



APPROVED ON 04-29-19

Board of Selectmen Town of Gilmanton, New Hampshire

5

6 Meeting

7 April 15, 2019

8 **Approximately- 6:00 pm.** – Gilmanton Academy

9

10 **Present:** Acting Chairman- Michael Wilson, Selectman Mark Warren, Town Administrator-
11 Patrick Bore` and Assistant Town Administrator-Heather Carpenter
12 Representatives from MRI-Alan Gould, Bruce MacDougall, and David Kurz, presenting the
13 Operational Assessment of the Police Dept. and Town Legal Counsel- Eric Maher from DTC.
14 Also present please see attached sign in sheet.

15

16 **Absent:** Chairman Marshall Bishop

17

18 **Approximatley-6:03 pm-** Acting Chairman Wilson opened the meeting, took attendance of
19 those present, voting Chairman Wilson and Selectman Warren led the Pledge of Allegiance.
20 Chairman Wilson opened the floor to Town Legal Counsel Eric Mayer.
21 DTC was hired for the issue with the Police Department, the Police Department Directives are
22 being handled by a different firm. MRI- was retained through DTC for the Operational
23 Assessment in order to assess high liability/risks and provide a road map to move forward as an
24 organization. A redacted public report has been presented to the public for review. MRI is
25 present to summarize, discuss, highlight their recommendations and take questions.

26

27 MRI Presentation-

28 ** Due to the length of the meeting and elongated Q & A session, please refer to the audio for*
29 *details of the questions and answer period. Attached to these minutes is a copy of the slide*
30 *show that was presented.*

31 Mr. Alan Gould President of Municipal Resource Inc. MRI has been in business for
32 approximately thirty years. We have done projects similar to this one from North Carolina to
33 the Canadian border, approximately a dozen assessments a year get done through the office.
34 MRI sees assessments as a positive road map to the future. Mr. Gould has been with the
35 company for ten years.

36 Bruce Mac Dougall- Retired Chief of Police and has been with the company 16 yrs.

37 David Kurz- Current Chief in Durham NH and has been with the company 15 yrs.

38

39 **Public Input: -**

40 *Public input was a question and answer period to discuss the Operational Assessment report*
41 *presented by MRI. Topics are listed under members of the public who posed questions to the*
42 *Board/MRI/Town legal counsel and Administration. For specific details of the questions and*
43 *answers refer to the audio version on the Town website.*

44 Mr. Joe Haas-

- 45 ○ Citizen complaints
- 46 Mr. Bob Burton-
- 47 ○ Slide show on the website
- 48 ○ Laptop software
- 49 ○ Visibility of lights on the police cruisers
- 50 ○ Directives vs the report
- 51 Mrs. Terry Donovan-
- 52 ○ Schedules
- 53 ○ Background checks/Hiring
- 54 ○ Full staff needed to fulfill the recommendation on the report
- 55
- 56 Mr. Don Guarino-
- 57 ○ Departments ability to use credit cards
- 58 ○ Laptops
- 59 ○ Lack of cell service
- 60 ○ Read excerpts from Laconia Daily Sun
- 61
- 62 Mr. Julian Guidry
- 63 ○ Background checks/concerns of private information getting out to the public
- 64
- 65 Mr. Mark Sisti-
- 66 ○ What are the top three items that are most important that need to be fulfilled within
- 67 report?
- 68
- 69 Mr. Stephen McWhinnie-
- 70 ○ Have the background checks been done appropriately?
- 71 ○ Did the Police Dept. fully cooperate during the process of the assessment?
- 72
- 73 Mrs. Sandi Guarino-
- 74 ○ Were you (DTC) hired for the directives?
- 75 ○ Why was the report made public?
- 76
- 77 Mr. Adam Mini-
- 78 ○ Has MRI been hired prior to this process?
- 79
- 80 Mr. Don Guarino-
- 81 ○ Blank page in background check
- 82
- 83 Mrs. Zannah Richards-
- 84 ○ Would like to know the plan for the future in regards to the information contained
- 85 within the report.
- 86
- 87 Selectman Warren-We have had one meeting with Chief Currier to go through the report and
- 88 the idea is how do we collectively work together, there is a sense of partnership; there are
- 89 some sticking points that we need to unstick. We are looking at the report as a road map with

the understanding that it could take time on some of the items resolved, starting with the highest priority items. From the Boards perspective there is a willingness to work with the Chief in order to bring us all to a better place with our policies and the oversight of those policies.

Chairman Wilson- Doesn't think we have a bad Police Department, there are areas in any department that there is room for improvement. This was not to slam the Police Department in any way, this was a review of what the department does and receive recommendations to help the department become a great organization.

Mr. Jake Dezell-

- Was this report done on just the current PD or prior did it include information prior to Chief Currier?

