

MINUTES
SELECTMEN'S MEETING
MARCH 30, 2015

The Board of Selectmen met for their weekly meeting at 6:30 p. m. at the Campton Municipal Building. Present were Selectmen, Sharon Davis, Charles Cheney, Karl Kelly and Peter Laufenberg. Selectman Wheeler was not present due to being out of state. The Board signed the manifest and reviewed the bills. They signed 1 Report of Appropriations actually voted, 1 Intent to Excavate, 1 Warrant for Collection of Excavation Taxes, 2 Notices of Intent to Cut and 1 Building Permit.

A list of the members of the public who were present at this meeting is available at the Selectmen's Office.

At 6:45 p.m. Chair Davis called the meeting to order and read the revised agenda. Hannah Joyce, Town Clerk/Tax Collector inquired why she was not on the revised agenda. Chair Davis stated that she called Mrs. Joyce's office extension over the weekend leaving a clear message that the agenda had been revised because of an anticipated busy meeting and that she had been rescheduled for next Monday. Mrs. Joyce stated she never received the message and she explained that she absolutely needed to speak with the Board this evening. Chair Davis explained that the agenda is extensive this evening and she will see how much time is left at the end of the meeting. Chair Davis stated that Tax Agreements will not be discussed this evening as the new Town Attorney needs to review the tax document before the Selectmen meet with her on that issue. Chair Davis also mentioned, in line with her memo to all Department Heads, from now forward, all department heads are requested to provide the Selectmen with copies of written materials to be presented/discussed at the meeting the Friday before the meeting.

Chair Davis inquired if Kelly Bolger or Kevin McGuire were present at this meeting, as they were scheduled on the agenda for 6:45 p.m. and 7:00 p.m. respectively. Both individuals were not present so Chair Davis inquired if there was anyone in attendance among the group of members of the public who would be the spoke's person. Brian Morrison responded by stating that he is respectfully submitting a Petition that has been circulated pertaining to Robert Bain, Road Agent, requesting removal of him from his position as Road Agent for the Town. Chair Davis then stated that the Board was aware that the Petition was coming forward so it is not a surprise. Pursuant to legal advice by the Town's attorney, Chair Davis read the following:

“We know people are upset and the Selectmen understand that things have been said and written that have caused concerns.

“As to the petition for removal, the Selectmen are limited in their ability to respond by RSA 231:65, which reads, in part:

‘If any highway agent shall intentionally or deliberately refuse or neglect to comply with lawful instructions of the selectmen, or shall intentionally or deliberately refuse or neglect to carry out the duties prescribed by law for highway agents after written request by the selectmen, the selectmen may remove such agent from office.’

“It should also be noted that under RSA 98-E:1, Freedom of Expression, reads in part: ‘A person employed as a public employee in any capacity shall have a full right to publicly discuss and give opinions as an individual on all matters concerning any government entity and its policies.’

“Certainly, the Selectmen take very seriously the diverse views of the current situation and will be considering what action they may and should take in the matter and will respond as publicly as we are able in accordance with the privacy rights and requirements of the right-to-know law and other NH statutes.

“In the meantime, the Selectmen suggest that all those involved consider how their statements and actions affect the public interest that is the hallmark by which the town should be acting.

“While the Town cannot control or prohibit speech by public employees or the public, the Town will be considering looking at adopting a policy on public comments.”

Chair Davis further explained that legal counsel has advised that the Board cannot take any action because there have been no violations. Chair Davis encouraged everyone involved, in the best interest of the Town, to move forward and work together.

Some members of the public still expressed their dissatisfaction as they felt the posting was threatening and some expressed that they felt the Board was “sweeping it under the rug”. Other members of the public inquired if anything can be done. Chair Davis expressed that the posting was done in very poor taste, but did not constitute a threat. It was a mistake and now it is time to move on and support our Town employees. Chair Davis informed the public that any decisions pertaining to this issue will be made in Non Public and the results cannot be revealed to the public as it is a personnel matter. At this point, Chair Davis expressed that the Board has to move on with the agenda of the meeting.

At 6:55 p.m. Chair Davis called on Kelly Bolger to give an update on the Emergency Operation Center (EOC). Mr. Bolger informed the Board that all the equipment is installed and training session will be scheduled when May Brosseau returns from vacation.

Mr. Bolger also informed the Board that he has been in contact with the Red Cross and the Red Cross can provide a truck on the site which will supply ready to eat meals and cots to support the EOC. There would be no cost to the Town and the Red Cross would

maintain the supplies (being checked once a week), and all the Town has to do is provide the place to park the vehicle. Otherwise, the Town would have to go to Littleton or Conway to acquire supplies. When asked where Mr. Bolger had in mind to park this vehicle, and he replied that the very back corner (right hand side of the Municipal Building) would be a sufficient area to park the vehicle. After discussion by the Board, the Board concurred to park the Red Cross vehicle at the Municipal Building.

