



Approved

## Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

April 6, 2020

**5:00 pm** – Upon general consensus from the Board, Meeting was conducted telephonically/electronically in accordance with State of N.H. Governor's Emergency Order #12 pursuant to Executive Order 2020-04. Please see attached connecting instruction sheet as posted with the Meeting Agenda.

**Present:** Chairman Mark Warren (on the phone), Vice Chair-Selectman Vincent Baiocchetti (Gilmanton Academy building – Auditorium), Selectman Michael Wilson (on the phone), Town Administrator Patrick Boré (Gilmanton Academy building – Auditorium).

**Absent:** Assistant Town Administrator, Heather Carpenter.

**5:05 pm** Chairman Mark Warren opened the meeting, took attendance of those present and voting (Selectman Baiocchetti, and Selectman Wilson) and asked Vice-Chair Baiocchetti to lead the Pledge of Allegiance.

### **PUBLIC MINUTES APPROVAL**

**MOTION:** On a Motion by Selectman Baiocchetti, and seconded by Selectman Wilson it was unanimously voted to accept the minutes of Public Sessions on 03-16-2020, 03-19-2020 and 03-24-2020. (3-0 Voice Vote – Chairman Warren-yea, Selectman Wilson -yes, Selectman Baiocchetti – yes).

**MOTION:** On a Motion by Selectman Wilson, and seconded by Selectman Mark Warren Wilson, it was voted to accept the minutes of Public Session on 03-06-2020, (2-0 Voice Vote – Chairman Warren-yea, Selectman Wilson -yes, Vice-Chairman Baiocchetti – abstain).

**AS general consensus of the Board, the Board is adopting method of conducting this meeting remotely as outlined in the attached Instructions Memo.**

### **COVID-19 UPDATE**

As of this morning 2 Selectmen's Office employees are under self-quarantine at home due to COVID-19 like symptoms. Self-monitoring for now. And as of this afternoon, one TCTX employee was advised by her doctor to stay home for the next two weeks. Remaining staff at Academy Building adhering to social distancing and minimizing interactions with public.

T.A. Boré shares an update from Fire Chief/Health Officer: 669 confirmed cases in NH as of 4/5/20, 9 deaths, 17 confirmed cases in Belknap County and 2 in Gilmanton (same family). Preventive measures restricting interactions are in place to protect both the Community and Town employees.



47 T.A. Boré briefs the Board on Emergency Order # 23, issued on 4/1/2020 which addresses the  
48 temporary waiving of some local government requirements, in particular:

49 Extend permission for the Board to sign outside of Public Meetings (like we are already doing for  
50 Payroll and A/P) documents necessary for the continued operations of local government  
51 (SECTION 1).

52 Relieves requirements on public bodies to meet on a particular schedule or certain number of times  
53 within a given timeframe (SECTION 2)

54 BOS authorized, with DRA's prior approval, to make COVID-19 related expenditures above  
55 approved budget (SECTION 4)

56 Various building permit/inspection related temporary measures (SECTIONS 5 and 6) to facilitate  
57 construction progressing despite ongoing social distancing. These are already being enacted by  
58 our contracted BI and Land Use Administrator

59 T.A. Boré then talks about 2 Emergency Orders issued since posting of the meeting agenda:

- 60 • #26 extends timeframe for prohibiting groups of 50 or more in bars, restaurants, and  
61 generally-speaking gatherings of 10 or more people etc...Extension is until 5/4/2020 when  
62 current Stay-At-Home Order is set to expire.
- 63 • #25 deals with property taxes: stay order set for deeding properties; legal opinion is that  
64 stay order does not apply to tax lien. Order also grants authority to the Board to grant  
65 abatements for interest on late/unpaid taxes.

66 T.A. and the Board then discuss coming to a general consensus on applying the extended  
67 permission to sign documents outside public meetings. General consensus going forward is to  
68 proceed as follows: documents to be signed under the Consent Agenda to be scanned and sent to  
69 Selectmen for their review prior to the meeting, consent agenda to be approved by the Board during  
70 the remote meeting in order to provide transparency to taxpayers for transactions approved, then  
71 Selectmen to stop by Town Offices to actually sign the documents.

