

Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

10 December 14, 2015

6:00 pm. – Gilmanton Academy

Present: Chairman Rachel Frechette Hatch, Selectman Donald Guarino, Selectman Michael Jean, Town Administrator Paul Branscombe and Administrative Assistant Stephanie Fogg, Finance Officer Marie Mora. Also present, please see attached sign in sheet.

6:00 pm Chairman Hatch opened the meeting, took attendance of those present and voting (Selectman Jean, Chairman Hatch and Selectman Guarino) and led the Pledge of Allegiance.

Amendment to Agenda – Chairman Hatch asked for a motion to amend the Agenda and add Public Comment at the end of the meeting before going into Non-Public.

MOTION: On a Motion by Selectman Jean, and seconded by Selectman Guarino it was voted unanimously to amend the agenda by adding Public Comment. (3-0)

Health Trust – Darlene Simmons and Ashley Brigham to give proposal from Health Trust. Packets were handed out with information. Chairman Hatch said that the Town has been looking into insurance options because of the rise in cost of health insurance.

Proposal numbers were sent to Paul and given to the Selectmen. They have been in business for over 30 years providing insurance to public entities. They partner with several companies Anthem/ Blue Cross and Blue Shield and Delta for Delta Dental. Other partners are the Wellness Program and Slice of Life. We really try to give our members the resources to help them get healthier, make some changes if necessary and engage in preventative health measures. Each member can earn points and incentive money for following the program. 90% of the insurance rate comes from the claims that are made. Gilmanton would fall into a pool of under 50 employee companies, being in a pool shares the cost of the risk, Gilmanton is not singled out by Town because we have under 50 employees.

Chairman Hatch asked if there were trainings available to the employees on how to use the programs. Ashley is the wellness advisor and Candace Shaefer is the benefits advisor and they would be available for trainings. They can talk to you about how the plan works, when you go to the emergency room, when you go to urgent care, they can explain how you would use it. They often do demonstrations with the website just to navigate how to use the smart shopper, one life health and how to earn your points and your incentives.

- 1 Selectman Guarino had a concern about if the benefit costs go to a certain limit, how is it for
- 2 instance that you are trying to control the cost so it doesn't get to the point where the employee
- 3 or the employer would have to pay that tax? Ashley said are you referring to the Cadillac Tax?
- 4 That will take effect January 1, 2018. It is a 40% tax on any benefit that exceeds the thresh hold
- 5 set, \$10,200 for a single, for a couple or family it is \$27,500. So progressing forward to 2018
- 6 you would have to calculate that tax for the thresh hold. You are adding the premium, employee
- 7 and employer share, not matter how it is paid as well as a deductible arrangement, that would be
- 8 added back into that number. They are looking for basically anything that is tax sheltered. Any
- 9 amount above the \$10,200 or the \$27,500 would be taxed at 40%. Any plan that costs less than
- 10 \$740/month will not incur that tax, that is taking into account the possibility of an average of
- 6.5% increase each year. Anything above that amount will incur that tax in 2018. Selectman 11
- 12 Guarino asked if it is the employer's responsibility to pay that 40% tax? It has not been
- 13 determined how the tax will be paid at this time, in recent notices it does say that the employers
- 14 do have to calculate the tax. It will come back to the employer in one way or another. They are
- 15 expecting proposed regulations in early 2016 from the Government with the affordable care act,
- 16 all of those programs have to be paid for, and this is how the Government will generate the funds
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 - for that. People say it may go away but we don't know that for certain.

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Approval of Minutes –

- MOTION: On a Motion by Selectman Guarino, and seconded by Selectman Jean it was voted unanimously to approve the minutes of November 30, 2015 as amended. (3-0 Voice Vote –
- Chairman Hatch-yes, Selectman Guarino-yes, Selectman Jean-yes).

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MOTION: On a Motion by Selectman Jean, and seconded by Selectman Guarino it was voted unanimously to approve the minutes of December 1, 2015 as written. (3-0 Voice Vote – Chairman Hatch-yes, Selectman Guarino-yes, Selectman Jean—yes).