Mr. Pete Pickney-

- Divided Town
- Caustic local town community pages
- Misinformation going around in the community
- Professional report presented by MRI
- Topics not covered in the report and what is the plan to address those items.

Ms. Laura Kelley-

- Policy and procedure on reporting/recording emotional abuse in police reports and procedures for child wellness checks by the local police.

Closed Public Input approximately an hour & forty-four minutes into the meeting

Approval of Minutes:

**Minutes were not addressed in this meeting.*

04-01-19, 03-25-19, 03-11-19 am/pm meetings, and 03-08-19

Old Business:

Road Agreement – Cell Tower on Howard Rd. Map/Lot 414-009; request presented from Mr. Kevin Fadden from Industrial Tower & Wireless, LLC. The Board of Selectman had been presented this request in 2018 but it needed to go receive Planning Board approval first.

- Industrial Tower and Wireless, LLC will be upgrading the road at a cost of approximately \$50,000.00.
- Approximately 900 ft of road will be a part of the agreement
- It has been approved by Planning Board and Road Agent
- Board of Selectmen approval needed and received

Mr. Fadden requested a scanned fully signed copy of the completed road agreement be sent to him.

The Board of Selectmen made no official motion for this agreement but both members of the Board present provided the document with each of their signatures. A future motion will be made for the agreement.

General Public Input opened at approximately 7:57 p.m.

Mrs. Barbara Swanson-

- Bio-solids

Mr. Don Guarino-

- Town Clerk hours

Mrs. Zannah Richards-

- Is it customary to have legal counsel at a regular Selectmen's meeting?
- How many lawsuits does the Town have currently?

Mr. Bob Burton-

- Dropping the lawsuit with Police Department
- Merit increases/ \$5,282.00 taken out of the Police Department Budget

Mr. Adam Mini-

- Feels the Sgt. should get his merit increase

Mr. Joe Haas-

- Request to be placed on the agenda to discuss the cost of taxation for the school
- He would like a work session with the BOS to discuss RSA 76:11- A:3
- Agrees with constitutional merit of taxation but the question is, how it's being done.

Assistant Town Administrator recommends the Board take a ten-minute recess to gain control over the meeting from unruly audience member.

8:21 p.m.-Chairman Wilson calls for a ten-minute recess, second by Selectman Warren.

8:32 p.m.- Chairman calls meeting to reconvene, seconded by Selectman Warren.

Mr. Jake Dezell-

- Has the past Chairman given back Town property; scanner and cell phone?

Mrs. Sandi Guarino-

- Bio-solids/Health Hazard
- Planning Board appointments

Town Administrator- The town has a position that has been made about the issue of the Planning Board; we have multiple legal opinions about it and if you don't agree with it, you should seek your own legal counsel on the matter.

Ms. Diane Currier-

- Bridge easements and owning an abutting property

Close general public input at approximately 8:39 p.m.**Consent Agenda:**

MOTION: On a motion by Chairman Wilson and seconded by Selectman Warren it was voted to open the consent agenda. (2-0)

Town Administrator discussed the issue of mud season, road clean-up and complaints received

- Albert Morse III P.O.: \$1,375

- B-Boys P.O.: \$, 1,559
- Release of Funds to Corner Public Library Board of Trustees: \$6,000 +\$500
- 2019 Wage Schedule-*Item tabled until the following meeting*
- Bridge project related easements
- Re-appointments (HDC Chair, Alternate Library Trustees)
Historic District Commission Re-Appointment- Chairman Ernie Hudziec, 3-year term.
Alternate Library Trustee- Re-appointment Sue Christie and 1st time appointment -
Barbara Swanson, each appointment is a 1-year term
- Parks & Rec. events
 - Quad League Coed Softball- 5/5/19, 05/19/19, 06/02/19, 06/09/19, 06/16/19, 06/23/19, 07/21/19, and 07/28/19
 - Tina Potter- Cookout- *Approve pending Police approval of a detail*
 - Tracey Hansen- Baby Shower- 06-08-19- *Park not open until the end of June but public can access*
 - Patricia Donahue- Family Reunion- 07-13-19
 - Forsyth/Rollins Family Reunion- 07-20-19
 - French/Cook Wedding – 8-17-19- Approval from PD received
 - Joe Downing Labor Day Fair-08-31-19- Approve *pending insurance certificate*

Board discussion on administrative guidelines, Parks and Recreation policy, and input from the Towns insurance carrier. Administration will gather information to get baseline guidelines/ policy for the parks. Future discussion will be had based on the issue of the GYO greenspace.
MOTION: On a motion by Chairman Wilson and seconded by Selectman Warren it was voted to approve the consent agenda as amended. (2-0)

New Business:

RSA 72:23 Taxation of use of public ROW- This is an issue as a possible loophole for utility companies if the current ordinance is not amended.