Mr. Bolger inquired about appointing a Deputy Emergency Management Director and he felt in doing so it would be in the best interest of the Town. He explained that Ron Reynolds has been very instrumental volunteering his services for GIS projects in the Selectmen's Office and he is very knowledgeable in the field of technology and he has expressed an interest in becoming the Deputy Emergency Management Director. Mr. Bolger expressed that the position is strictly on a volunteer basis and Mr. Reynolds is aware of this fact. Mr. Bolger asked the Board to appoint Mr. Reynolds. The Board inquired if there were any other interested parties. Mr. Bolger confirmed there were none. After discussion, the Board agreed to post the position and Chair Davis recommended it be advertised as a 100% volunteer position and the candidate will need to have extensive technical and GIS skills.

Mr. Bolger also informed the Board that the Emergency Operation Manual has been completed. Mr. Bolger stated that he hasn't had time to review the entire manual; however, he noted there were maps (created by the Forestry Service) indicating the path of flooding in the event the Campton Dam breached. Mr. Bolger expressed concern (along with the Forestry Service) of the possibility of the dam breaching. Selectman Cheney mentioned work that had been done on the dam and he would be interested in inviting the Forestry Service to speak with the Board with their thoughts and concerns. Mr. Bolger expressed the need for communication with Waterville Valley if they have to release water. Selectman Cheney indicated that he has a CD of a report from the State regarding the Corcoran Dam and Mr. Bolger expressed an interest in seeing the CD. The Board thanked Mr. Bolger for coming to present his update and concerns.

At 7:07 p.m. Chair Davis called on Kevin McGuire, Campton/Thornton Transfer Station Manager regarding Transfer Station equipment. Mr. McGuire informed the Board that the backhoe presently being used is 25 years old and he has been looking for a couple of months to get some prices for its replacement. Selectman Cheney inquired if the backhoe was mentioned during the budgeting process. It was confirmed that it had been. Ann Marie indicated that Campton's Capital Reserve Fund has \$130,000.00 in it and Mr. McGuire stated Thornton has \$29,000.00 set aside. Given these figures and each Town's percentage rate of the budget, \$84,000.00 would be the maximum amount to pay. Mr. McGuire expressed that he did not believe the cost would be that much with the trade in of the old backhoe.

Mr. McGuire informed the Board that he has a new, larger dumpster which saves on hauling fees as he doesn't have to haul as often. He only has to haul once a week now and the hauling fee is \$370.00 per haul. Selectman Laufenberg inquired about the paving

project. Mr. McGuire stated it is not a dead issue at this point and he is still working on it.

Ann Marie informed the Board that Mr. McGuire is picking up the cardboard from the Municipal Building and this saves room in the dumpster at the Municipal Building and can be recycled. The Board then thanked Mr. McGuire for presenting his update.

Chair Davis then called on Selectman Cheney who made a Motion to go into Non Public Session under RSA 91-A: 3, II(c) regarding a personnel matter. The Motion was seconded by Selectman Laufenberg and with a roll call vote: Selectman Davis – aye, Selectman Kelly – aye, Selectman Laufenberg – aye and Selectman Cheney – aye, the Board went into Non Public Session at 7:15 p.m. The Board came out of Non Public Session at 7:30 p.m.

Chair Davis continued the public meeting and called on Selectman Laufenberg who made a Motion to seal the Non Public Minutes. The Motion was seconded by Selectman Cheney and with a roll call vote: Selectman Kelly – aye, Selectman Davis – aye, Selectman Laufenberg – aye, and Selectman Cheney – aye, the Non Public Minutes were sealed.

Chair Davis then called on Hannah Joyce, Town Clerk/Tax Collector regarding her concerns on the budget cuts. Mrs. Joyce distributed to the Board some auctioneering service documents for the Board to review and she mentioned the service might save the Town some money. Mrs. Joyce also distributed to the Board and Ann Marie updates on individuals who presently have tax agreements.

On the matter of the budget, Mrs. Joyce informed the Board that she will fully comply with her obligations to the Town in her position as Town Clerk/Tax Collector; however she was never approached by the Board informing her of her cut in compensation in the amount of \$2,500.00. She learned of this cut by reading the Selectmen's Meeting Minutes. Selectman Laufenberg stated that on behalf of the board he wanted to apologize for not informing her of the change prior to her receiving the minutes. He further explained that with the changes made in the budget the same night that changes were made in officers of the Board for the coming year it got overlooked. Mrs. Joyce informed the Board that she had tightened her budget as much as she could and the Board agreed on her proposed salary (not hourly) during the budget process. Chair Davis informed Mrs. Joyce that it was recommended by Attorney Walter Mitchell to do the hourly rate rather than salary and he drafted a sample Warrant Article (Chair Davis read the Warrant Article this evening) which he recommended delaying until next year even though the Board wanted to go forward with a salaried position. Mrs. Joyce requested a copy of the drafted Warrant Article. Mrs. Joyce also inquired as to who recommended 100 hours of overtime compensation and Chair Davis informed her that the Town Administrator made the recommendation. Mrs. Joyce proceeded to give calculations on her used overtime hours and expressed that 100 hours was not sufficient based on what she has already used and the fact that she stated that she works an average of 3 hours of overtime a week. Chair Davis advised that the Board will be reviewing 1st quarter figures at its next