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Approval of Non-Public Session Minutes -

MOTION: On a Motion by Selectman Jean, and seconded by Selectman Guarino it was voted unanimously to unseal the Non-Public Session (A) minutes of November 16, 2015. (3-0 Voice Vote – Chairman Hatch-yes, Selectman Guarino-yes, Selectman Jean–yes).

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MOTION: On a Motion by Selectman Guarino, and seconded by Selectman Jean it was voted unanimously to keep the Non-Public Session(B) minutes of November 16, 2015 sealed. (3-0 Voice Vote – Chairman Hatch-yes, Selectman Guarino-yes, Selectman Jean–yes).

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MOTION: On a Motion by Selectman Guarino, and seconded by Selectman Jean it was voted unanimously to keep the Non-Public Session (A) minutes of November 30, 2015 sealed. (3-0 Voice Vote – Chairman Hatch-yes, Selectman Guarino-yes, Selectman Jean – yes).

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MOTION: On a Motion by Selectman Guarino, and seconded by Selectman Jean it was voted unanimously to keep sealed the Non-Public Session (B) minutes of November 30, 2015, until further notice from Town Counsel. (3-0 Voice Vote - Chairman Hatch-yes, Selectman Guarinoyes, Selectman Jean-yes).

- 46 **Tri-State Fire Protection** LLC – Chairman Hatch said we discussed this last week and we have 47 had subsequent correspondence from them. My recommendation was that our insurance
- 48 company meet with their insurance adjuster, and that one Board member, Paul Branscombe and

Marie Mora meet with them. I was not on the Board when this happened and I will defer to both of you. Selectman Guarino said this is completely driven by our insurance company. This should be completely handled by our insurance company. Our insurance company should set the meetings, bring the lawyers. Selectman Jean said we will have Paul Branscombe respond back to the insurance company.

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Reorganization of the Finance Department –

Paul had made mention of Brenda Paquette who worked here in the 80's, and Paul spoke with her about the possibility of re-employment with the Town. Perhaps setting a meeting with Brenda at 6:00 pm on Wednesday this week as we are meeting at 6:30 pm with our new Welfare Director. Selectman Guarino said what would her position be? Chairman Hatch deferred to Marie, who said she would be the Finance Director. Selectman Guarino said when he was looking at the job description for the Human Resource/Finance Director, who drew this up? Marie said Paul and I did. When the previous Board of Selectmen established this position, it was based on the individual that was going to be the Finance person who was going to do accounts payable and reconciliation, and then we shifted payroll to this position. At no time was it ever advertised as a Human Resource Officer. In the process of looking at this I asked Paul Branscombe to give me his job description and in Paul's job description, he is the human resource officer. The Town of Gilmanton's Human Resource Officer is the Town Administrator. When I think about changing the description of the job and expanding this to include Human Resources, include payroll, reconciliation and accounts payable, and looking at turning the initial job into two people; a bookkeeper and a finance person because one person cannot handle this any longer, I think it is actually shifting responsibility from the Town Administrator. When did we make the decision that our Finance Officer was to be the Human Resource Officer? I have no recollection of the Board of Selectmen making that decision that Marie should be the Human Resource Officer.

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Chairman Hatch said I expressed concern last week about tightening up Human Resources. If I could be assured that it was getting done properly, I would be fine with that, but there are things that are not getting done with HR in the Selectmen's Office. Chairman Hatch said I am open to who would be doing HR. Selectman Guarino stated that according to the actual Town Administrator's job description says "manages the employees benefits and insurance policies, maintains employees personnel files and records". Since we have taken a job and expanded it, I think we need to settle what it is that we are trying to do. I would like the Town Administrator to find out how much it would cost MVSB to do payroll. How much it would cost to have an outside group, ie. MRI to do reconciliation, and I want it to come back in line to where it actually was financially. Chairman Hatch said you are thinking about outsourcing it? Selectman Jean said that Marie said it would be better done in house. Chairman Hatch said I am open to possibilities at this point. Her biggest concern is the HR piece. Selectman Guarino said I think the HR piece needs to shift back to the Town Administrator. Marie has been telling us that she is overloaded, and you are concerned about HR not being done. I don't understand why it was shifted. Selectman Jean said I think it is the financial part that got shifted, if I'm not mistaken. Selectman Guarino said why don't we table this until we can speak with the Town Administrator.

