



DRAFT

Revised as of  
9/4 - Line 164  
+ Attached  
letter from  
Chair.

## Board of Selectmen Town of Gilmanton, New Hampshire

1 Meeting

2 September 2, 2020

### 3 4 **Open Public Meeting**

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

7  
8 **Present:** Chairman Mark Warren, Vice-Chairman Vincent Baiocchi, Selectman Collins and  
9 Town Administrator Boré (Gilmanton Academy building – Auditorium).

10  
11 Present in the audience was Assistant Town Administrator Carpenter.

12  
13 Call to Order – 4:01 p.m. Chairman Warren

14  
15 Chairman Warren led the Pledge of Allegiance.

16  
17 Chairman Warren opens the meeting which, he states, is in response to a Non-Public Meeting the  
18 Board held on August 26, 2020 with Chief Currier. He reads a letter he wrote to the public (See  
19 attached copy of the letter) and asks the letter be kept on record.

20  
21 Chairman Warren asks Vice-Chairman Baiocchi and Selectman Collins if they have anything  
22 to add or any comments to make.

23  
24 Vice-Chairman Baiocchi has nothing to add, nor has Selectman Collins

25  
26 Town Administrator Boré thanks Chairman Warren for his letter and thanks the Board for giving  
27 him the opportunity to comment on the decisions taken by the Board on August 26.

28  
29 Town Administrator Boré states that over the almost two he has been in his position, he and his  
30 team have spent countless time and efforts to try to resolve the issues the Town has had with the  
31 Gilmanton Police Department. He honestly believes things have gotten better and that he and the  
32 Chief have worked well together to get to a better place. Things can still improve.

33  
34 Town Administrator Boré indicates that he does not intend to talk about the ongoing litigation. He  
35 just wants to state that although he understands the Board's trying to put the litigation past us, he  
36 does not align with the way the Board went at it this past Wednesday and in particular does not  
37 understand why the "rush" all the sudden.

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

41 Town Administrator Boré mentions he wrote a letter to the Board on Monday expressing his  
42 concerns about what the Board's decisions mean for him and his position. That is his ultimate  
43 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 Baiocchetti 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 Baiocchetti 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 Baiocchetti 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 Baiocchetti 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 Baiocchetti 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

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

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

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

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

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

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

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

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

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

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

130 Chairman Warren asks for an update on the budget process. Town Administrator Boré confirms  
131 budget worksheets will be communicated to Department Heads and other Budget Holders before  
132 end of the week as scheduled in the memo he sent out on August 13 for the 2021 process  
133 timeline and instructions. Town Administrator Boré also talks about how other towns/cities are  
134 addressing their budget process this year in light of COVID-19 uncertainty. Some have decided  
135 to ask Department Heads various versions of budget recommendations, kind of optimistic  
136 scenario, status quo and pessimistic scenario with requirements for x% reduction across the  
137 board. He states that the Town has sought to simplify and build flexibility in the timing of the  
138 budget cycle to allow for potential adjustments along the way depending on where things will  
139 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,

\_\_\_\_\_  
Town Administrator, Patrick Boré  
Recording Secretary

**Approved by the Board of Selectmen**

\_\_\_\_\_  
Chairman Mark E Warren

\_\_\_\_\_  
Vice-Chairman Vincent A Baiocchetti

\_\_\_\_\_  
Selectman Evan J Collins

September 2, 2020

On Wednesday, August 26, the BOS met for a non-public meeting under RSA 91 A:3, II (L) to discuss the current litigation between the Police Chief and the Town of Gilmanton.

Present at the meeting was, Selectman Biacceti, Selectman Collins, Chief Currier, and myself. The Town Administrator was asked not to be in attendance.

We have heard it said, there are always two sides to a fence. This statement is true, and it is true in this case as well. The problem with this analogy is it acknowledges there continues to be a fence, separating two views.

It has been my objective to remove fences and to allow this town to heal.

The non-public meeting that took on August 26, had four outcomes.

1. The Police Directive, which was instituted on January 1st, 2018, and was the catalyst for the lawsuit, was dropped.
2. The administrative code was repealed as a stand-alone document
3. Outside Police details were reinstated.
4. The Administrative Code would be worked into the personnel policy to create a single document.

I would like to give you some understanding of some of our decisions.

The board agreed to allow Gilmanton Police Officers to take outside details on their days off, based on the information that Chief Currier shared, where he expressed the lack of details is an obstacle to attracting quality officers to our town, which we are needing.

The Gilmanton Police Department has made some good headway to be fully staffed, and details do bring revenue to the town. Details have been added back to the department with the understanding the town's coverage will take priority and the detail will be only in towns contiguous with the town of Gilmanton.

Additionally, the creation of an administrative code, which went into effect in June 2019, was necessary to create a clear, effective framework for all departments to operate, while preventing any-one department feeling they are working off a different set of expectations.

I am now speaking for myself, as a one member of this Board.

I respected the request from the Police Chief to not to have the TA at our last two non-public meetings. I want to make sure there is no misunderstanding as to why the TA not being present at those meetings. These meetings were focused on how to move forward and the Chief



wanted the meeting to be without lawyers or any other voices. In my opinion, having the TA present in our meetings would have been an asset, but I understand the request. I want to speak to my experience in working with TA Patrick Bore. I have observed him always worked hard to help move this town forward with health and keeping the focus on good policy with open communication.

Patrick has been an advocate in working hard to build a team with all department heads and to create frameworks and systems to serve the residents of our town. I have come to respect him and see how he is working diligently to help our town move forward in a difficult season. He consults frequently with other towns and TAs to find best practices and makes recommendations to the board while keeping the people of our town as the main concern.

I value his work, his opinions, and he carries a very important role in helping us to continue working together, to support the people of Gilmanton. I am hoping he would be invited to future meetings to keep the communication open while leverages his strengths.

I believe it is important that we hear from him if he has anything he would like to share with the board, I would like to give him that opportunity because his voice is extremely important.

Before I invite TA Bore to speak, I want to address why I voted to remove the directives when we were potentially close to having a judge make a decision on this case. When a judge makes a decision there is a winner and a loser. This course of action has the potential to negatively affect the work that has already been done to build trusting relationships and may decay the communication and best practices that currently are in place, building trust, respect, and the co-operation that is needed to support this town.

I have seen how the Police Cheif has completed the tasks and remedial work to address the concerns in the MRI Report in a timely manner, and I have seen how he and TA Bore have been able to work together as a team. I am hopeful.

Moving forward, I believe the Administrative Code is a critical document. There may be a need for a few minor edits to better reflect the current environment, but the essence and the framework of the document, in my opinion, are solid and reflects the best practices of other well run towns.

It would be my recommendation that the work of combining the Administrative Code along with the Personnel Policy takes place, in conjunction with timelines and benchmarks for a full resolution of the current litigation. I would suggest including all department heads in this process to ensure we have a document that will best serve our employees who ultimately serve our town.

We still have work to be done, but I know this board is committed to working with our TA and Department heads to find pathways forward, keeping our focus on better serving the people of the town of Gilmanton.

Respectfully,

A handwritten signature in black ink that reads "Mark Warren". The signature is written in a cursive style with a large, stylized "M" and "W".

Mark Warren  
Chairman, Board of Selectman