated about a month and half ago he was approached with information that led them in a different direction. That is being negotiated right now. It is something they are doing for the Police Department and the residents but is taking longer than expected. He stated when the time comes to discuss it publicly, it will be clearer why there is hesitation in filling this position.

Ms. Phillips asked if they are planning to hire a Health Officer and Finance Officer. Chair Bickford replied that is on the agenda for this meeting.

Selectman Swenson noted that usually the Town has had the same person for both the positions of Health Officer and Code Enforcement Officer.

Ms. Phillips asked if the assessing clerk position would it be combined with the Finance Officer. Selectman Swenson replied they would be separate. He stated they are currently contracting with an outside company to do the functions of the Finance Officer while they go through the process of reviewing the position. Selectman Swenson stated they can't be without this position and it has been posted. Selectman Swenson clarified the Town contracts out the assessor position with an assessing company.

Tony Bonanno, resident, stated when he was appointed to the Budget Committee a few years ago he looked into cost saving opportunities in other communities. He stated that after comparing Gilmanton, Strafford and New Durham, he found that New Durham's road costs came out to \$17,000 per year, per mile for maintenance in the operating budget. Gilmanton has a cost of \$10,000 per mile, per year. He explained they have only

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four full time employees compared to New Durham's six, plus a full time mechanic. Mr. Bonanno suggested the main difference is Gilmanton contracts out five plow trucks in the winter for a savings of \$7,000 per mile.

Mr. Bonanno stated that in Strafford all the work is contracted out with a cost of \$7,000 per mile annually. He went on to explain the Budget Committee voted to not fund the 2004 International plow truck in the Capital Reserves and contract out the work. He stated the Board of Selectmen didn't have the political courage to continue with that plan.

Mr. Bonanno proposed contracting that truck out this year along with the F550 and have Town Administrator Bourgeois get copies of contracts from other communities for Town Counsel to review. He stated he would get the contract rates from the State to provide to the Board of Selectmen with the competitive rates. Mr. Bonanno stated it could be a savings of \$350,000 for taxpayers.

Joan Swenson, resident, stated she has been involved with many companies' reorganizations. She cautioned the Board of Selectmen to be careful that the levels of services are maintained through outsourcing. Mrs. Swenson stated it may be saving the Town's money but the service may not be at an acceptable level.

Agenda Review

Selectman Swenson added under Old Business: F550 replacement/contract plowing; Under New Business: Outside contract for payroll.

Department Reports/Issues

Mike Clarke, Road Agent, gave a response to Mr. Bonanno's comments. He stated he would caution the Board of Selectmen with going too far in outsourcing. Road Agent Clarke stated he talked with McKay Construction last week and they are not interested in contracting any plowing for the Town at this point, unless it is for at least a 5-year contract.

Road Agent Clarke stated that in regards to the figures presented by Mr. Bonanno, the year he quoted from Gilmanton they also went almost \$200,000 over budget because of excess plowing. He stated Mr. Bonanno is correct in regards to Strafford and all the highway work is contracted out.

Road Agent Clarke stated the town of Barnstead used to contract out all their Highway Department work as well but in the last five years has since purchased a grader, backhoe, loader and roadside mower. They have done away with privatization as has the town of Middleton that has 4 full time employees along with the road agent.

Road Agent Clarke clarified the 2004 International was already taken out of rotation by himself and the Town Mechanic but there was no conversation about getting rid of it or contracting it out. Only that it would no longer be funded with the Capital Reserve Fund.

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Selectman Anthes asked if Road Agent Clarke would consider contracting out. Road Agent Clarke replied he would, if they could show him the savings. He has already had this conversation with Mr. Bonanno and the Board of Selectmen before. Road Agent Clarke stated it costs him \$30 per hour to have a truck running when it would be around \$68-75 per hour with a contractor. Selectman Swenson stated the only “hole” in Road Agent Clarke’s figures is that pricing is only during plowing and does not take into consideration overtime and other activities.

Mr. Rosiello stated he has done a lot of outsourcing in his business career and explained its not just the bottom line that shifts around. He stated it is far cheaper to do stuff yourself if it is managed correctly. Mr. Rosiello stated the only time he has seen it save money is if it is going to save a business from going out of business. He stated he would like to see a line-by-line analysis comparison of the towns. Selectman Swenson agreed there are many other factors that need to be considered.