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Selectman Jean said, this goes right along with what we have been talking about updating the job descriptions for everyone. Selectman Guarino said that the Selectmen should hold off meeting

- 1 the person for the finance position this Wednesday. Chairman Hatch said what will we do if
- 2 Marie leaves? Selectman Guarino said we will contact MRI as we have had to before.

- 4 Selectman Jean said we should check how other Town's handle these positions, in house or out
- 5 sourced. Selectman Guarino said that he agreed for accounting purposes, that the Town
- 6 Administrator should not be doing payroll. I think we need to do a little research. I am fine with
- 7 meeting with this person on Wednesday. I do not advocate advertising for this new person and
- 8 adding another employee. I think we can meet with this person to keep the process moving
- 9 forward. We are not going to place this individual in the job yet, would you like to meet with her
- still? Selectman Jean, said we do not have the job description yet, I think we have time.
- 11 Chairman Hatch said we will continue this until December 28, 2015.

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- 13 **Update on Application for TDS** Chairman Hatch said they will be here to present on
- 14 December 28, 2015.

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- 16 **Draft of the Warrant Articles** –
- 17 New Warrant Article -
- 18 Document Restoration submitted from Debra Cornett, Town Clerk for \$6,000.

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- 20 Petition Warrant Article Bio Solids –
- 21 Zoning Amendment regarding bio solids.

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Fire Command Vehicle - \$60,000, \$37,000 in non-capital fund and \$23,000 to be raised by taxation. The Selectmen agreed to hold on this article until Paul Branscombe could check with other surrounding towns about what they use as a Fire Command Vehicle.

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Forestry Vehicle - \$48,000 to put a Forestry Vehicle in the Corner Station. The Town currently has a forestry vehicle, Ford 1 Ton set up with Indian Pumps. It was mentioned that this equipment does not need to be duplicated. Chairman Hatch said that we currently have a forestry truck, she does not support bringing this forward.

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MOTION: On a Motion by Selectman Guarino and seconded by Chairman Hatch, it was voted not to bring forward the **Forestry Vehicle Warrant Article** to the Budget Committee at 6:58 pm. (2-0-1) Selectman Jean Abstained.

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MOTION: On a Motion by Selectman Guarino and seconded by Chairman Hatch, it was voted to support the **Lucas Device Equipment** and bring it forward to the Budget Committee at 7:00 pm. (2-0-1) Selectman Jean Abstained.

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MOTION: On a Motion by Selectman Guarino and seconded by Chairman Hatch, it was voted to support the **Self Contained Breathing Apparatus** and bring it forward to the Budget Committee at 7:10 pm. (2-0-1) Selectman Jean Abstained.

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Fire Department Radios – The Selectmen agreed to table this Warrant Article until further information is gathered regarding the total cost of the radios. Paul Branscombe to report back to the Selectmen.

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Patrol Car and Equipment for the Police Department – \$39,900 Police Cruiser

1 **MOTION:** On a Motion by Selectman Jean and seconded by Selectman Guarino, it was voted 2 to support the Patrol Cruiser and Equipment for the Police Department and bring it forward 3 to the Budget Committee. (3-0)

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- Highway \$175,000 6 Wheel Dump Truck
- **MOTION:** On a Motion by Selectman Jean and seconded by Selectman Guarino it was voted unanimously to support the purchase of a 6 Wheel Dump Truck, at \$175,000, money to be withdrawn from a previously established Equipment Fund for Highway and bring it forward to the Budget Committee. (3-0)

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Transfer Station – \$26,000 for a Compactor for the Transfer Station. Money to come from a previously established Recycle Equipment Capital Reserve Fund. The Selectmen agreed to table this Warrant Article until further research on rebuilding the current equipment is researched.

