

New Durham Board of Selectmen Meeting

April 4, 2016

DRAFT

NEW DURHAM BOARD OF SELECTMEN

New Durham Town Hall

April 4, 2016, 7:00p.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:

Scott Kinmond, Town Administrator
Marisa Rosiello, resident
Rudy Rosiello, resident
Carol Allen, resident
Dot Veisel, resident
Alicia Hernandez, resident
Joan Swenson, resident
J. Downey, resident
Don Vachon, resident
Janis Anthes, resident
Ellen Phillips, resident
Stephen Bohmiller, resident
Cathy Allyn, resident
Susan Randall, resident
Katie Woods, resident
Clayton Randall, resident
Michele Kenderick, resident
William Kenderick, resident

Richard Lenonard, resident
L. Weaver, resident
Kathy Secinaro, resident
Dan Place, resident
Lynette Place, resident
Cecile Chase, resident
Terry Jarvis, resident
Robert Chase, resident
Kristen Bernier, resident
Cathy Orlowicz, resident
Corie Waldron, resident
Reginald Meattey, resident
Matt Libby, resident
Jen Nyman, resident

Call to Order

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

Appointments/Announcements

Chair Bickford read a statement that on March 28, 2016 the Board of Selectmen was notified through Town Counsel that Strafford County Superior Court Presiding Justice Brian T. Tucker had issued a Court Order regarding Police Chief Shawn Bernier's contract termination and on Mr. Bernier's claim of violation of under the Right to Know Law. The Board ruled that Mr. Bernier should be reinstated.

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Dot Veisel, resident, asked when Police Chief Bernier would resume his duties. Town Administrator Kinmond stated they would be working that out with the attorneys. It was clarified there is a timeframe of 30 days. A resident inquired as to the cost of the back benefits and attorneys' fees to the Town. Town Administrator Kinmond replied he does not have a total costs and there are different factors in determining it. Chair Bickford stated they have not received a final bill. Selectman Swenson concurred there will be several components in the total costs they will have to look at. Rudy Rosiello, resident, asked for details regarding the transition and wants to be sure the specifics are clearly defined. Town Administrator Kinmond replied they are working with Officer in Charge Sergeant Meattay to work through the process. He stated they haven't discussed the specific steps with the Board of Selectmen at this point. Chair Bickford noted the Board of Selectmen does not plan to appeal the Court Order. Ms. Veisel gave a statement in response to statements made in *The Baysider* by Selectman Anthes.

Agenda Review

Selectman Anthes added under New Business: Town bank application; Meetinghouse Committee.

Department Reports/Issues

Don Vachon, Highway Department, stated the department is running smooth and the process with hiring the new Department of Public Works Director is moving forward.

Town Administrators Report:

Town Administrator Kinmond stated the seasonal employees ~~?????????? CAN'T HEAR COMMENTS~~that are available to return for the 2016, have been in contact with the respective department heads and expressed their desire to return for the season. TA Kinmond stated in his experience if the department head wished to recommend they return, then this would be an update to the PAF in the personnel file.

It was noted applications have not been filled out yet. Selectman Swenson stated it would be appropriate for all applicants to do so. Jen Nyman, Parks and Recreation explained they have not done that in the past for returning employees. Town Administrator Kinmond stated though individuals are seasonal employees he wants to consider them "on the books" and existing employees. The consensus was to have the seasonal employees continue as they are.

New Business

Conditional Offers of Employment

Town Administrator Kinmond presented numerous Conditional Offers of Employment for various positions and asked the Board of Selectmen to review and approve.

Chair Bickford made a motion to approve the Conditional Offer of Employment for Donna ???-Young of New Durham for the position of Tax Collector/Deputy Town Clerk at a rate of \$16.00 contingent on the necessary pre-employment screening and background checks with this announcement beginning the two week vetting period

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**pursuant to the Town's hiring policy. Selectman Anthes seconded the motion.
Motion passed, 3-0-0.**

Chair Bickford made a motion to approve the Conditional Offer of Employment for S. Michael Kindreth-Gingras of Lee, NH for the position of Department of Public Works Director at a rate of \$62,400 per year contingent on the necessary pre-employment screening and background checks with this announcement beginning the two week vetting period pursuant to the Town's hiring policy. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Chair Bickford made a motion to approve the Conditional Offer of Employment for David Daniels, Jr. of Barrington, NH for the position of Police Officer at a rate of \$18.38 per hour contingent on the necessary pre-employment screening and background checks and conditions set forth by the State of New Hampshire Police Training Standards with this announcement beginning the two week vetting period pursuant to the Town's hiring policy. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Corie Waldron, resident, asked if this is for a full or part time police officer position. Town Administrator Kinmond replied it is for a full time police officer.

TA Kinmond provided short bio's on the conditional hires listed above.

~~A memo from~~ Town Administrator Kinmond provided the Board with a Staff Report regarding formalizing the retired Town Clerk/Tax Collector's Carole Ingham retirement and offer to assist the Town with training of Town Clerk and Tax Collector staff, and providing DMV clerk services as needed. Carole had made this officer to the Board of Selectmen upon her notice of retirement which the Board was appreciative of but never formalized it.
~~-subsequent filling of the positions was reviewed and discussed.~~

Chair Bickford made a motion to CAN'T HEAR BICKFORD acknowledge that Carol Ingham's job classification has been changed from Town Clerk / Tax Collector to interim/per diem trainer/support staff for the positions of Tax Collector- Town Clerk. This to include the duties as a DMV Clerk should the need arise during the next 4-6 months of transitional training of staff at a pay rate of \$23.96 per hours.
Selectman Swenson seconded the motion. Motion passed, 3-0-0.

