

# Approved

## SANBORNTON BOARD OF SELECTMEN'S MINUTES

*February 1, 2017*

### Town Offices

The Board of Selectmen convened in regular session on Wednesday, February 1, 2017 at 5:00 p.m. at the Town Offices. In attendance were Selectman Karen Ober, Selectman John Olmstead and Selectman Katy North. Town Administrator, Katie Ambrose was also present.

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

### **2.0 Public Comment**

**2.1 Declaration of Candidacy - March Town Meeting** - TC/TC Davis provided the Selectmen with an update on the current residents who have filed for Declaration of Candidacy. The Town Clerk's Office will be open on Friday until 5 p.m. to accept more.

**2.2 Chief Dexter Re: Newspapers Articles** - Chief Dexter explained he would like to clear the air because of some newspaper articles printed last week. Chief Dexter stated he was contacted via telephone by Gail Ober after a meeting the Fire Department Regionalization Study Committee had with Laconia and was misquoted. Chief Dexter added the statements in the committee's minutes are accurate. Selectman Ober replied due to past experiences, she only replies to the newspaper by email. Selectman North stated the second article had conflicting opinions from two of the committee members and comments should be coming from the Chairs of those boards, committees or commissions.

**3.0 Non-Public Sessions - Under RSA 91-A:3 II (c)** – Chair Olmstead made a **motion** to go into non-public session at 5:13 p.m. Selectman North seconded the motion. Roll call vote, Ober – aye, North– aye and Olmstead–aye. The Board reconvened the public session at 5:32 p.m. Chair Olmstead announced that a decision was made to allow Aaron Fleury to use up to 66 hours of sick leave. Selectman Ober made a **motion** to seal the minutes of the non-public session. Chair Olmstead **seconded** the motion and the **motion passed unanimously**.

### **4.0 Business**

**4.1 Fire Chief - Grant Purchases** - Chief Dexter requested permission to move forward with spending the approved emergency management grant funds to purchase an emergency management trailer, traffic control equipment and an emergency message board. Selectman North made a **motion** to authorize the Fire Chief to move forward with those purchases. Chair Olmstead **seconded** the motion and the **motion passed unanimously**.

**4.2 Police Chief** - Chief Hankard provided the Selectmen with an official letter of resignation from Officer Matthew Terry and a personnel action form (PAF). Chief Hankard stated he is hoping to keep Officer Terry on as a part-time patrolman and his last day will be Sunday. Chief Hankard provided the Selectmen with a PAF for Officer Thomas Reneau who is also resigning. Chief Hankard provided the Board with PAFs for

Officer Phillips and Officer DeCormier to move them up one place in the pay scale into the vacant spots. Chief Hankard noted that he did not use the pay matrix but the shift would work better for the current operating budget, both officers will be providing more coverage and be field training officers. All of the positions will fall into the pay matrix eventually. Chair Olmstead made a **motion** to regretfully accept Officer Terry's resignation. Selectman North **seconded** the motion and the **motion passed unanimously**. Selectman Ober made a **motion** to regretfully accept Officer Reneau's resignation. Chair Olmstead **seconded** the motion and the **motion passed unanimously**. Selectman North made a **motion** to approve the pay increase and change in status for Officer DeCormier. Chair Olmstead **seconded** the motion and the **motion passed unanimously**. Selectman Ober made a **motion** to approve the pay increase and change in status for Officer Phillips. Chair Olmstead **seconded** the motion and the **motion passed unanimously**. The Board reviewed a request dated 2/1/17 for reimbursements from the Special Detail Fund. Selectman North made a **motion** to approved the transfer of \$4,482 dollars into line #4210.629 for equipment, \$7,684.07 dollars into line #4902.100 for 2 WatchGuard in-car video systems and \$1,886.95 dollars into line #4210.684 for heavy body armor and helmets. Selectman Ober **seconded** the motion and the **motion passed unanimously**. Selectman North offered to be part of the oral hiring board for a new officer.

**4.3 Tim Lang - State Legislative update/review** - House Representative, Timothy Lang requested the Board bring to his attention any legislation that may be coming up that the Town may want him to vote for or against because 1800 bills are being proposed this year. The Board reviewed the last issue of the NHMA's Legislative Bulletin. Representative Lang informed the Board that there has discussion regarding the telephone pole tax and the distribution of the Meals & Rooms tax.

**4.4 Town Meeting Procedures** - Moderator Lang, TC/TC Davis and the Selectmen discussed speaking as an individual versus a member of a board, committee or commission, how information is provided during Town Meeting and the need for more voter check-in tables.

## **5.0 Other Business**

**5.1 Septic Permitting - Health Officer** - TA Ambrose explained the permission form that Health Officer Tobin wanted the Board to sign last week, is no longer needed. TA Ambrose noted the application will come to the Town first then it will be filed with the State.

**5.2 Town Warrant** - TA Ambrose provided the Board with a draft warrant for review. *Article 11: Establish an Expendable Trust Fund for Funds Raised by the Recreation Commission*, TA Ambrose explained that she spoke with Terry Knowles of the Charitable Trust Division, DRA and the Town's Attorney today regarding Article 11, Terry Knowles stated the funds are private donations and cannot be held in a Trust Fund because then a vote could be made to rescind and private funds cannot be mixed in with the general fund. TA Ambrose explained the funds would need to be transferred to the Trustees of the Trust Funds as a trust gift but there are still questions that need to be answered, what happens with the future funds, who has the authority over the funds and what kind of fund should it be? TA Ambrose stated she is waiting for the Attorney's opinion. Selectman North suggested finding the language from the Veteran's Memorial Trust Fund which may be the precedent and may be a tool for guidance. Selectman Ober made a **motion** to accept the 2017 Town Warrant as written with any changes to come

from DRA or the Attorney.