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- **Bridge Capital Reserve Fund** \$50,000
- 16 **MOTION:** On a Motion by Selectman Guarino and seconded by Chairman Hatch, it was voted 17 to support the **Bridge Capital Reserve Fund** at \$50,000 and bring it forward to the Budget

18 Committee at 7:00 pm. (3-0)

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- 20 **Generator** – \$12,000, A generator to run the lights, the circulators, boilers at the Academy 21 Building. Tabled until the Selectmen gather more information about the cost of the generator. 22
 - Paul Branscombe to find out the complete cost of the generator.

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- **Resolution Supporting the Right of Local Community Self-Government** Whereas this was not a Petition Warrant Article,
 - **MOTION:** On a Motion by Selectman Guarino and seconded by Selectmen Jean, it was voted not to support the Resolution Supporting the Right of Local Community Self-Government. (3-0)

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Petition Warrant Article Gilmanton Year Round Library - \$50,000 to fund the Gilmanton Year Round Library for 2016, this article shall be null and void if the Budget and the \$50,000 appropriation for the Gilmanton Year Round Library therein passes. The Selectmen agreed that none of them had seen the Petition to date, and there is still sometime before the Petition Warrant Articles are due.

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Milfoil – Chairman Hatch said that she had not seen a letter requesting the \$1,000 for milfoil to date.

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Joint Loss Management Committee - Chairman Hatch would like to set some time to tour the Transfer Station. For the record, a letter drafted by the GJLC, after touring the Transfer Station, consensus of the group was that the Board of Selectmen should make a tour of the facility in the near future. The JLC and the Board of Selectmen should make a plan to get this facility back to an organized and user friendly facility. The Selectmen agreed to meet at 5:30 pm on Wednesday December 16, 2015 at the Transfer Station.

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Adoption of a Fund Balance Policy – Selectman Guarino said the Selectmen should receive 46 more input from the Town Administrator on this before they vote. Tabled.

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Chairman Hatch asked for any further input from the Selectmen before she opened Public Input?

GYRL -

- 3 Selectman Guarino spoke about the joint meeting at the GYRL. Chairman Hatch said that
- 4 Selectman Guarino was invited. Selectman Jean said it was a posted Selectmen's meeting. If one
- 5 had attended the GYRL Joint Meeting you would have found out that we were in the process of
- 6 agreeing on a contract with the Gilmanton Year Round Library, instead of having the Warrant
- 7 Article, that is the way it was brought forward at the Budget Committee Meeting. Chairman
- 8 Hatch said she thought it was a memorandum of understanding. Selectman Guarino said
- 9 whether a memorandum of understanding or a contract, which I do not agree with the
- 10 memorandum because it is open ended. It says either party could end it within 30 days.
- Selectman Guarino said that he had asked for the minutes of the November 23, 2015 joint 11
- 12 meeting, and there is no mention of the Board of Selectmen, who represent the Town, making a
- 13 decision of bringing this memorandum of understanding forward to legal counsel. Since neither
- 14 one of you have mentioned to me that this was moving forward, I spoke with the Town
- 15 Administrator and he told me to speak with you, Rachel. In normal circumstances if we were
- 16 going to spend tax payer's dollars it would be spoken about. This is the third Selectmen's
- 17 meeting and I have not heard from anyone about this. Chairman Hatch said you were invited to
- 18 the meeting, there were members of the Budget Committee, the School Board and members of
- 19 the Gilmanton Year Round Library Board. Chairman Hatch said yes, she authorized Town
- 20 Counsel to review that. Chairman Hatch said she did not find it any different than when
- 21 Selectman Guarino phoned Attorney Jay Whitelaw for his opinion on another matter. Selectman
- 22 Guarino said the difference is, you just asked me not to do that anymore. Selectman Guarino
- 23 said I called the LGC.

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Selectman Guarino said is it your job to inform me as a team player about this, which is affecting the whole Town of Gilmanton.

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Chairman Hatch said we have had this argument over the Library for fifteen years, I've seen long term friendships break up over this.

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Chairman Hatch opened Public Input

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Gayle Ober from the Laconia Daily Sun – Could she see the minutes of the November 23, 2015? Chairman Hatch said she could submit a request to Stephanie Fogg for a copy. Those minutes were taken by the Gilmanton Year Round Library and should be available for public dissemination.

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- Brett Currier I was a Selectman for a while and it has always been the obligation for the Board of Selectmen to inform a Board member that was not at a meeting, the absent member would be informed about what happened at that meeting. It seems to me that Mr. Guarino should have been informed about what was said at that meeting. Chairman Hatch said he was notified of that meeting. Brett Currier said I meant that he was informed about what went on at the meeting. Is this contract that you are speaking about going to take the voter's right away? I know you two, Chairman Hatch and Selectman Jean are on the same page, I know Selectman Guarino is not.
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- 45 Are you two going to make a decision for this Town to fund the Library with a contract or
- 46 memorandum of understanding in perpetuity? Chairman Hatch said yes. Brett Currier said,
- 47 without the vote of the Gilmanton people? Chairman Hatch said they have to submit a Petition
- 48 Warrant Article this year to fund the Library. In the event that the Petition Warrant Article does

1 not pass, they would be funding the \$50,000 in the Budget. Brett Currier said forever. Chairman

Hatch said if we sign the memorandum. Brett Currier said that you two basically can take the

- 3 voter's right to vote on the Library Funding from now on, is that correct? Is that like
- 4 circumventing the vote of the people if you two do that? Chairman Hatch said I have seen over
- 5 the years that every year they do a petition warrant article it gets voted in for funding. Every
- 6 year I see an increase in the residents support for funding. I believe that the Library should be
- funded, yes I do. Brett Currier said so you are going to take the voice of the people. Chairman
- 8 Hatch said I am not taking anybody's voice away Brett. Brett Currier stated, you are, because it
- 9 was never in the budget before.

Chairman Hatch said you can petition that as a warrant article every year and every year it will be voted in. Brett Currier said then what is the problem? There is no problem Chairman Hatch said, that the concern was that the Library is on hold for three months each year, because they have to petition, and then once it is voted in we give them the money. If it is included in the budget than January 1, and it is automatically voted in, it is in the budget, and there is no gap.

Brett Currier said what would stop you from entering into any contract with any vendor or any one out there because you two, or three for that matter decide to go around the SB2 situation. If you enter a contract, you and I know, once it is in the SB2, like you did with the Town Administrator, it is binding all the way through. Chairman Hatch said it is.

Mike Mellette- Are the voters going to have any say whatsoever about any increase in taxes?

Chairman Hatch said for the record I have not always been for the Library, what has happened with me personally is that I have seen that the Library is not only a Library but it has become a community center. A place where people congregate, and I for one have become a proponent of it. I have decided to speak for it and come out and support it. I have taken hits, I will continue to take the hits, but I really believe in what the Year Round Library stands for in our Town. Having said this, I am also a huge proponent of our Corner Library and would support that funding for that as well.

Mike Millette - I am not for or against the Library, but for some reason I have a bad taste in my mouth how is was presented years ago that it was going to be privately funded. The Town may have to help with it. OK fine, but it seems like the Town is just going to take over the Library and we don't even own the building.

Chairman Hatch said she felt the same originally, as your Selectman she does not want to see the Town own or maintain the building. I am not opposed to helping them fund it, they fundraise themselves to the amount of \$24,000 to \$25,000 per year. This is about what is best for the residents in Town. I am an advocate for the GYRL and I believe it benefits the residents. I have seen the benefits of the Library.

Ralph Lavin – said he does not use the Library and he thinks the people that use the Library should support it more financially and personally I do not want to spend my money this way. I moved to this Town about 17 years ago and my taxes have gone up over \$6,000. Just a few dollars here and a few dollars there, people are getting tired of the taxes. I want to be able to vote on these issues.

- 1 Craig Gardener – I appreciate that you all consider each line item and really question what is
- 2 being spent. I am an advocate of the Library, I have given talks there and may give some more.
- 3 Greater than 50% of the voters support the Library. What I had a problem with is if the voters
- 4 vote against it this year, not to fund the \$50,000, the Library will get the \$50,000 anyway?
- 5 Chairman Hatch said yes. At that meeting with the Budget Committee a fairly large decision
- 6 was made, and I appreciate what you said Chairman Hatch regarding the "thorn in the side", but
- 7 I also believe it is good to talk things out and come to a consensus, rather than making a firm line
- 8 decision where the voters do not have a chance to talk about it. The way it is being done now,
- 9 might cause a knee jerk reaction.