Mr. Bonanno stated he has experience with a company in outsourcing an entire manufacturing plant. If it is done professionally, outsourcing can be very cost effective. Mr. Rosiello stated they aren’t talking about manufacturing but a customer service organization, which is significantly different.

Fire Chief Varney stated he lives in Alton and it is his opinion that New Durham has the best kept roads in the area. He stated there have been instances where the Highway Department crew had to clear private roads so the Fire Department could gain access. This may not be possible with a subcontractor. Selectman Swenson agreed there is opportunity but there needs to be a thorough analysis.

Chair Bickford stated he has been trying to get all these factors together but some of the answers he gets to his questions are unclear.

Selectman Swenson suggested developing a model contract, which would help formalize the parameters for a plow truck’s use. The other parts of it would be the replacement of the F550 and the part time position.

Selectman Swenson stated Road Agent Clarke gave a justification for the replacement of the F550 after the Board of Selectmen’s last request but has not formally received anything back from the Board of Selectmen. He stated Road Agent Clarke submitted further information in an email last week and should not be held in limbo at this point.

Chair Bickford stated he would fix up the truck with the blown engine. He stated he took a look at the truck yesterday himself and stated the body is in good shape and the warranty would fix the engine. Chair Bickford stated he doesn’t want to give it up as he thinks it is in good condition. After further discussion of the truck’s condition, Road Agent Clarke stated parts of the plow frame need to be rebuilt. Chair Bickford stated he didn’t see that.

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Selectman Swenson clarified that at the last meeting the Board of Selectmen voted 2 to 1 not to move forward with the warranty at this time because it was going to cost \$1,500 to \$2,000 just to have it assessed.

Selectman Swenson asked Road Agent Clarke if the plow and frame are serviceable for one or more years. Road Agent Clarke replied he can't answer that. Road Agent Clarke stated this is not the first time the truck has broken down after being repaired.

Chair Bickford stated if he has a warranty, he wants to exercise that. Road Agent Clarke Stated he will need to talk to the Town Mechanic. There was further discussion of the pros and cons of pursuing the warranty.

Selectman Anthes stated at the last meeting the Town Mechanic said this is a "dead horse" but now someone else has looked at it and is not saying the same thing. Road Agent Clarke stated a truck with a blown engine is of no use to him. Selectman Swenson agreed they have heard additional information but it is not different than before.

Chair Bickford asked Road Agent Clarke how many trucks he has. Road Agent Clarke Replied there are 5 six-wheelers, a pickup, the F350. He explained they have to use two trucks to do what the one F550 used to do.

Selectman Anthes stated they need to look at contracting out. It is the way of the future and suggested Road Agent Clarke get aboard with it. He asked why the F550 is so special that another vehicle can't do the work. Road Agent Clarke stated he previously justified it and outlined its duties.

Road Agent Clarke asked if they put this out to contract and no one can come to an agreement, what happens. He stated there would be more wear and tear on two vehicles to get the work done.

Selectman Swenson stated that there is clearly sentiment to take a look at outside contracting, without even knowing the costs. However, to bet everything on that right now, is in his opinion erroneous. Selectman Swenson stated he is willing to go down the road of checking out the warranty in order to move forward on this.

Selectman Anthes stated that they need the Town Mechanic, who is paid \$60,000, to give them a complete breakdown of what the truck needs if they go that route.

Selectman Swenson stated the new truck is the right way to do it, the voters approved and they budgeted for it but since the majority of the Board of Selectmen is not of the same opinion, he is willing to go this other route to make sure the Town is covered. He stated the Town Mechanic has already provided his complete report on this issue.

It was agreed a more thorough written report is needed from the Town Mechanic.

Selectman Swenson stated no one seems to be willing to step up to explain what the global 3 year plan is for the Highway Department but he thinks the Town needs an “insurance policy” on this truck in the event the contracting fall through.

Selectman Swenson asked that the information requested be ready for review at the next meeting.

Town Administrator’s Report

Town Administrator Bourgeois stated the Town employees had a meeting today to sign up for the new healthcare program. The program should be ready to start July 1. Selectman Anthes made sure enough information was given to answer employees’ questions.