Appointments

Chair Bickford stated they haven't always gone through the appointment process with reappointments and the appointment policy was reviewed. Selectman Swenson stated he believes it is appropriate to go through the proper appointment policy each time someone is up for reappointment and a vacancy is being filled.

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Selectman Swenson made a motion to reappoint Tom Berube to the vacant position on the Conservation Committee with a term expiring 2019. Selectman Anthes seconded the motion. Motion passed, 2-1-0. Chair Bickford stated he is opposed and wants to follow RSA 41:57-A, with terms to continue indefinitely or until someone else is appointed.

Selectman Swenson nominate Wendy Anderson to the position of the Zoning Board of Adjustment with a term to expire in 2019. Selectman Anthes seconded the motion. Motion passed, 2-1-0.

1772 Meetinghouse

Chair Bickford gave a statement regarding request made by the 1772 Meetinghouse Committee to the Board of Selectmen to work independently in pursuing grants to raise funds as well as the makeup of the committee. Cathy Allyn, 1772 Meetinghouse Committee, explained the request was with the intent of having a wide variety of skill sets on the Committee. She stated there are just three people on the committee at this point and they could certainly use more.

Selectman Swenson made a motion to nominate Clayton Randall to be on the 1772 Meetinghouse Committee. Selectman Anthes seconded the motion. Motion passed, 2-1-0. Chair Bickford stated he thinks they are rushing on this situation.

Selectman Swenson made a motion to nominate George Gale to the 1772 Meetinghouse Committee. Selectman Anthes seconded the motion. Motion passed, 2-1-0. Chair Bickford opposed.

Selectman Swenson made a motion to nominate Janis Anthes to the 1772 Meetinghouse Committee. Selectman Anthes seconded the motion. Motion passed, 2-1-0. Chair Bickford opposed.

Selectman Swenson stated he thinks it's appropriate to nominate these individuals who have the experience and skill sets to help on the committee. Selectman Anthes agreed they need to be looking at individual's applications to review their skills and experience. The necessary requirements were reviewed and discussed. Ms. Allyn explained the L-CHIP process and asked for approval to go ahead with applying for the grant. Selectman Swenson clarified the Town would also be matching the amount of the grant with funds from the Capital Reserve Fund.

Selectman Swenson made a motion to authorize the 1772 Meetinghouse Committee to move forward with applying for the grant to the New Hampshire Preservation Alliance. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Other

Town Administrator Kinmond received an email from TDS regarding an event on May 14, 2016 from 10:00am-2:00pm to demonstrate new fiber optic services available to the

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Town. It was clarified this is not a Town-sponsored event but will take place on Town property. Selectman Swenson asked that an Event Application be submitted.

Public Input

Ellen Phillips, resident, asked when Police Chief Bernier would be reinstated and if it would take place ~~an~~ at a public Board of Selectmen meeting. Selectman Swenson stated an announcement would be made. Selectman Anthes stated the attorneys are handling this at this point. Michele Kenderick, resident, stated at the last Board of Selectmen comments were made which were out of line with the procedural guidelines and suggested they work to follow the guidelines better.

A 5 minutes recess was taken for Selectman Anthes to walk his wife out from the meeting.

Approval of Minutes

Meeting of March 21, 2016- Pending further review by the Board- Selectman Anthes Requested additional time to review.

Meeting of March 25, 2016 – Edits were made. **Selectman Anthes made a motion to approve the minutes as amended. Chair Bickford seconded the motion. Motion passed, 3-0-0.**

Meeting of March 29, 2016 – Edits were made, but no approved. Pending further review.

Non-Public Meeting of March 7, 2016- Tabled for further review.

Non-public Meeting from March 21, 2016- Edits accepted as made. **Selectman Anthes made a motion to approve the minutes as amended. Selectmen Swenson seconded the motion. Motion passed 3-0-0.**

Non-Public Meeting of March 25, 2016- Edits accepted as made. **Selectman Anthes made a motion to approve the minutes as amended. Selectmen Swenson seconded the motion. Motion passed 3-0-0.**

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~~The Board entered non-public session at 9:10p.m~~ Other Business:

TA Kinmond advised the Board that he forgot that he has two (2) Veteran Tax Credit/Exemptions. The Board reviewed the application prepared by the Assessing office. **Chairman Bickford made a motion to authorize the Veterans Tax Credit/ Exemption for Philip Harrison. Selectman Swenson seconded the motion. Motion passed 3-0-0. Chairman Bickford made a motion to authorize the Veterans Tax Credit/ Exemption for Matthew Boiles. Selectman Anthes seconded the motion. Motion passed 3-0-0.**

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The Board reentered public session at *****Chairman Bickford asked if there was any other business to come before the Board. Hearing none, Selectman Anthes made a motion to adjourn, Selectman Swenson seconded the motion. Motion passed 3-0-0.

Meeting Adjourned at 9:38 p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary

And

Scott D. Kinmond, Town Administrator