## 72 73 **CONSENT AGENDA**

74 Chairman Warren moves to open the Consent Agenda, seconded by Selectman Wilson

- 75 • **2020 MS-232**: this is the reporting through which Towns confirm to DRA which  
76 appropriations were voted through at Town Meeting. For Gilmanton, \$5,284,943 Total  
77 appropriations were actually voted through, including \$ 4,266,891 Operating Budget and  
78 \$ 1,018,052 (gross appropriations) in Special and Petition Warrant Articles
- 79 • **P.O.: \$38,647.04 Lakes Region Mutual Fire Aid Association (LRMFA)** Dispatch  
80 service annual fee (Fire Dept). Fee is based on a pro-rata share formula that takes into  
81 account the Town's assessed value and the population headcount.
- 82 • **P.O.: \$1,222.00 9C1 annual inspection and brake work (Fire Dept)**
- 83 • **P.O.: \$ 1,700 9 Forestry 1 bumper rust repairs (Fire Dept)**
- 84 • **P.O.: \$19,000 Industrial Protection Services (Fire Dept)** to purchase the Holmatro  
85 extrication set voted by the Town under WA #21.
- 86 • **P.O.: \$1,572.09 Trustee of Trust Funds** Per 2006 Warrant Article, all monies (principal  
87 and interest) remaining from Cemetery Budget gets deposited at the end of fiscal year in  
88 Cemetery Expendable Trust Fund.
- 89 • **P.O.: \$5,500 GYO WA#37 2020 annual appropriation**
- 90 • **P.O.: \$6,500 Gilmanton Corner Library** 2020 operating budget
- 91 • **P.O.: \$ 8,601 Conservation Commission Fund transfer** . Based on a Fund adopted in  
92 1996 and new deposit rules voted in 2007, fund gets \$2,500 and 10% of any collected  
93 current use penalty taxes.



- **(Acknowledgment of) US Senators Shaheen/Hassan support to Assistance to Firefighters Grant (AFG) program application** to help Gilmanton Fire Dept purchase and install vehicle-emissions capture system for its IW Fire Station

- Appointments/Re-appointments:

**Trustee of Trust Fund:** Stephen Hopkins; this is a correction from a one-year term approved by the Board at previous meeting to a three-year term in compliance with RSA 669:73.

**Ballot Inspectors:**

- Rene Canezin- re-appointment
- Angela Canezin- re-appointment

Approval of the various credits and exemption applications as posted under the Consent Agenda to be performed off meeting, once the documents are reviewed by the Selectmen at Town Offices. T.A. Boré indicated that total Veterans Credits this year amount to \$ 9,850. With respect to Elderly Tax Exemption, based on the rules recently approved at Town Meeting, a total of \$1,084,085 in assessed property value will be exempted from taxation with a total impact on tax revenues to the Town of \$24,725.

Two unposted P.O.s to be added to the Consent Agenda:

- \$2,375 Belmont police Prosecution Services for 1<sup>st</sup> quarter 2020,
- \$31,994 for purchase of new PD cruiser as approved under WA# 14

T.A. Boré questioned timing of placing PO for PD cruiser now, as we have enough cruisers now compared to available staff. Selectmen Baiocchi and Wilson recommended to place P.O. now to avoid future delay in delivery, particularly in light of COVID-19 current impact on businesses.

**MOTION:** On a Motion by Selectman Wilson, and seconded by Vice-Chairman Baiocchi it was voted unanimously to approve the Consent Agenda as amended to include the added two P.O.s for \$2,375 Belmont Police Prosecution Services for 1<sup>st</sup> quarter 2020, \$31,994 for purchase of new PD cruiser and excluding the various Tax credits and exemption applications which will be approved and signed once reviewed by the Selectmen at Town Offices. (3-0 Voice Vote – Chairman Warren-yea, Vice-Chairman Baiocchi-yes, Selectman Wilson – yes).

**Old Business**

**Discussion on TC/TX Office A/C Unit replacement** was tabled until next meeting. T.A. needs to provide background documentation with Selectmen prior to discussion/decision.

**Old Town Hall Restoration Committee:** In light of COVID-19 restrictions and because repair work is not anticipated before confirmation of 50% funding through LCHIP and other donations, which will not be known before November, it is recommended that we don't activate the committee yet, get the LCHIP application completed/submitted. After the mandatory LCHIP group meeting in the summer/fall we wait until we hear back from them in late Nov/early Dec with hopefully good news! Then the committee could be activated...General consensus from the Board to proceed as recommended.

**Building Inspector/Code Enforcement:** based on feedback from Fire Chief, recommendation is to proceed with hiring for the position as currently located in Selectmen's Office. Ad submitted to Board for review. General consensus to proceed with the ad as presented.

**Highway Foreman:** recommendation to proceed with placing the presented ad, even if potentially an internal option may exist. General consensus from the Board to proceed with the ad as presented.



**Part-Time Patrol Officers:** as a follow-up to previous approval by the Board to proceed with hiring process for up to 3 part-time officers, Chief of Police has completed background check for one candidate and soon to have completed same for another candidate. The third candidate has decided to withdraw his application. T.A. Boré asking the Board if they want to meet with the candidates before confirming approval of hiring with consideration one used to work for the GPD and current restrictions on face-to-face meeting.

**MOTION:** On a Motion by Vice-Chairman Baiocchetti, and seconded by Selectman Wilson, it was voted unanimously to approve the hiring of Robert Akerstrom and Joshua Landry upon completion by Chief of Police of successful background checks and willingness to accept the position. (3-0 Voice Vote – Chairman Warren-yea, Vice-Chairman Baiocchetti-yes, Selectman Wilson – yes).

**Parks & Recreation:** As the season for Crystal Lake Park (CLP) approaches, we need to make some decisions with respect to the Park in light of: COVID-19 restrictions, Town Meeting rejecting the DPW move and related implications on park maintenance, geese issue, Seasonal Attendant situation. Decisions to be made:

- Re-opening of CLP, including beach?
- Allowing private events?
- Activity Program including swim lessons, including supervision of programs?
- Maintenance of park facilities?
- Seasonal Attendant hiring/replacement?

T.A. Boré recommended to restrict park access, expressed concerns with bringing the seasonal attendant back to work in the middle of the COVID-19 crisis as she is not eligible for sick leave, and questioned the need to re-open depending on how early the season would be able to start due to COVID-19 restrictions.

Selectman Wilson expressed concerns with closing access to the public park.

Chairman Warren inquired about implications of the votes on the DPW and Highway “hybrid” position. Selectman Wilson asked about the ability to move the funds appropriated and raised for that position to the Parks & Recreation budget to be able to hire a maintenance person for the Park. Vice-Chairman Baiocchetti is against that idea due to lack of detailed planning.

General consensus from the Board to:

- 1/ keep Park and beach open under the current COVID-19 restrictions.
- 2/ talk to Seasonal Attendant to find out level of interest and ability to perform duties, including lawn mowing and raking of beach.
- 3/ At next Board meeting in May, re-assess situation for the season.
- 4/ In any scenario, park needs to continue being maintained.

### **New Business**

Temporary Emergency Leave Policy in response to COVID-19 pandemic: addresses and summarizes all recent enacted measures at Federal, State and PRIMEX levels with respect Sick Leave, FMLA extension, Workers’ Compensation, Short-term Disability in Response to the COVID-19 Global Health Pandemic and checked against the DOL regulations anticipated to go into effect on Monday. If approved, intent is to distribute to Town employees with their week paychecks.

Vice-Chairman Baiocchetti questioned the reason for wording under VIII.C.1. T.A. Boré to confirm, but most likely dictated by the Extended FMLA Expansion Act. (Note: confirmed post-meeting)





Chairman asked about meaning under VII A. 3. T.A. Boré confirmed that eligibility requires some confirmation from healthcare provider. Selectman Wilson asked if all employees were eligible. T.A. Boré confirmed that all employees except temporary employees are eligible.

All benefits described in this Policy are mandated by the Acts that have been enacted at Federal and State levels. The only two aspects where the Town had a decision to make are:

- offer the two-weeks coverage under the Emergency Sick Leave, including for FT employees in the Fire dept that have a 48-hour week, even though the Town will only be reimbursed up to 40 hours per week

- Town had the option to exempt healthcare workers and first responders from the benefits under the Acts, which T.A. Boré is not recommending.

**MOTION:** On a Motion by Vice-Chairman Baiocchi and seconded by Selectman Wilson, it was voted unanimously to adopt the Emergency Policy effective April 1, 2020 and to remain in effect until the later of December 31, 2020 or the expiration of the pertinent provisions COVID-19 Legislation related to the subject matter of this policy, as those acts have been and may be amended. (3-0 Voice Vote – Chairman Warren-yea, Vice-Chairman Baiocchi-yes, Selectman Wilson – yes).

**At 7:00PM, Chairman Warren interrupted New Business Section to allow for Public Input. Inquired over the phone for any participant to offer public comment. As none were heard, the Board proceeded back to New Business Section.**

**Telework Policy:** Governor's Sununu Emergency Stay-At-Home Order includes wording encouraging all employers to continue their operations through remote means and telework when possible. The Town of Gilmanton teleworking capabilities are currently very limited both from an equipment standpoint as well as ability to actually access to documents/software/databases. Enacting such a policy would lead to have the Town invest in additional hardware/software, establish clear procedures around safeguarding these home-based Town assets and addressing home-based or home-used record rules from a retention and confidentiality standpoint. T.A. Boré is recommending not to pursue a Telework Policy at this point.