Selectman Swenson stated there was a public meeting and they changed health insurance providers, which saves both the Town and employees money. He stated this change does not require employees to change healthcare providers or they will not be losing any benefits they had with the prior insurance.

Town Administrator Bourgeois stated he did some follow-up with the RightSignature program. He had a demo with a representative and the information as forwarded to the IT provider. There were some concerns about the older computers being compatible with the program but those will be replaced soon anyways.

Selectman Anthes stated he is uncomfortable with this. He stated that from what he has read there are still some questions about security and suggested they can do this with their own computer system. Town Administrator Bourgeois replied they can but it would be very labor intensive compared to the program. The costs of trying the program were outlined and it was noted the first month would only be \$15.

Selectman Swenson asked Town Administrator Bourgeois what problem he is trying to solve with this approach. Town Administrator Bourgeois replied to cut down on paper use throughout the Town departments and speed up processing times. Selectman Swenson suggested someone come make a presentation.

Selectman Anthes stated he doesn’t want to move forward on this and suggested waiting until the new Finance Officer comes in.

Fire Department Furnace

Fire Chief Varney stated the current propane tank size may not have the area to support the additional load and an additional tank may be needed. He clarified the propane provider would provide the tank but the Town will have to pay to fill it.

Fire Chief Varney provided two estimates for the work and stated he thinks they can do better. He explained the changes that would be made to help improve efficiency and stated he is still gathering additional information and bids.

Fire Chief Varney provided two lists of the fire department roster with dates and numbers. He stated this Friday they are having State inspections to bring the ambulance back up to paramedic level.

Fire Chief Varney stated there are some issues with the renovation that is being done. He provided pictures for review.

Selectman Anthes stated he received a call that there was a little girl running around the construction site. He stated he contacted Roland, the contractor and the issue has been resolved. Selectman Anthes stated when he went over to the Fire Department he noted the work is the worst he has seen and it should be torn out. He stated he asked Town Administrator Bourgeois how much is being paid for this and doesn't want to pay another penny until the work is properly done and has been inspected by himself, Town Administrator Bourgeois or Fire Chief Varney. Fire Chief Varney stated he has already addressed this with the contractor and the quality of work expected was clarified. The contractor stated he would make it right.

Fire Chief Varney stated the tanker truck has a leak again but it is not leaking into the oil and is only external. Selectman Anthes suggested getting this fixed properly.

Mrs. Swenson suggested getting a detailed report of the problems with an accurate cost for repairs.

Old Business

Building Inspector Position

Selectman Anthes stated of the six applications, he is only interested in interviewing two or three of them.

It was agreed the members of the Board of Selectmen would review the applications and get back to Town Administrator Bourgeois to set up interviews.

Vision Appraisal Letter

Selectman Anthes confirmed a follow up letter was sent out April 4 to business owners from the Town. Town Administrator Bourgeois clarified the letter has not been sent as it needs review by the Board of Selectmen. He also needs a list from Vision of the businesses that received the original letter.

Selectman Swenson stated part of the reevaluation was an upgrade to the software and they need to make a decision on that. Town Administrator Bourgeois stated he has rationale for the upgrade.

Payroll

Selectman Swenson stated at the last meeting there was discussion of the potential of contracting out the payroll. Town Administrator Bourgeois stated he has received two quotes and is awaiting a third. Selectman Swenson stated he doesn't want too much time

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to go by on this but also wants to discuss it with the incoming Finance Officer. He suggested being ready to make a decision at the next meeting.

New Business

Police Department Discussion, Wage Adjustment Finalization Meeting

After discussion it was agreed to schedule the meeting for Friday, April 8, 2015 at 3:00p.m.

Road Agent Clarke asked if the Board of Selectmen has made a decision regarding who will be receiving raises. Town Administrator Bourgeois replied the information is in his mailbox now. It was clarified the effective date will be discussed at the next meeting.

Selectman Anthes asked if they personalize the raises in any way such as with a letter to their home. He suggested doing so to show appreciation to the employees and that they are valued. Selectman Swenson agreed and stated it is common business practice.

COAST Bus Board Representative

Town Administrator Bourgeois stated this is a board that Theresa Jarvis served on for a number of years as the representative from the Town. He stated it doesn't necessarily need to be a member of the Board of Selectmen. The board meets bimonthly.

