

# Approved

## SANBORNTON BOARD OF SELECTMEN'S MINUTES

*January 4, 2017*

### Town Offices

The Board of Selectmen convened in regular session on Wednesday, January 4, 2017 at 5:00 p.m. at the Town Offices. In attendance were Selectman Karen Ober and Selectman Katy North. Town Administrator, Katie Ambrose was also present. Selectman John Olmstead was absent.

**1.0 Pledge of Allegiance** - Those in attendance recited the Pledge of Allegiance.

**2.0 Conservation Commission - Alternate Appointment** – Mark Ledgard was present. Selectman Ober made a motion to appoint Mark Ledgard to the Conservation Commission as an Alternate member effective today until June 30, 2017. Selectman North **seconded** the motion and the **motion passed unanimously**. Selectman Ober explained to Mr. Ledgard he could be reappointed after Town Meeting by the Board or TC/TC Davis. Selectman Ober swore-in Mr. Ledgard.

**3.0 Public Comment** - TC/TC Davis informed the Board she will be out of the office for a few days starting next Wednesday for personal reasons, but there is adequate coverage and if she is needed she can be reached on her cell phone.

### **4.0 Business**

**4.1 Officer Matthew Terry - Extension of Annual Leave** - Chief Hankard explained that Officer Terry accrued his annual leave in November, which has made it hard for him to use by the end of the year. Chief Hankard requested that 23 hours of Officer Terry's annual leave be carried over. Selectman North made a **motion** to authorize 23 hours of Officer Terry's annual leave be carried over until February. Selectman Ober **seconded** the motion and the **motion passed unanimously**.

**4.2 Monthly Expenditure Report** - The BOS and TA Ambrose reviewed.

**4.3 Town Report - BOS Report** - TA Ambrose was asked to draft the Selectmen's report.

### **5.0 Other Business**

**5.1 Town Report Cover** - Selectman Ober stated she would work on getting permission to use some of the art contest winners' pictures from the parents of those children.

**5.2 Holden Engineering** - TA Ambrose reported that she received an email stating Holden would cover the rental cost of the Bobcat with the auger, in the amount of \$500 dollars.

**5.2 WRBP** - TA Ambrose stated she attended the WRBP's last meeting to present the Board's questions regarding the governance structure RFP. The WRBP Advisory Board decided to send an email out with some starting questions & communities can add their questions to it, but she is still waiting for that email. TA Ambrose noted the Advisory Board agreed the biggest factor in the study will be the cost. TA Ambrose provided the BOS with a proposal being made by the WRBP to the Legislature, to amend RSA

485-A:51. The BOS reviewed with no comment.