MOTION: On a motion by Selectman Warren and seconded by Chairman Wilson it was voted to allow Administration to proceed with the process as recommended by DTC for RSA 72:23 (2-0)

NHDES Beach Program- This is a program to additionally test the local swimming water, it is voluntary this year but will be mandatory next year. The cost normally is \$270.00, the new cost will be \$540.00. This item has not been budgeted for in the Parks and Rec budget.

MOTION: On a motion by Chairman Wilson and seconded by Selectman Warren it was voted approve \$540.00 to be used for seasonal water testing through the NH DES Beach program. (2-0)

Select Board Items:

Chairman Wilson-

- Roof at the Academy Building
- Maintenance at the Old Town Hall

Discussion of the assessment of the Old Town Hall was approved for in the budget, broken windows and the best way to protect the building from water infiltration.

Selectman Warren will take a look at the Old Town Hall to look at the issue of a broken window and take measurements of the window.

The Town Administrator will go with Selectman Warren to take a tour of the Old Town Hall.

Town Administrator is hearing excitement from the Planning Board with a constructive approach, and plans for the future, which is exciting because that is what the Town should participate in, constructive plans to move us ahead.

Non-public

(1) Non-Public Session per RSA 91-A:3, II (e) & (l)

MOTION: On a Motion by Chairman Wilson, and seconded by Selectman Warren it was voted unanimously to go into Non-Public Session per RSA 91-A:3, II (e) and (l). (2-0 Voice Vote – Selectman Wilson-yes and Selectman Warren-yes).

Consideration or negotiation of pending claims or litigation...

MOTION: On a Motion by Chairman Wilson, and seconded by Selectman Warren it was voted to come out of Non-Public Session. (2-0 Voice Vote – Selectman Wilson-yes and Selectman Warren-yes).

MOTION: On a Motion by Chairman Wilson, and seconded by Selectman Warren it was voted to seal the minutes of Non-Public Session. (2-0 Voice Vote – Selectman Wilson -yes, Selectman Warren-yes).

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

MOTION: On a Motion by Chairman Wilson, and seconded by Selectman Warren it was voted unanimously to go into Non-Public Session per RSA 91-A:3, II (c). (2-0 Voice Vote – Chairman Wilson-yes and Selectman Warren-yes).

Reputation

MOTION: On a Motion by Chairman Wilson, and seconded by Selectman Warren it was voted to come out of Non-Public Session. (2-0 Voice Vote – Selectman Wilson-yes and Selectman Warren-yes).

MOTION: On a Motion by Chairman Wilson, and seconded by Selectman Warren it was voted to seal the minutes of Non-Public Session. (2-0 Voice Vote – Chairman Wilson -yes, Selectman Warren-yes).

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

MOTION: On a Motion by Chairman Wilson, and seconded by Selectman Warren it was voted unanimously to go into Non-Public Session per RSA 91-A:3, II (c). (2-0 Voice Vote – Chairman Wilson-yes and Selectman Warren-yes).

Reputation

MOTION: On a Motion by Chairman Wilson, and seconded by Selectman Warren it was voted to come out of Non-Public Session. (2-0 Voice Vote – Chairman Wilson-yes and Selectman Warren-yes).

MOTION: On a Motion by Chairman Wilson, and seconded by Selectman Warren it was voted to seal the minutes of Non-Public Session. (2-0 Voice Vote – Chairman Wilson -yes, and Selectman Warren-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 Wilson and seconded by Selectman Warren it was voted unanimously to adjourn at 10:30 p.m. (2-0).

Respectfully Submitted,


Heather Carpenter

Assistant Town Administrator

Approved by the Board of Selectmen

Absent

Chairman Marshall E. Bishop


Acting Chairman Michael J. Wilson
Selectman Mark E. Warren

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



SELECTMEN'S OFFICE TOWN OF GILMANTON

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ATTENDANCE SIGN-IN

PRINT NAME

SIGNATURE & DATE

Bob Burton

Bob Burton 04-15-19

Barbara Swanson

Barbara Swanson

Leanne C. Swanson

Leanne C. Swanson

Jane McWhinnie

Jane McWhinnie

Adam Mui

Adam Mui

JULIAN GUIDRY

Julian Guidry

TERRI DONOVAN

Terri Donovan

BILL DONOVAN

Bill Donovan

MAEK SISTI

Maek Sisti

Joseph Haas @ Hattamill.com

Joe Haas

Diane Currier

Diane Currier 4/15

Jane Sisti

Jane Sisti

Zannah Richards

Zannah Richards

Steve Macer Hinner

Steve Macer Hinner

Sandi Guano

Sandi Guano

Don Guano

Don Guano

Brett Currier

Brett Currier

Katie Wilson

Katie Wilson

NP