



Board of Selectmen
Town of Gilmanton, New Hampshire

APPROVED AS AMENDED 4-06-2020

Meeting

March 16, 2020

Approximately- 6:00pm. – Gilmanton Academy

Present: Chairman Mark Warren, Selectman Michael Wilson*, Vice Chairman Vincent Baiocchetti, Town Administrator- Patrick Bore` and Assistant Town Administrator-Heather Carpenter

***Selectman Wilson is present at the meeting via telephone.**

Also, present please see attached sign-in sheet.

Open Public Meeting

Chairman Warren opened the meeting, took attendance of those present and voting (Chairman Warren, Selectman Wilson & Vice Chairman Baiocchetti)

Disclaimer: The views and opinions expressed in a stated or attached statement read during public comment are those of the speaker/authors and do not reflect the opinion of the Town of Gilmanton. These minutes represent topics discussed and not a reflection of verbatim discussion.

Board transition following the March 10th, 2020 election

VOTING ON THE ELECTION OF OFFICERS

Board to elect:

- Chair

- Vice-Chair

MOTION: On a motion by Selectman Baiocchetti and seconded by Vice-Chairman Wilson it was voted to appoint Mark Warren as the Chairman of the Board of Selectmen. (3-0)

Discussion: Selectman Wilson believes he will be stepping down by June and suggests that Selectman Baiocchetti takes the role of the Vice-Chairman.

MOTION: On a motion by Mark Warren and seconded by Selectman Wilson it was voted to appoint Vincent Baiocchetti as the Vice-Chairman of the Board of Selectmen. (3-0)

VOTING ON SELECTMEN'S REPRESENTATIVE ASSIGNMENTS

Board to elect:

- Planning Board Representative

MOTION: On a motion by Selectman Baiocchetti and seconded by Vice-Chairman Wilson it was voted to appoint Mark Warren as the Selectmen's representative to the Planning Board. (3-0)

- Historic District Commission Representative

MOTION: On a motion by Selectman Baiocchetti and seconded by Chairman Warren it was voted to appoint Selectman Wilson as the Selectmen's Representative to the Historic District Commission. (3-0)
Upon Selectman Wilson's resignation, his replacement will take his place on the HDC.

- Budget Committee Representative

MOTION: On a motion by Chairman Warren and seconded by Vice-Chairman Wilson it was voted to appoint Vice-Chairman Baiocchetti as the Selectmen's Representative to the Budget Committee. (3-0)

Discussion: The Board discussed the need for alternate members on these Boards. Per RSA the HDC is only required to have a representative from the Board of Selectmen but does not state that they can have an alternate.

At the request of the Board, a quick analysis was conducted of what other NH towns have and how it has been set up.

TA recommendations to the Board:

- Set up an official Town Government Facebook page
- Content will be limited to:
 - Official town meetings/events posting
 - Official Selectmen's Office communications
 - Output only, i.e. no comments back allowed
- TA to be only dedicated staff to post on the Facebook page

Other recommendations discussed: Audio set-up to provide better quality sound for the live stream and to offset the acoustic problems present in the meeting room, and to direct the Town Administrator to look into the cost of at least five microphones.

MOTION: On a motion by Vice-Chairman Baiocchetti and seconded by Selectman Wilson to have an Official Town Facebook page for the purpose of official town meetings, posting of town events, Board of Selectmen communications and output of information with no comments. (3-0)

New Business:

- **Old Town Hall restoration**

TA- The town has voted the warrant article that was recommended to raise and appropriate the \$194,000.00 with 50% of that coming from grants and donations. The way it's going to work is, a lot of that funding is expected to come from an LCHIP grant. There is a specific schedule for requesting the LCHIP grant, then it will not be awarded until after Nov. but there is no time to waste since the voters have given their approval on this. Currently, what needs to happen in preparation the request to get the LCHIP grant, writing the RFP's for the various work that needs to be done and hopefully in Nov. we get the LCHIP confirmation, we have in total 50% between the LCHIP grant, other grants, and donations & then we can start proceeding with the work. Most of the work is expected to happen next year.

TA Recommendation: To establish an OTH Restoration Committee that would be chartered by the B.O.S. to lead the funding efforts, prepare and conduct RFPs for the work to be performed, and eventually supervise/control repairs completion. It would be an advisory committee that would come at specific checkpoints back to the Board for agreement or reconsideration.

The Chairman calls for a discussion on the Old Town Hall recommendation from the Town Administrator.

MOTION: On a motion by Vice-Chairman Baiocchetti and seconded by Selectman Wilson it was voted to charter an advisory committee to look into the Old Town Hall restoration project and to establish a charter to be presented to the Board of Selectmen. (3-0)

- **2020 Town Warrant results**

The Operating Budget passes in the March election, which includes two new positions in the Highway Dept., however, one of those positions include responsibilities that are not currently under the Road Agents job description, nor under the description of his duties under the RSA.

No outcome was determined at this time.