meeting and Mrs. Joyce is more than welcome to attend. Mrs. Joyce also inquired as to how the Board arrived at cutting her wages \$2,500.00. Ann Marie explained the hourly figure and the method used to estimate the 100 hours overtime. Chair Davis advised Mrs. Joyce that she could have gotten the information from Ann Marie during any work day at any time and she did not have to wait to attend a Selectmen's meeting. Mrs. Joyce reiterated that she will fully comply with her statutory obligations in her position, but her services offered will be affected the most.

There being no further business that was agreed upon to be discussed with Mrs. Joyce this evening, Chair Davis called for approval of the Minutes and Non Public Minutes of the March 23, 2015 meeting. After revisions were reviewed that were made by Chair Davis, Selectman Laufenberg made a Motion to approve the revised Minutes and to approve the Non Public Minutes as written. The Motion was seconded by Selectmen Cheney and the Minutes were unanimously approved as revised and the Non Public Minutes were unanimously approved as written.

Chair Davis then called on Ann Marie to review correspondence. Ann Marie indicated that the NH DOT sent a confirmation that the Blair Bridge project has been closed by the State and that the records should be kept for at least three years from the final voucher date of March 2, 2015.

Attorney Spector-Morgan sent a copy of Stipulation for Final Settlement regarding the Town of Campton v. Godard, et al. The final disbursement of funds in the amount of \$516.00 was agreed upon to be disbursed to the mortgage holder.

The NH Department of Administrative Services Surplus Distribution Section sent an Application regarding Federal Surplus Property and appointing a designated applicant. Ann Marie inquired if Selectman Kelly would be interested in being the designated applicant to view surplus properties for the Town for possible purchasing. Selectman Kelly agreed.

Attorney Daniel Crean sent a notice regarding a scheduled seminar pertaining to Right-to-Know Law in New Hampshire, on April 7, 2015, between 2:00 p.m. and 4:00 p.m., at NH Municipal Association Offices, 25 Triangle Park Drive, Concord. Deadline to register is March 31, 2015.

Fire Chief Defosses sent notice that a purchase order for the air packs will be completed soon and he wanted to give a heads up as it will be a sizeable amount and the amount will be due in 30 days.

Ann Marie indicated that in seeking propane and oil quotes, she discovered that the propane tanks at the Municipal Building are owned by AmeriGas.

Ann Marie indicated that Becket School applied for a Site Plan Review this week. Ann Marie also mentioned that Becket School requested an A-9 application for tax exemption purposes, but presently, the application has not been filed with the Selectmen's Office

There was no further correspondence so Chair Davis continued with Other Business – Selectmen’s Input. Chair Davis reminded the Board that last week Ann Marie distributed a Fixed Asset Policy for the Board to review before voting on this week. Chair Davis then made a Motion to approve the Fixed Asset Policy. The Motion was seconded by Selectman Laufenberg and with a roll call vote: Selectman Davis – aye, Selectman Kelly – aye, Selectman Laufenberg – aye, Selectman Cheney – aye, the Fixed Asset Policy was unanimously approved.

Selectman Laufenberg inquired if Chair Davis was going to discuss the proposed summer meeting schedule of the Board. Chair Davis proposed that the bi-weekly schedule begin May 11, 2015. After a short discussion, Chair Davis made a Motion to start the summer schedule on May 11, 2015 and the Selectmen’s Meeting will continue every other week through Labor Day September 7, 2015. The Motion was seconded by Selectman Laufenberg, and with a roll call vote: Selectman Davis – aye, Selectman Kelly – aye, Selectman Laufenberg – aye, and Selectman Cheney – aye, the Motion was unanimously approved.

Chair Davis then called on Caron Pierce who inquired about the budget cuts. Chair Davis informed her that the cuts are explained in the Selectmen’s Minutes dated March 16, 2015 and the Minutes are on the Town website.

Chair Davis called on Police Chief Warn who informed the Board that Officer Tyler Daniel (a part-time officer) has given his notice to end his employment with the Town as he has obtained a full-time position elsewhere.

Chief Warn informed the Board that the Town has had 4 drug overdoses. There has been a recent heroin overdose. He stated the State is pushing a training policy to offer procedures to necessitate the administering of a narcan injection to counteract the heroin overdose to save lives. There will be no cost to the Town for the training.

Chair Davis called on Greg Jencks who suggested being careful when acquiring information on quotes for propane, all companies do not transfer their tanks without a fee involved.

There being no further business, Chair Davis declared the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Eleanor M. Dewey, Office Assistant to Ann Marie Foote, Town Administrator