**5.3 Job Description reviews** - Selectman North stated she will be meeting with PB Chair Evelyn Auger and TA Ambrose before next Wednesday to finish the Town Planner's job description. Selectman North stated the Board has not taken any action on the description and have only read the first sentence, which doesn't make any sense because one person cannot be hired and fired by two separate entities. Selectman North explained the sentence was taken out but put back in by the Planning Board (PB). Selectman North stated the PB Chair is under the impression that the Selectmen have no authority over the PB and the Planner reports directly to the PB. Selectman North referred to minutes from 6/15/06 when the PB decided that Planner Ward was a fit for the position but no motion was made then on 6/21/06 at the very next Selectmen's meeting Andrew Livernois reported back to the Board, "that the part-time Town Planner has been interviewed and it has been unanimously agreed upon by the PB and it expected that the part-time Town Planner will be brought before the BOS, if the candidate is to be hired for something other than as Consultant". Selectman North explained that she has read through ten years worth of minutes and cannot find anywhere that the position has been appointed to be more than what it is. Selectman North stated the position has been a contract position and she cannot find where it got changed up to an employee, she cannot find it anywhere. The BOS reviewed the 2003 job advertisement, which asked for professional assistance to the Planning Board & other Land Use Boards at four (4) hours weekly and attendance at nightly meetings as needed. Selectman North stated the job description that the PB is offering is more elaborate than what the BOS are thinking. Selectman North stated what needs to be determined is who does that person report to, we are not trying to control the PB or take over every committee/commission in Town but what we do want is order, organization & compliance. Selectman Ober added and communication. Selectman North asked who does the Town Planner report to, was the original question. TA Ambrose referred to page #3 of an email from legal counsel. Selectman Ober explained the Department Heads used to report to the BOS monthly or more often as needed and the Town Planner was included in that schedule but that communication has broken down over the past few years. Selectman North recalled Bob Ward being asked to go out on a couple of zoning compliance calls and that is when the position became an employee. Chief Dexter questioned that those positions were always two separate people. Selectman North replied yes, always, part-time or contracted. Selectman Ober stated it bothers her a little bit that person is back-up, alternate, assistant or other things, which makes everything more confusing for the future. Selectman North explained the position was a Zoning Compliance Officer was never a Zoning Administrator, there was a ZBA Clerk/Secretary for 25 years and there was a PB Secretary for many years with a PB Clerk in the office when Bob first started. Selectman North stated there were more people doing the functions for less time and less money. TA Ambrose stated the determination by legal counsel is that the current practice due to the dual hat position the Town has now, is lawful and that the process continue where the BOS hire or dismiss the position with input from the PB. Selectman Ober stated when the Conservation Commission meets the Chair sets the agenda, you have a Secretary that takes notes or whatever and then the meeting happens, so if a consultant is needed then they would just bring that person in. Selectman Ober asked why doesn't the PB run the same way? Selectman North replied they always did, they always ran independently and if they need a consultant they ask for one but the person we now employ went to these meetings, offered these things

and tasked them with things that they don't know how to do, the only person who does is the one that brought them to the table. Selectman Ober stated there used to be two line items in the budget, one for Secretary and one for office support but those funds were not being utilized. AS Rollins explained that after the PB Clerk left, the tasks the previous Clerk had were not being delegated to her, so I recommended the line be cut by \$1K because the funds were not going to be used and it is documented in the PB's minutes. Selectman Ober stated the hours were running over budget, no one was watching them and it wasn't immediately brought to the Board but when it was brought to our attention, that's when we said you need to report to the Town Administrator because there were not enough hours in the budget. Selectman North asked AS Rollins when she resigned from the PB? AS Rollins replied 2 ½ to 3 years ago. Selectman North asked if it was before June 4, 2015 and AS Rollins replied she was already gone. Selectman North stated the money stayed in the line item because the Planner explained there would be a need for secretarial support and he would be checking with the Finance Officer to see what funds were available on July 1st, Dick Gardner made a motion to approve the use of the PB Secretary for the Economic Development minutes, if the funds were available which passed. Selectman North stated she (AS Rollins) was already gone and I was never called as back up, so the secretarial work was not being done by a Secretary and the BOS were being told not to cut the line. Selectman North explained having the clerk in the office and the secretary at the meetings, was a checks & balances things and the work was spread out but everyone knew what was going on and now all that work is being done by one person, there is no checks & balances. Selectman Ober asked why isn't the PB secretary typing those agendas and distributing them, etc. Selectman North asked if the BOS should write two job descriptions or one because she cannot find where the job was changed. Selectman Ober asked if the person were to leave, would we hire one person or two? Selectman North replied the correct answer would be four people and that's why the hours are going over. Selectman Ober stated then why don't we insist that those positions be used. Selectman North replied the job description she wrote was a skeletal draft and she asked three other Towns about the multi-hats and some of those recommendations were added for the PB's input. Selectman North stated she would be uncomfortable signing the job description the way it is and doesn't know where in anyone's mind it changed because it has not changed in her mind, that's four jobs minimally. TA Ambrose stated according to legal counsel the way things are working now is due to the dual hat position and if there were to be separation of the roles then the Town Planner would fall solely under the PB's authority subject to funding restrictions of Town Meeting (the purse). Selectman North noted her disagreement with the Attorney's comments because the RSA says "may" not "shall". Selectman Ober stated it is the same as when the PB asks permission to hire an Attorney because it comes from our operating budget. TA Ambrose stated the PB has been using Attorney Boldt. Selectman North replied they are supposed to be using a land use Attorney because Attorney Boldt represents the BOS because we are the overriding Board, then who represents us and she has a huge issue with that. Selectman Ober stated there have been two recent issues where Attorney Boldt was utilized and they should be asking permission to use those funds, Bernie Waugh was always used in the past. Chief Dexter stated from the standpoint of wearing the two hats it makes sense, like Fire Chief and Emergency Management Director but as for the secretaries, the Town would be paying less money than having the Town Planner do those functions. Selectman North replied correct and it frees up his time but the waters