Elderly Tax exemption impact –

TA- I have some preliminary numbers but because the deadline to apply is April 15th, we will have more definite numbers in after that time frame. However, if you take the people that already had the tax

exemption, we have already double the dollar impact, the revenue side for the town. We went from approximately \$27,000 to \$52,000.00. We are currently the highest elderly exemption in the state, we were number two before the vote. The administration will have a better idea of the overall impact after the April 15th deadline.

Outside Agency Request-

TA-This was the first year where all the outside agency funding request was placed outside of the operating budget, thankfully they were all voted through, including the Rocky Pond milfoil treatment. There was a lot of anxiety because of the new process, we are past that and it makes it more transparent for the taxpayers, to know where they are putting the money and for what. In the future, we can provide more information through the agencies to come in and explain what they have spent the funding on.

- **DTC 2020 Legal Services Proposal**

Overview of current legal counsel:

- ❖ DTC is current Town Counsel
- ❖ DTC was selected in 2018 as a result of the Town Legal Services RFP
- ❖ Lowest bidder out of 4 bidders
- ❖ DTC's proposal under the RFP had 2 compensation options: 1/ retainer option (set at \$33,000 for 2018, then to be revisited), 2/ hourly fee at \$150/hr. for a partner, fixed for 2018 and 2019 with a 10% increase for 2020.
- ❖ Town decided in 2019 to go with the hourly rate

DTC recently submitted a proposal for 2020 legal services with two (2) options:

- Retainer set at \$69,000 based on 2019 billing, the Town Administrator believes this is too high because it took into account the time spent on the operational assessment which will not be needed for this year.
- Hourly fee set at current \$150/hr., and go to \$165/hr. starting October 2020, much in line with the initial 2018 proposal.

The legal budget line is budgeted at \$220,000., includes legal services for the Town, we are currently in six ongoing litigations, but the budget also includes the possible settlements for the PSNH and FairPoint lawsuits, which should be wrapping up shortly.

Further discussion about last year's cost which included the time spent on the operational improvement plan, which wouldn't be the case this year. At this point, the Town Administrator works with Chief Currier and legal receives updated on the progress but legal doesn't spend time on this at this point.

Additionally, trials are not typically included in the retainer and the trial for the PD will be handled by Drummond Woodsum, not DTC.

TA-Recommendations to the Board would be to go ahead with a \$45,000 retainer basis for 2020.

The outcome of discussion:

MOTION: On a motion by Chairman Warren and seconded by Selectman Wilson it was voted to accept the DTC 2020 proposed legal services for \$45,000.00. (3-0)

Select Board Items:

Chairman Warren- The voters passed the road assessment, what is the time frame for that?

TA- I have to contact LRPC, I had discussed it with them before the election and they were starting to budget and plan for the support staff to conduct the work. They are aware that it was presented, they

are aware that both the Budget Committee and the Board of Selectmen were recommending the articles.

So, I will let them know that it's a go and we can start proceeding. I will reach out to the Road Agent given that he has just lost his foreman to see if there is a timing issue on his part but the assessment will need to be done in good weather, so we don't want to waste too much time on getting started.

Chairman Warren- The second item, I would like to officially welcome Vinnie Baiocchi to the Selectboard.

Action items:

- The approval of the new salaries to be effective 04/01/2020 (including the 1.6% COLA and Merit Increases as previously recommended/concurred with by the Board)

TA-These salaries are based on employee evaluations and recommendations from various department heads. If you don't have comments and questions this can be done in public session, if you want to make comments then it will have to go into a non-public session for discussion.

Vice-Chairman Baiocchi- Why are we going with April 1st, instead of the traditional start of the year (Jan.1st) and the start of the budget.

TA- This is the new pay scale policy; the old date was cumbersome because of retroactive pay and give COLA and merit increases when they were approved by the voters back to Jan. 1st. We have essentially shifted the year from April 1st to March 31st.

Further discussion on this year's budget being budgeted for 13 weeks at the old budget and 40 weeks at the new budget because there are 53 weeks this year, so there are no excess monies in the budget.

The employee review timeframe of Aug/Sept but employees do not get their raises for almost six months after the process. The pay scale policy was presented to the Dept. Heads in July/Aug. last year and is not a surprise. Items the Town Administrator would like to see in the future are the dates the evaluations are done and the pay scale to be adjusted to fewer steps with larger increases.

Future action items that can be done:

- The analysis of salaries can be done inhouse.
- Moving the evaluation date towards the end of the year so that the raise makes more of an impact.

The public comment does not include comments from social media at this time, only from the public who is physically present during the meeting.

Opened public input at 7:04 p.m.

Michael Bedford- The idea of community engagement is important and social media gives the ability to be engaged. Encourages moving forward with this capability in the future, he is an executive in technology and can help with the set-up and donate his time to the cause.

Closed Public Input at 7:08 p.m.

- **COVID-19 Discussion**

Chief Hempel- Fire Dept. and Chief Currier- Police Dept. are present for the discussion

To date, the Town has had basic communication on the Town website regarding the COVID-19 pandemic, presently there are zero cases in the community.

In light of the latest developments, it is the recommendation we enter into a new phase and start adopting proactive measures.