Chair Bickford asked Town Administrator Bourgeois to get more information on the duties associated with this volunteer position and to post it on the website to see if anyone is interested.

Primex- Insurance Coverage for Lawsuit

Town Administrator Bourgeois stated the attorney that represented the Town with the most recent lawsuit attempted to have a dialog with Primex to get the Town reimbursed for some of the costs. Primex denied any reimbursement, as it was a political issue for the Board of Selectmen. Town Administrator Bourgeois stated the Town has already paid the attorney fees so there is nothing outstanding but the Board of Selectmen need to decide if they want to pursue reimbursement. Selectman Swenson stated he thinks they should pursue it. Chair Bickford asked Town Administrator Bourgeois to contact Primex directly saying they believe Primex should be covering all or part of the attorney fees for reasons listed.

Other

Selectman Swenson stated there is a Primex meeting on May 14 and 15. It is open to the Board of Selectmen and possibly Planning Board members. It goes through a variety of municipal topics including legislation, etc. Selectman Swenson stated he has attended this in the past and it is a good meeting.

Public Input

Mr. Rosiello stated that in regards to the Fire Department roster, he observed a particular set of names on April 18 with another set of names on April 23. He asked for some

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transparency on the changes. Chair Bickford replied he can't answer that and referred him to talk to Fire Chief Varney.

Selectman Swenson summarized what Mr. Rosiello is asking is whether the Town hiring policies were followed for the individuals that appear on 4/23 but not on 4/18. Selectman Swenson stated he wants to go through the lists to understand the differences.

Chair Bickford stated Fire Chief Varney also asked for a workshop on the Town policies but he wants to put it off until some other things are worked through.

Mrs. Swenson noted two names on the roster of "Varney" and wondered if they are related to Fire Chief Varney. She stated she is surprised there would be family members working in the same department as a chief. Mrs. Swenson stated that if you have the ultimate boss being a family member of someone on the staff, it can get very messy. It is not a good practice. Chair Bickford replied they have been encouraging that for years. Selectman Swenson disagreed. Selectman Swenson stated that what normally happens in corporations is the family members have different supervisors in different departments. He stated it may go against Town policy as well.

Mrs. Swenson stated she isn't sure if a decision was made with outsourcing the Highway Department tonight, or on the Fire Department vehicle replacement but suggested it may be helpful if Mr. Bonanno's research was in a written report for everyone to see. It could be a working document to be supplemented by Road Agent Clarke. Selectman Swenson stated Mr. Bonanno has provided his information in piecemeal to the Board of Selectmen but no formal analysis or recommendation has been submitted. He stated Mr. Bonanno's information is certainly helpful but is not a complete analysis as has been discussed.

There was further discussion of the information needed along with the need for a global vision outlined for the Highway Department.

Selectman Anthes stated they do need to have a blend of contracting work with having their own employees. He gave the example from this winter when the grader was out of service and they contracted that work out.

Mr. Rosiello stated contracting out for "emergency" situations is one thing but it is a different approach if you are looking to outsource an entire department.

Selectman Anthes stated the towns he has talked with who are the most pleased with this type of situation, have a blend between employees and contractors.

Mr. Rosiello asked the Board of Selectmen what the overall vision is for the Highway Department.

Selectman Anthes replied they aren't to that point yet.

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Mr. Rosiello stated it is important to set up a vision and share that with the taxpayers along with details of the strategy.

Mrs. Swenson stated they aren't necessarily in disagreement with the outsourcing they just want to know the vision and strategy. She outlined the importance of having a plan in place.

Ms. Phillips stated that along with the great job the Town Highway Department crew does, it is also their Town and they look out for each other.

Selectman Anthes stated he wants to make it clear that he has never suggested firing anyone from the Department.

Ms. Phillips stated she doesn't expect an answer right now but asked the Board of Selectmen if they believe it is important for a Town committee to protect the interests of the taxpayers of the Town. She stated she did not get an answer at the last meeting from Chair Bickford but she wants the Board of Selectmen as a group to come up with an answer for this, as it is important part of what is going on in the Town right now.