have been muddled, it is five positions and she just wants some direction before moving forward. Selectman North stated it is not about control, it's about the flow of business and trying to make it work because that is how every other Town works, the Chain of Command is very important to know and follow, so you can work to fix it. Selectman North noted the Town Planner's job is not governed by statute. There was a brief discussion on what should be done for clerical work and what should be considered part of the Town Planner's work. Selectman Ober stated she feels it should be two job descriptions and we should wait for Chair Olmstead to be present. TA Ambrose replied based on the Attorney's interpretation of the statutes it appears that it could be under one description to continue to function the way it is or you could have the description say, the position is hired by the BOS and supervised by the BOS but the PB directs the planning responsibilities. Selectman North proposed sending the skeletal draft to Thornton because we have an entire Town to think about and this is holding up the wage classification study. Selectman Ober made a **motion** that we leave ZEO and Town Planner in draft form and send them to Thornton. Selectman North **seconded** the motion and the **motion passed unanimously**.

**5.4 Treasurer Re: FSB Direct Deposit** - Rescheduled for 1/18/17.

**5.5 Annual Audit** - TA Ambrose stated the Town's annual audit has been finalized with the management response included.

**5.6 Trustees of the Trust Funds Re: Compactor** - TA Ambrose informed the Board that the Trustees would like to discuss the compactor balance coming from the Town Buildings Improvement Capital Reserve Fund (CRF). Selectman North explained the purchase of the compactor would be improving the process and manpower at the Transfer Station by retrofitting the building with the compactor which will be under cover. Selectman North noted the compactor will also save the Transfer Station employee's time and save the Town money. TA Ambrose to provide the response to the Trustees of the Trust Funds.

## **6.0 Selectmen's Reports**

**6.1 Rest Areas for Emergency & Highway Personnel** - Selectman North discussed supplying temporary resting areas for the Town's emergency and highway personnel, so they can get rest during or after a storm because she feels it is unfair to the employees not have them, whether they are local or not. Chief Dexter replied he had looked at purchasing some padded cots that go into a bag after. Selectman North stated it is a safety issue and some of them have been sleeping in their trucks, which is dangerous. Selectman North noted they would not be getting paid while on rest but this issue needs to be addressed. Director Bordeau will be contacted.

**7.0 Authorize Payroll & the Accounts Payable Register** – The BOS reviewed & signed the payroll and the accounts payable registers, a copy was made available for public inspection.

**7.1 Quarterly 941 Form** - Selectman Ober made a **motion** to have the Selectmen's Clerk sign the quarterly 941 form. Selectman North **seconded** the motion and the **motion passed unanimously**.

## **8.0 Review & Approve Minutes**

**8.1 12/21/16 draft** - Members of the Board reviewed the draft meeting minutes of

December 21, 2016. Selectman Ober made a **motion** to accept the draft meeting minutes of December 21, 2016 with changes. Selectman North **seconded** the motion and the **motion passed unanimously**.

**9.0 Donations** - None at this time.

**10.0 ADJOURNMENT** – Selectman Ober made a **motion** to adjourn the meeting at 7:27 p.m. Selectman North **seconded** the motion and the **motion passed unanimously**.

**11.0 NEXT MEETING (S)** – The Board of Selectmen’s next scheduled meeting will be held on **Wednesday, January 11, 2017 @ 5:00 p.m.** at the **Town Offices**.

Respectfully submitted,  
April Rollins, Administrative Specialist  
*Approved 1/11/17*

*(These minutes are in draft form and are subject to review & approval at the next regularly scheduled Selectmen’s meeting)*