



APPROVED AS AMENDED ON 08-27-18

Board of Selectmen Town of Gilmanton, New Hampshire

6 Meeting
7 August 13, 2018
8 **Approximately 6:11-pm.** Gilmanton Academy
9

10 **Present:** Chairman Stephen McWhinnie, Selectman Michael Wilson, Selectman Marshall
11 Bishop, and Assistant Town Administrator-Heather Carpenter
12 Also present please see attached sign in sheet.

13 **Board Meeting-approximately 6: 11p.m.**

14 Chairman McWhinnie opened the meeting, took attendance of those present and voting
15 (Chairman McWhinnie, Selectman Wilson and Selectman Bishop) and led the Pledge of
16 Allegiance.

17 The Chairman reads the public participation policy and proceeds to open public comment.

18 **Public Comment open at approximately 6:12p.m.**

19 *The following people participated in public comment and the following items were discussed.*

20 **Mrs. Sandi Guarino-**

- 21 • Mrs. Guarino does not want her address included in the minutes because she believes she
- 22 is being harassed.
- 23 • Right to know request on Bio-solids, issues on time frame, materials received and
- 24 discussions in non-public meetings.

25 Discussion and clarification from the Board and the Assistant Town Administrator on who
26 participated in fulfilling the Right to Know request, the information available, missing
27 information and the fact when a Right to Know request comes in, the person requesting the
28 information is not important but rather the content of the request is what is reviewed and fulfilled
29 if available.

30 **Mrs. Kristie Laurendeau-**

- 31 • Thank you for the great response from first responders and highway department during
- 32 the storm damage on Sawyer Lake.

34 **Mrs. Janice McWhinnie-**

35 Speaking on behalf of her family on the following issues; there are seven farms that use Bio-
36 solids and the only one being discussed at these meetings is the name associated with McWhinnie.
37 Registered a complaint with the Town and the first response stated she should go on the property
38 to take pictures.

39 Registered a second complaint in regards to the first complaint and she has not heard back.

41 Assistant Town Administrator will reach out to the departments to see where the complaint
42 stands.

43 **Mrs. Sandi Guarino-**

44 There is farm dump located on her land as well as the McWhinnie property. The dump is
45 located down from the water source and believes it would not be affecting the water source.

- 93 ○ Research & Information Clerk Job Description- *Review and approval needed-*
94 *Due to the restructure of the office and the combined Assessing/Planning*
95 *Administrator position, there has been a position created to accommodate the*
96 *gaps in the office that we have been experiencing. This position will be the point*
97 *of contact for all right to know requests, assist in the intake for Planning and*
98 *Conservation, create the Annual Report, help maintain website, files and other*
99 *electronic data.*

100 Board will review the job description and approval process is tabled until the
101 following meeting.

- 102
103 ○ Budget review- *Review of total budget some items discussed, more in-depth look*
104 *to follow.*

105 **01-4130-690-Miscellaneous** – Monies that were spent out of that line were to contract with MRI
106 for the hiring of a new Town Administrator, the line is over budget and this is the first of two
107 payments. *This payment was unexpected.*

108 August 13, 2018 was the closing date of the Town Administrator posting, the Board has not
109 heard from MRI and has instructed the Assistant Town Administrator to reach out.

110
111 **01-4611-650-Grounds keeping-** This line presents as an error, ask Finance about the amount.
112 Selectman Bishop asked if the Fire Chief had brought forward information on replacing the roof
113 at the Iron Works.

114 Discussion on the Iron Works Station, the church and Academy parking lot contract- the town
115 owned portion vs the church owned portion. The maintenance of the total parking lot area with
116 have to be addressed this budget season

117
118 Electricity budget lines will show an increase due to rate hike.

119
120 Budget Committee Secretary- Ad will need to be placed for the seasonal position, this position is
121 in the budget, payment will come out of line 01-4150-114. Asst. Town Administrator would like
122 to also reach out to a candidate that came in for an interview for the Assessing position. The
123 Select Board would like an ad placed and to see if the individual that interviewed for the
124 Assessing position would be interested.