Selectman Anthes replied that a committee might make a decision that might not be in favor of all taxpayers but overall the committees are taxpayers themselves and they try to help everyone.

Ms. Phillips asked if Selectman Anthes or Chair Bickford would like to now second the nomination to have two members put on the Parks and Recreation Commission who were working in the best interests of the taxpayers from having a liability that might occur now or in the future. She stated if that is the Board of Selectmen believe that the committees should take the best interests of the taxpayers into consideration, then they should nominate the two individuals. Ms. Phillips stated that what the Board of Selectmen did was not in the best interests of the taxpayers.

Selectman Anthes replied he can't go into details of why he did not vote in support of the nominations. He stated his concern with the Recreation Commission is he had three people approach him on their reasons for problems with the Recreation Department. Selectman Anthes stated he doesn't think the Board of Selectmen has a handle on the Recreation Department and it seems things fall through the cracks. He stated at the last meeting they discussed not knowing how much money the department has. Ms. Phillips asked how they can know the balance if they haven't had a report from the Finance Officer since May 2014.

Ms. Phillips reiterated the only reason the commission made the decisions they did regarding the summer program was to protect the taxpayers and interests of the families involved. They did not feel it was safe to have anyone in an environment with asbestos removal being done.

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Selectman Anthes stated he is willing to talk about his reasons for voting the way he did but he won't do it in public. Selectman Swenson replied Selectman Anthes needs to understand that municipal government rules are different than corporations. Some privacy does need to be respected but in this case the individuals have waived it when asking for the matter to be discussed publically. Selectman Swenson stated it also seems unusual that Selectman Anthes would allow the voices of three individuals to outweigh the voices of the Town on a nomination.

Ms. Phillips asked Selectman Anthes to give his reason now. Selectman Anthes reiterated he would not give it now.

Jen Nyman, resident and member of Parks and Recreation Commission, stated this Town needs transparency and she would love to know Selectman Anthes reasons for not seconding the nomination. Selectman Swenson stated Selectman Anthes may be broaching a legal issue now that the individuals involved have requested this be discussed in public. Selectman Anthes stated he still has a problem with publically announcing why he voted the way he did.

Chair Bickford stated as far as the reasoning that the decision was legitimate to shut down the childcare for the summer because of the asbestos thing, he thought it was excessive. He stated there were ulterior reasons for shutting the program down. Chair Bickford stated those were presented by the parents and included bills not being correct. Ms. Phillips asked if Chair Bickford talked to the people running the program about the billing issue and asked if he heard both sides of the story. Chair Bickford replied it never came up. Ms. Phillips stated it was the commission's decision to shut it down because they were the ones who would have been held liable for any asbestos related problems. Chair Bickford stated they don't need to re-nominate anyone, they are still on the board. Ms. Phillips stated it implies the women did something wrong if they are not nominated. Ms. Phillips stated the Commission made the decision in order to protect the taxpayers from liability.

Ms. Nyman stated if it was a confidential issue through a contract, then a majority of the commission would not know about it because confidentiality is strictly upheld. Only the director of the program would have known what was going on and possibly the chair.

Chair Bickford stated he didn't agree with how the childcare program was shut down. Ms. Phillips replied that doesn't mean that two good people should not be nominated because he thought they were overly caring about the taxpayers.

Other

Selectman Swenson stated the Department of Revenue Administration provided a valuation approach for the tax bills. He asked Town Administrator Bourgeois to be sure they are on schedule for the tax bills to go out.

Approval of Minutes

March 9, 2015- Public Meeting Draft #2 – Postponed for review of the video.

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April 6, 2015- Public Meeting – Review postponed.

April 20, 2015- Public Meeting- Edits were made. **Selectman Swenson made a motion to approve the minutes at amended. Selectman Anthes seconded the motion. Motion passed, 3-0.**

April 22, 2015- Public Meeting- Review postponed.

Future Meetings

Friday, May 8, 2015, 3:00p.m. – Board of Selectmen, Community Room

Monday, May 18, 2015, 7:00p.m., Board of Selectmen, Town Hall

Monday, June 1, 2015, 7:00p.m., Board of Selectmen, Town Hall

Selectman Swenson made a motion to adjourn. Selectman Anthes seconded the motion.

The meeting was adjourned at 10:35p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary