



DRAFT

Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

September 2, 2020

Open Public Meeting

Meeting was open to public attendance in the auditorium of the Academy Building. Meeting was also conducted on FreeConferenceCall.com and live Streamed on the Town Facebook page.

Present: Chairman Mark Warren, Vice-Chairman Vincent Baiocchi, Selectman Collins and Town Administrator Boré (Gilmanton Academy building – Auditorium).

Present in the audience was Assistant Town Administrator Carpenter.

Call to Order – 4:01 p.m. Chairman Warren

Chairman Warren led the Pledge of Allegiance.

Chairman Warren opens the meeting which, he states, is in response to a Non-Public Meeting the Board held on August 26, 2020 with Chief Currier. He reads a letter he wrote to the public (See attached copy of the letter) and asks the letter be kept on record.

Chairman Warren asks Vice-Chairman Baiocchi and Selectman Collins if they have anything to add or any comments to make.

Vice-Chairman Baiocchi has nothing to add, nor has Selectman Collins

Town Administrator Boré thanks Chairman Warren for his letter and thanks the Board for giving him the opportunity to comment on the decisions taken by the Board on August 26.

Town Administrator Boré states that over the almost two he has been in his position, he and his team have spent countless time and efforts to try to resolve the issues the Town has had with the Gilmanton Police Department. He honestly believes things have gotten better and that he and the Chief have worked well together to get to a better place. Things can still improve.

Town Administrator Boré indicates that he does not intend to talk about the ongoing litigation. He just wants to state that although he understands the Board's trying to put the litigation past us, he does not align with the way the Board went at it this past Wednesday and in particular does not understand why the "rush" all the sudden.

His main concern is that by keeping him out of the discussions that led to these decisions, the Board has essentially put him out of any solution to resolve the situation. And he is not sure today how he can be brought back into it.

Town Administrator Boré mentions he wrote a letter to the Board on Monday expressing his concerns about what the Board's decisions mean for him and his position. That is his ultimate problem at this point. He was hired end of October 2018. He was offered an employment contract

in 2019, which had a clear definition of his role as Town Administrator. The Administrative Code, which was adopted by the Board in June 2019, intended to clarify and officialize how the Department heads, Town Administrator, Board of Selectmen and other boards and committees were supposed to work together. Besides the fact that he does know how a town can repeal a policy before another policy is put in place, he is clearly concerned about what this means in terms of the redrafting of the document and what it means for his status and position as Town Administrator. Town Administrator Boré ends with stating that this was the purpose of his letter and it has nothing to do with the litigation.

Selectman Collins asks what he meant when he said he does not see how he can be brought back in it. Town Administrator Boré responds that the Board's decision to repeal the Administrative Code, without his presence, very directly affects his job. He is not sure how he can work that way. Vice-Chairman Baiocchi asks how it is affecting his job, other than as Head of the Department Heads.

Town Administrator Boré states that the Administrative Code describes how he and Department Heads are supposed to work together. It has now been repealed.

Vice-Chairman Baiocchi asks if he understands that is the Board's job: the Board gets to make the decisions, not the Town Administrator. "We are the bosses, we make the decisions". We talk to Department Heads, we get their input and we incorporate them in our decisions.

Town Administrator Boré understands that but argues that he was not offered a chance to provide his input in these decisions made by the Board on August 26, which again directly affects his job. How good is it for the T.A. to now offer an opinion since everything was already decided. That is not how he is used to operate in a managerial/executive position. You have at least a chance to emit your opinion and then you go ahead with the decision.

Vice-Chairman Baiocchi states they all agreed the PD Directives had to go. The Administrative Code as a stand-alone document was repealed but some parts of it will be incorporated in the Personnel Policy. So, how is it that Town Administrator Boré claims the Board got rid of anything.

Town Administrator Boré states that he has to be careful of what he can share in public because of the ongoing litigation: he has an issue with timing for repealing the directives. He asks what the big deal is with having a separate document for the Administrative Code.

Vice-Chairman Baiocchi talks about the Personnel Policy, Administrative Code, the Fire Department and Police Department respective Orders.

Town Administrator Boré states that the Town policies will always supersede any departmental SOPs etc... So, he does not see an issue with the existence of these documents.

Vice-Chairman Baiocchi mentions the Personnel Policy is still in place, the only thing that is missing is the Administrative Code. We are going to take some of the things in the Administrative Code and work them into the Personnel Policy.

Selectman Collins asks what the Town Administrator was operating under before the Administrative Code was adopted.

Town Administrator Boré confirms the Personnel Policy was the major document the Town was operating and that the Board in 2019 thought there was need for the Administrative Code to describe how Department Heads and the Town Administrator should work together. The document was drafted by Town Counsel and was adopted by the then current Board.