125
126 Assistant Town Administrator brings to the Boards attention that Parks and Rec. budget will
127 need to be looked at more closely. Currently there is a staff member handling all intake and most
128 of the communications for each event, that Board is completely volunteer and you have a hired
129 Park Attendant. There have been approximately thirty (30) events that are scheduled to take
130 place during this seasonal time frame. The trend of use is picking up for residents and non-
131 residents, free venue vs a charged venue, and the thought process behind the liability if there is a
132 charge for an event the Board would like to discuss the issue during budget season with the
133 Chairman of the Parks n Rec Board.

- 134
135 ○ Draft Audit-Review and approval: *Melanson Heath has submitted a draft audit,*
136 *Finance is reviewing and requests Board accept this draft so they may continue*
137 *the process.*

138 Board will review and approval process is tabled until the following meeting.

- 139
140 ○ Front Steps-Time frame-

Chairman McWhinnie has spoken with the contractor and the project has been postponed until September 5th. The Board has directed Assistant Town Administrator to reach out to the next bid, based on price that had been received and check if they are still available incase more issues arise for the current contractor.

- Generator Update from Chairman McWhinnie- Discussion on placement, propane, concrete, electrical and time frame. Additional cost of \$800.00 for a breaker. Fencing will need to be placed, chain-link will need to be used for air movement around the unit, possibility of the driveway side can be pvc type fence and the other three side would be chain-link. Estimate for a concrete pad is between \$900.00 -\$1200.00 vs a concrete company pouring a pad.

New Business

➤ Academy Foundation-water issues-
Water coming in during the last two heavy rains, needs repairs. Water seems to becoming in from the mechanical room.
Selectman Wilson will reach out to the contractor that did the initial work with the drainage to discuss the issue.

- Clerk Counters/LCHIP-*Packet for LCHIP will need to be put together to include, sketch and pictures, and floor plan.*

MOTION: On a Motion by Chairman McWhinnie and seconded by Selectman Bishop it was voted to award the counter tops and *clerk* windows in the Town Hall for \$4,790.00 to J.R. Stockwell, contingent on LCHIP approval. (3-0 Voice Vote – Chairman McWhinnie-yes, Selectman Wilson -yes, Selectman Bishop – yes).

MOTION: On a Motion by Chairman McWhinnie and seconded by Selectman Bishop it was voted to award the project for removal of currant clerk counters and repurpose materials to J.R. Stockwell in the amount of \$500.00, contingent on LCHIP approval. (3-0Voice Vote – Chairman McWhinnie-yes, Selectman Wilson -yes, Selectman Bishop – yes).

- Interior water Damage- Ceiling of auditorium covered under insurance, pricing/quotes needed.
Discussion on the possibility of A/C roughed in during this clean and repair process of the auditorium ceiling. The Chairman will get a quote and also reach out to Prep. Roofing to see if a rubber sheet can be added to the quote that was received.

Moving forward if a quote is received and it meets the bid policy requirement, bid process will be triggered.

- Request to review Non-Public minutes under right to know
Board approved non-public minutes to be retrieved from the vault to be brought forward at the following meeting for review.

- Request to be placed on the next agenda-Chairman of the Planning Board & Vice Chair would like to be placed on the agenda for the meeting of August 20th, 2018 to discuss alternate members that are needed.

Board agrees to have the request granted and meet with the Chairman and Vice Chairman of the Planning Board at the following meeting.