Chief Hempel- As of 4 o'clock tonight there are 17 cases of COVID -19 in New Hampshire, of these 17 individuals, 10 are from Rockingham County, 5 from Grafton County, 1 from Carroll County, and 1 from

Hillsborough County. Sixteen of these cases have either been travel related to domestic or international locations. We are following recommendations and do our best to protect the community.

- It is a serious situation but there is no reason to panic, being proactive in a controlled manner.
- The biggest risk is to our healthcare system if it were to get overrun.
- Personal risk of contracting it in small communities is still limited.
- We are providing precautionary measures and recommendations through the Fire Dept. Facebook page to keep the public informed.
- The 211-information hotline can be used for COVID-19 questions dedicated to this issue.
- There may be changes to the way the Town approaches services for the health of our community and apologies in advance for any inconvenience.

- We are recommending to adopt proactive measures such as the ones recently adopted by the Town of Londonderry.

- A meeting has been set up for Tuesday, March 17 with Department Heads of Emergency Services (Police, Fire, Highway) and Transfer Station because of frequent public contact exposure to discuss preparedness and release the information to the public.

No further outcome was decided by the Board at this time.

The Chairman asks the Town Administrator to give a brief description for the public to explain reasons for the non-public session as the Board will be moving into one for personnel reasons.

TA- Per statutory requirements, there are a number of instances where discussions need to happen in a non-public set-up. The outcome of those discussions, on the other hand, doesn't necessarily remain private and is decided on a case by case basis. The minutes of those discussions can be unsealed when there is no reason to maintain the privacy of the discussion.

Typical examples of non-public discussion are;

- Ongoing litigation
- Impact on a person's reputation
- Personnel Matters
- Hiring

Vice-Chairman Baiocchetti questions the need for the non-public for hiring a call fireman if it is coming forward with a recommendation from the Dept. Head and he has done his due diligence, why do we need to see any of his stuff, it insults the Dept. Head. We are paying him good money to be our department head and to tell us what is right for his department.

Further discussion about the Board of Selectmen's hiring authority and the ability to ask questions before hiring anyone as an employee and the understanding that the department heads come forward with a recommendation to hire not the ability to hire.

The Town Administrator warns that the conversation is touching on current litigation and the hiring process through the Police Dept. and reminds the Board that the Town is not waiving any of its rights as it pertains to that legal process.

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

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

Hiring- FD

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

MOTION: On a motion, by Vice-Chairman Baiocchi and seconded Selectman Wilson it was voted to hire Mr. Adam Rague as a call fireman for the Fire Department. (3-0)

(2) Non-Public Session per RSA 91-A:3, II (a)

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

Personnel-PD

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

MOTION: On a motion by Vice-Chairman Baiocchi and seconded by Chairman Warren it was voted to retain Officer Guidry as a Part-time Police Officer. (3-0)

Health Officer position- Chief Hempel requested \$3,000.00 be added to his pay for the additional duties of the Health Officer.

MOTION: On a motion by Chairman Warren and seconded by Vice-Chairman Baiocchi it was voted to appoint Chief Hempel as the Health Officer and to add \$3,000.00 to his salary. (3-0)
Payment to commence as of April 1st.

Chief Hempel states that the Board will have to decide a host of procedures/decisions that have to be made in regards to building closures and proactive steps in the near future in reaction to COVID-19.

TA- A meeting can be held; we would just have to notice the public 24 hours in advance.

ATA- To make the Board aware, the physical welfare/general assistance appointments have been closed, weekly appointments will be held via telephone.

Wages as approved in the operating budget and pay scale adjusted by the 1.6% COLA-

Vice-Chairman Baiocchi- Suggests that we give everyone a 3.1% increase

Further discussion about the process of employee evaluations, merit increase, goals and objectives, the standard of a merit increase.

MOTION: On a motion by Chairman Warren and Vice-Chairman Baiocchi it was voted to approve the wages and salaries for 2020 effective April 1st, 2020. (2-0)

Selectman Wilson does not have the document that is up for approval in front of him and doesn't want to vote based on the lack of documentation.

A brief discussion on the payment amount for the Health Officer position, the possibility of changing the payroll from weekly to bi-weekly payments, the current situation in the Highway Dept., the Building Inspector role, and advertisement for the vacant position.

Adjournment: On a Motion by Vice-Chairman Baiocchi and seconded by Chairman Warren it was voted unanimously to adjourn at 10:19 p.m. (3-0).

Respectfully Submitted,


Heather Carpenter

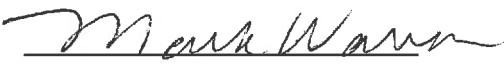
Assistant Town Administrator

Amendments; Line 5, 7, 288, 285- Vice Chairman Wilson changed to Selectman Wilson

Line 311 typo

Line 330 typo

340 **Approved by the Board of Selectmen**

341
342 

343 Chairman Mark E. Warren

344
345 

346 Vice-Chairman Michael J. Wilson

347
348 

349 Selectman Vincent A. Baiocchetti

350 {Audio recordings are available at the Selectmen's Office and for free as a link on the Town website
351 through SoundCloud}