#### **Continuity of Operations Plan**

T.A. Boré discusses the importance of conducting the Continuity of Operations Plan for the specifics of a pandemic event which is not specifically addressed in the 2017 Emergency Operations Plan. Documents were distributed to Department Heads late March to that purpose. One partial response received back to-date. T.A. Boré to try to get some momentum going and, if unsuccessful, may come back to Board for support.

**Town Strategy Map/Scorecard:** T.A. Boré drafted a document with the intent to seek alignment. Board to take time to review and then matter will be brought to a Board Meeting in the future to discuss.

#### **Select Board Items**

#### **None**

#### **(B) Non-Public Session per RSA 91-A:3, II (...) as necessary**

**Review of minutes for Non-Public Sessions – Tabled as Board did not have a chance to review draft minutes.**



**Non-Public Session per RSA 91-A:3, II (c) reputation**

On a Motion by Vice-Chairman Baiocchi, seconded by Selectman Wilson, it was voted unanimously to go into Non-Public Session per RSA 91-A:3, II (c). (3-0 Voice Vote –Chairman Warren– yes, Selectman Wilson – yes, Vice-Chairman Baiocchi– yes).

Board discussed a complaint about an employee received on March 30, 2020. The Board will issue a written response to the complainant indicating receipt of the complaint, and stating that the Board is addressing the issue through the hiring of a full-time Building Inspector/Code Enforcement.

**MOTION:** On a Motion by Selectman Wilson, and seconded by Chairman Warren it was voted unanimously to come out of Non-Public Session. (3-0 Voice Vote – Chairman Warren-yea, Vice-Chairman Baiocchi-yes, Selectman Wilson– yes).

**Non-Public Session per RSA 91-A:3, II (a) personnel matters (Compensation)**

On a Motion by Selectman Wilson, and seconded by Chairman Warren, it was voted unanimously to go into Non-Public Session per RSA 91-A:3, II (a). (3-0 Voice Vote –Chairman Warren– yes, Selectman Wilson – yes, Vice-Chairman Baiocchi– yes).

The previous Board had recommended a one-step increase for the Chief of Police contingent upon satisfactory MRI post-assessment to be completed in the Spring. Selectman Wilson asked this Board to reconsider in light of COVID-19 restrictions and potential impact on timing of MRI post-assessment. The Board voted 2 to 1 (Vice-Chairman Baiocchi and Selectman Wilson voted yes, Chairman Warren voted no) to grant the recommended one-step Merit increase to Chief of Police effective immediately with the understanding that results of the MRI post-assessment, once completed, would be addressed as part of the performance evaluation process later on in the year.

**MOTION:** On a Motion by Chairman Warren, and seconded by Selectman Wilson, it was voted unanimously to come out of Non-Public Session. (3-0 Voice Vote – Chairman Warren-yea, Vice-Chairman Baiocchi-yes, Selectman Wilson– yes).

**Non-Public Session per RSA 91-A:3, II (b) Hiring**

On a Motion by Chairman Warren, and seconded by Vice-Chairman Baiocchi, it was voted unanimously to go into Non-Public Session per RSA 91-A:3, II (b). (3-0 Voice Vote –Chairman Warren– yes, Selectman Wilson – yes, Vice-Chairman Baiocchi– yes).

Following completion of probationary period and based on satisfactory performance evaluation, the Board unanimously approved the recommendation by the TCTX to confirm Claudia Ferber as permanent part-time Assistant TCTX effective 4/5/2020 at Labor Grade 5, Step 4 with a base salary of \$16.54/hr.

**MOTION:** On a Motion by Chairman Warren, and seconded by Selectman Wilson, it was voted unanimously to come out of Non-Public Session. (3-0 Voice Vote – Chairman Warren-yea, Vice-Chairman Baiocchi-yes, Selectman Wilson– yes).



Chairman Warren alerted T.A. Boré of a message sent in during the meeting by Mr. Joseph Haas requesting to please correct the RSA Ch. 21-5 (in the: " Board of Selectmen Minutes November 18, 2019" / " page 3 of 8, lines #124-129: ") to 21-J.

The Board agreed to meet next On May 4, 2020.

**Adjournment:** On a Motion by Vice-Chairman Baiocchetti, and seconded by Chairman Warren it was voted unanimously to adjourn at 8:41 p.m.(3-0).

Respectfully Submitted,



Patrick Boré

Recording Secretary

**Approved by the Board of Selectmen**



Chairman Mark E Warren



Vice-Chairman A Baiocchetti



Selectman Michael J. Wilson