- *Propane: Contingent on hearing from Eastern and Huckleberry Discussion on the possible tank ownership pricing, liability and overall pricing for propane. Waiting for Eastern to give us a call back on the price to purchase the tank and the reduced cost of the propane, last conversation with Eastern had the propane price was approximately \$1.66. (this price is not up to date) Huckleberry- \$1.79 per gallon, pricing doesn't appear to be going down. Price changes to \$1.55 per gallon if we owned the tanks. Check on total usage amount for the next meeting.*

Select Board Items

Attachments for minutes and public speech- When the public has prepared a statement to read to the Board it should be a requirement that it be given to the Board and attached to the minutes, if not it will only be listed as a topic and a brief description on the minutes. Statements prepared by members of the public are an opinion, it should be in their own words and does not reflect the opinion of the Board or of the Town.

Monthly Report- Town Administrator- The Board agrees that it would like to see a monthly report from the Town Administrator position once it is filled. The Assistant Town Administrator would like the Board to participate re-writing the job description for the Town Administrator position, and take a more balanced approach on the required duties for that job.

Press Release- Board consensus is to move forward with the press release to answer some questions about the current situation with the Police Department.

Chairman McWhinnie-

"There is so much going on in town that it would be impossible to talk about everything, but we will try to do the best that we can to keep the citizens up to date. The one topic on most peoples' minds is the law suits. First, we all need to be aware that we are the defendants in both of these cases. As far as the directives, we are not telling the police department what to do, they merely are asking them to tell us what they are doing. Surrounding towns already have what the BOS is asking for. If you look at the town of Gilford's board, that consists three board members like ourselves have job descriptions already laid out for them and one happens to be "adopt police policies" stating RSA 105 2 A as the authority to do so. We feel that this supports the Board's position.

Unfortunately, there has been friction between the Board and the police department from directives attempted in 2016. A number of issues have arisen in the last year or so, including disputes over the Gilmanton Police Department Facebook page, where the name was changed to the police association and the Board was told that now it's an association, we don't adhere to the towns policies. Despite the page going to the Town, the BOS still does not have the correct password and email that the account was set up on. This all happened while the BOS was attempting to work with the police department collaboratively prior to implementing the directives. Another issue that arose was over the use of comp time hours, which the BOS was not aware until late last year were being used in 2016 and 2017. The BOS had not supported the use of comp time hours and in reviewing Town policies, the wording was omitted from 2004 policy where it clearly stated " we do not acknowledge comp time" to not stating it in the revised 2012 policy. The BOS requested dates, times and reasoning to authorize this overtime, but has never received satisfactory information concerning the use of these hours.

Time cards have also been an extreme problem with zero accountability to them. This was one of the reasons for adopting the directives, as each one addresses concerns of the BOS. Gaps in police coverage are also a concern, such as the time when there was no coverage during a school day and the Town of Barnstead had to cover for the Town. It was the Board's understanding, after receiving a complaint from a citizen, that the Town's officers and chief were in the Town of Chichester doing details. This situation was in the middle of the day with school in session. The BOS later discovered that this was not an isolated occurrence.

Lastly is the door closures at the town hall. Let's start with this, there isn't an employee in the town hall that doesn't appreciate the idea of people being buzzed in. How many people are complaining about the doors and haven't gone and asked the employees how they feel about it. If you have then I commend you. To the people who still complain about the doors, please keep in mind that this is about ensuring the safety of the Town's employees. EVERY employee deserves to feel safe in their work environment and shame on the Board if it does not do something about it. People need to know that these people are not kicking posts because they and the BOS work for you. They are amazing people and are willing to do it all for you. Please treat them with respect. Working together is the only way that this is going to work. Please come to the meetings with positive and constructive criticism and the Board will listen.

Thank You"

Reports- recent storm and clean up-Sawyer Lake- The Board would like to receive reports from all departments involved, detailing the efforts of the most recent storm that affected Sawyer Lake, listing out circumstances that went well and areas that could be improved upon. Discussion of emergency management plan and when is that process triggered.

Utilization of town resources-

Selectman Bishop is concerned of what the Police Department is stating in reference to being undermanned and overworked, and if that is true than why are they still doing detail. Extra detail work away from the Town and it puts the town at risk.