**Article 1 - Operating Budget** - Selectman Ober made a **motion** to recommend Article 1. Chair Olmstead **seconded** the motion and the **motion passed unanimously**.

**Article 2 - EMS Billing & Paramedic Intercept Fees** - Chair Olmstead made a **motion** to recommend Article 2. Selectman North **seconded** the motion and the **motion passed unanimously**.

**Article 3 - To Hire Two Full Time Firefighter/EMT's** - Selectman Ober made a **motion** to recommend Article 3. Chair Olmstead **seconded** the motion and the **motion passed unanimously**.

**Article 4 - Ambulance** - Selectman Ober made a **motion** to recommend Article 4. Chair Olmstead **seconded** the motion and the **motion passed unanimously**.

**Article 5 - Capital Outlay** - Chair Olmstead made a **motion** to recommend Article 5. Selectman North **seconded** the motion and the **motion passed unanimously**.

**Article 6 - Police Cruiser** - Selectman North made a **motion** to recommend Article 6. Selectman Ober **seconded** the motion and the **motion passed unanimously**.

**Article 7 - Transfers to Capital Reserve Funds** - Selectman Ober made a **motion** to recommend Article 7. Selectman North **seconded** the motion and the **motion passed unanimously**.

**Article 8 - DPW Truck Lease/Purchase** - Chair Olmstead made a **motion** to recommend Article 8. Selectman North **seconded** the motion and the **motion passed unanimously**.

**Article 9 - To Adopt the All Veteran's Tax Credit** - Selectman Ober made a **motion** to recommend Article 9. Chair Olmstead **seconded** the motion and the **motion passed unanimously**.

**Article 10 - Establish a Capital Reserve Fund for Road Evaluation & Repair** - Selectman North made a **motion** to recommend Article 10. Chair Olmstead **seconded** the motion and the **motion passed unanimously**.

**Article 11: Establish an Expendable Trust Fund for Funds Raised by the Recreation Commission** - Selectman Ober made a **motion** to recommend Article 11, pending legal opinion. Chair Olmstead **seconded** the motion and the **motion passed unanimously**.

**5.3 Leighton Estates** - TA Ambrose stated lot 62.1 only carries certain easement rights and lot 62 is owned by the Town, in case there is ever a sewer expansion. TA Ambrose added in order to receive a final determination, those involved would need to petition the Superior Court in action to "quiet" title because the Town has no authority to deed the property to Leighton Estates.

**5.4 Board of Selectmen Operational Guidelines & Handbook** - Selectman North offered some amendments for consideration. The Board will review the document this week and vote to adopt next week.

**5.5 Transfer Station Equipment Capital Reserve Fund (CRF)** - The Selectmen agreed to leave this CRF open with \$1.

**5.6 Transfer Station - Vacancy** - An advertisement will be posted on the Town's web-site, at the Town Offices, the post office and the NHMA's web-site.

**6.0 Non-Public Sessions - Under RSA 91-A:3 II (I)** – Chair Olmstead made a **motion** to go into non-public session at 7:28 p.m. Selectman Ober seconded the motion. Roll call vote, Ober – aye, North – aye and Olmstead–aye. The Board reconvened the public session at 8:18 p.m. Chair Olmstead made a **motion** to seal the minutes of the non-public session. Selectman Ober **seconded** the motion and the **motion passed unanimously**. Selectman

North made a **motion** to cancel the Public Hearing at this time for the petition to release paper streets from public servitude based on advice from legal counsel. Selectman Ober **seconded** the motion and the **motion passed unanimously**. Selectman North made a **motion** that all future communication go through legal counsel and the Board authorizes the Town's Attorney to reach out to the other party's legal counsel to discuss the Town's position on this matter. Selectman Ober **seconded** the motion and the **motion passed unanimously**.

**7.0 Selectmen's Reports** - Chair Olmstead updated the Board on the work of the Solid Waste Disposal Committee and Selectman North updated the Board on the work of the Budget Committee. The Public Hearing on the budget is scheduled for 2/7/17 at 7 p.m., with a snow date of 2/14/17. There was also a brief discussion regarding the H.L. Turner Building Study.

**8.0 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.

**9.0 Review & Approve Minutes**

**9.1 BOS 1/25/17 draft** - Members of the Board reviewed the draft meeting minutes of January 25, 2017. Selectman Ober made a **motion** to accept the draft meeting minutes of January 25, 2017 with changes. Selectman North **seconded** the motion and the **motion passed unanimously**.

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

**11.0 ADJOURNMENT** – Chair Olmstead made a **motion** to adjourn the meeting at 9:04 p.m. Selectman North **seconded** the motion and the **motion passed unanimously**.

**12.0 NEXT MEETING(S)** – The Board of Selectmen's next regularly scheduled meeting will be held on **Wednesday, February 8, 2017 @ 5:00 p.m.** at the **Town Offices**.

Respectfully submitted,  
April Rollins, Administrative Specialist

*(These minutes are in draft form and are subject to review & approval at the next regularly scheduled Selectmen's meeting. Meeting minutes are not official unless they are viewed on the Town's web-site [www.sanbortnonnh.org](http://www.sanbortnonnh.org) or are on file with the Town Clerk.)*