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Chairman Hatch said I wish everyone would have been at this meeting again, I am not speaking for Selectman Jean. After 15 years of discord and friendships breaking up over this, to see members of the Budget Committee, members of the School Board, seeing all of us working together, and again I am going to liken it to Democrats and Republicans working together and I have never seen anything like that. For us to be able to come to some kind of an understanding

16 that the Library is a Community Center and it benefits all of the residents. We don't have to use 17

it if we don't want to. I am not going to shy away from my public acknowledgement that I

support the Gilmanton Year Round Library, I support it's partial funding year after year.

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Glen Lines – So you are entering into a contract with the Library and the Town to fund this, correct, around the voter. Chairman Hatch said \$50,000 a year. Mr. Lines said \$50,000 forever? Chairman Hatch said yes. Mr. Lines said you don't know that. Chairman Hatch said it was part of the conversation that we had. Mr. Lines said can you go to the Town as a vote? To vote to get it off your back. Chairman Hatch said why do you think I want if off my back? You don't think I want to own this? Mr. Lines said you want to own the deal, but you don't want the voter to have a say in this thing? Chairman Hatch said it is going to be part of the Budget. Mr. Lines said I have a big issue with that, especially when my taxes increased by a huge number this year.

28 Chairman Hatch said so did mine.

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Ralph Lavin – said I have been rude and I've been polite and played the game, and gotten no where with you folks with two petitions. Still nothing has been talked about, please tell me what I have to do to be heard. Selectman Jean said I thought the second petition you where going to bring back with more names on it. I haven't seen it come back. Why were the two petitions ignored?

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Brett Currier said that the Budget Committee wanted all of the Warrant Articles brought forward. It is a request only, it is the Selectmen's job to stop the Warrant Articles that should not go. That is one way to control taxes in this Town. I commend you for what you've done tonight.

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Mr. Millette – Who in the world would ever want to run for Selectmen, I've seen nothing but conflict.

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Glen Lines asked if Chairman Hatch would put the contract to a Warrant Article Vote? She said that was a good question? Selectman Jean said we are waiting for information back from Town Counsel regarding the contract. If Town Counsel says it needs to go before the voters, than it will go before the voters.

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Mr. Lines asked if they would consider putting the contract out as a Warrant Article to a vote?

1 Chairman Hatch said she would follow up on that.

- Brett Currier said forget about legal counsel, would you put it out as a Warrant Article?
- Selectman Jean said months ago he thought it should be put into the budget like the Iron Works
- 5 Library, it is a non-profit library not owned by the Town, yet it is in the budget every year. Brett
- 6 Currier said if \$50,000 was the magic number not to increase, I might even support it. If you put the language in not more than \$50,000, you might have a lot of supporters.

Mr. Lines said do the right thing.

Brett Currier final comment from me, I want to know if you are ever going to discuss the signatures that came forward to you to put Don Guarino back in as Chairman, it has not been discussed in an open meeting that I have seen.

Selectman Jean said we can address it on the December 28, 2015. Chairman Hatch agreed.

Ralph Lavin said I applaud you Selectman Jean for abstaining on those votes.

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

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

The meeting room was closed to the public. Present during the Non-Public Session were Chairman Hatch, Selectman Guarino, Selectman Jean, Administrative Assistant Stephanie Fogg, and Road Agent Paul Perkins.

The Selectmen discussed personnel at the Highway Department.

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

The meeting room was opened to the public. The Board noted the Non-Public Session minutes were sealed until a decision is made.

Highway – Selectman Guarino asked about sand bids for this year. Paul Perkins said he will approach that when the time comes, we are still in the 2015 bids.

RFQ's on Bridges – Chairman Hatch said she would like each Selectman to fill out paperwork and bring it back in for December 28, 2015, to make a decision.

Adjournment: On a Motion by Chairman Hatch and seconded by Selectman Jean it was voted unanimously to adjourn at 8:40 pm (3-0).

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December 14, 2015

Gilmanton Board of Selectmen