The Chairman stated he is seeing the statements on social media, where it is being portrayed as life threatening. The issue as been stated to the Chairman, it's in emails and the social media posts are disgusting.

Discussion of when details are taking place during days off vs while on regular shift, the clarification of social media as it pertains to the association and not in the capacity of a staff member, how to protect your employees within the limitations that the Board is currently working with and if complaints are ignored, what then is the liability that the Town holds. Current positions that are filled at the Police Department vs how it has been staffed in the past, and the option of utilizing the part-time staff members.

MOTION: On a Motion by Selectman Bishop and seconded by Chairman McWhinnie it was voted to temporarily stop outside details, until such time the Police Department *feels they can continue with the current staff resources*. (2-1 Voice Vote – Chairman McWhinnie-yes, Selectman Wilson -no, Selectman Bishop – yes).

Assistant Town Administrator asked for clarification as to why Selectman Wilson voted no on the motion, with the full understanding of the statements made by the P.D. to staff members and the Board, the issue of staff rotation due to an unfilled position and the facts of why the position isn't being filled due to lack of information. Further discussion on total hours of coverage required by the Town and how the current staffing hours can cover that need successfully. The issue that Selectman Wilson believes is retaliatory vs the understanding of the other Board members and Administration that it is based in liability and concern for employees and dealing with those concerns within the limitations that have been placed on the Board.

Board members would like the call times from dispatch and mutual aid for both the Police Department and the Fire Department, the numbers reported by the P.D. in the Town Report from 2015, 2016 and 2017 for future discussion.

Selectman Bishop would like the record to reflect that he believes that the P.D. is doing a good job but when the rhetoric comes over that they are overworked and understaffed that bothers him.

❖ **Recess**-Chairman McWhinnie calls for a ten-minute recess, seconded by Selectmen Wilson (3-0).

❖ **Reconvene**- Chairman calls meeting back into session at 8:56 p.m. and seconded by Selectman Bishop.

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

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

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

MOTION: On a Motion by Chairman McWhinnie and seconded by Selectman Bishop it was voted unanimously to seal the minutes of Non-Public Session. (3-0 Voice Vote – Chairman McWhinnie-yes, Selectman Wilson -yes, and Selectman Bishop – yes).

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

MOTION: On a Motion by Chairman McWhinnie seconded by Selectman Bishop it was voted unanimously to go into Non-Public Session per RSA 91-A:3, II(1). (3-0 Voice Vote –Chairman McWhinnie– yes, Selectman Wilson-yes, and Selectman Bishop– yes).

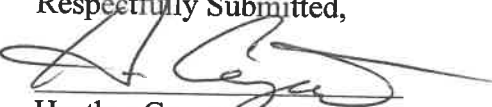
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MOTION: On a Motion by Chairman McWhinnie and seconded by Selectman Bishop it was voted unanimously to seal the minutes of Non-Public Session. (3-0 Voice Vote – Chairman McWhinnie-yes, Selectman Wilson -yes, and Selectman Bishop – yes).

The meeting room was opened to the public. The Board noted the Non-Public Session minutes were sealed.

Adjournment: On a Motion by Chairman McWhinnie and seconded by Selectman Bishop it was voted unanimously to adjourn at approximate 9:50 p.m. (3-0).

Respectfully Submitted,


Heather Carpenter
Assistant Town Administrator

Approved by the Board of Selectmen


Chairman Stephen P. McWhinnie

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Selectman Marshall E. Bishop

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Selectman Michael J. Wilson

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

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SoundCloud}



**SELECTMEN'S OFFICE
TOWN OF GILMANTON**

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ATTENDANCE SIGN-IN

PRINT NAME

SIGNATURE & DATE

August 13, 2018

JANICE McWHINNIE

Robert Carpenter

Sandra Guano

KRISTI LAURENDEAU

Janice M. McWhinnie
Robert Carpenter
Sandra Guano
Kristi Laurendeau