Chairman Warren states he was part of the decision to bring the Administrative Code to play and he likes it because it helps us go across all departments, not pinpointing on one department or another. He also likes the idea of the Head of the Department Heads. Whether you want to say it or not, there needs to be somebody to be the conduit or the responsible one to communicate and gather information who needs to be brought up to the Board. He spoke with a Town Administrator

with 12 years of experience in an effectively-run town and that is how they operate. Chairman Warren is going to be a strong advocate for that and his intent was not to take it away, but to look at improvements and updates in light of COVID-19. In essence, he believes what is in there is good and he sees the merit for it. Towns that run effectively and do not have a high turnover as this town is notoriously famous for operate similarly as described in the Administrative Code.

Going back to Selectman Collins previous question, Town Administrator Boré states that he did not ask for the Code, the Board asked him to work with Town Counsel to draft it and then unanimously adopted it.

Selectman Collins states that he thinks there are some good things in the document and is more after the multiplicity of documents. Town Administrator Boré asks if it is as simple then as making the code an appendix to the Personnel Policy. Selectman Collins thinks that is not the solution.

Town Administrator Boré states that is exactly why he is concerned because the intent seems to be more than reducing the number of documents and he is not sure if he will even be asked to participate in the redrafting.

Chairman Warren personally gets how Town Administrator Boré feels for not having been part of the discussions leading to decisions directly affecting him and he personally apologizes for that. From his standpoint, it does not mean the Board and T.A. have to agree but it is important that the T.A.'s voice be heard before a decision is made. As one who has been placed in a position of responsibility by the Board, to not allow him to give his opinion, whether his opinion is taken or not, is not honoring for the position the Board placed him in.

Chairman Warren asks Vice-Chairman Baiocchi and Selectman Collins if they have anything else to share and, as they do not, states that, from his standpoint, we need to learn from that.

Town Administrator Boré makes two final statements: he hopes the Town did not shoot itself in the foot by jumping the gun in taking these decisions on August 26, the second point being that this has nothing to do with Town Manager versus Town Administrator as social media will try to depict it. He never asked for a Town Manager position, nor wants it, nor believes it would necessarily be the best way to resolve the continuity/turnover issue, he is just trying to protect what he was hired for. Residents should ask themselves why we have had 4-5 T.A.s in just as many years. It costs taxpayers money, and hinders on continuity of operations.

Town Administrator Boré thanks the Board for this opportunity to express his concerns.

Town Administrator Boré asks the Board to agree to a date for the next regular BOS Meeting. The Board agrees to meet on Friday, September 11 at 4:00 PM.

Town Administrator Boré reports to the Board that a new Seasonal Park Attendant was hired today for the rest of the season based on authority given by the Board at their previous meeting.

Chairman Warren asks for an update on the budget process. Town Administrator Boré confirms budget worksheets will be communicated to Department Heads and other Budget Holders before end of the week as scheduled in the memo he sent out on August 13 for the 2021 process timeline and instructions. Town Administrator Boré also talks about how other towns/cities are addressing their budget process this year in light of COVID-19 uncertainty. Some have decided to ask Department Heads various versions of budget recommendations, kind of optimistic scenario, status quo and pessimistic scenario with requirements for x% reduction across the board. He states that the Town has sought to simplify and build flexibility in the timing of the budget cycle to allow for potential adjustments along the way depending on where things will stand with respect to COVID-19 later in the year.

Chairman Warren asks about revenues. Town Administrator Boré confirms estimated revenues were reported to DRA yesterday. Some assumptions had to be taken with respect to again what economic conditions will look like for the rest of the year. Altogether, revenues appear to be in good shape to-date and that will be addressed when the Board holds the public hearing on potential adjustments to appropriations voted in 2020.

Town Administrator Boré indicates that he will be able to share numbers with respect to the impact of the new rules for the elderly exemptions at the next Board meeting.

Short discussion about the Building Inspection Department following the still fairly recent appointment of the new Inspector. Assistant Town Administrator Carpenter, in the audience, confirms this is still a work-in-progress.

Adjourn – 4:49 p.m.

MOTION On a motion by Chairman Warren and seconded by Selectman Collins, it was voted unanimously to adjourn the Public Meeting (Chairman Warren – yes, Vice-Chairman Baiocchetti – yes, Selectman Collins – yes)

Respectfully Submitted,

Vice-Chairman Vincent A Baiocchetti
Recording Secretary

Approved by the Board of Selectmen

Chairman Mark E Warren

Vice-Chairman Vincent A Baiocchetti

Selectman Evan J Collins