

# Approved

## SANBORNTON BOARD OF SELECTMEN'S MINUTES

*April 5, 2017*

### **Town Offices**

The Board of Selectmen convened in regular session on Wednesday, April 5, 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 Steve Ober Re: DPW Truck Replacement Schedule** - Mr. Ober explained that when he, Andrew Livernois and David Nickerson were Selectmen they created a program for the DPW trucks to be lease purchased due to the high maintenance costs and this year the Town has spent fourteen thousand dollars on repairs over the past few weeks. Selectman North replied the trucks went by the wayside and were dropped off of the CIP program. Mr. Ober noted each of the trucks is only good for up to five years because of how hard each one works. Mr. Ober suggested the Town get back to a schedule.

**2.2 Lynn Chong Re: Solid Waste Committee Request** - The Board reviewed a request to have TA Ambrose cc: the Solid Waste Committee the NRRA reports that come to the Town.

**3.0 Non-Public Session Under RSA 91-A:3 II (I)** – Chair Ober made a **motion** to go into non-public session at 5:10 p.m. Selectman Olmstead seconded the motion. Roll call vote, Ober – aye, North– aye and Olmstead–aye. The Board reconvened the public session at 5:36 p.m. Chair Ober announced that no decisions were made. Selectman Olmstead made a **motion** to seal the minutes of the non-public session. Selectman North **seconded** the motion and the **motion passed unanimously**.

### **4.0 Business**

**4.1 Solid Waste Committee (SWC) - Appointments** - Selectman Olmstead made a **motion** to correct the original term of SWC Member David Swanay to 3/24/17.

Selectman North **seconded** the motion and the **motion passed unanimously**.

Selectman North made a **motion** to reappoint David Swanay as a SWC Member for a 3-year term ending 3/31/2020. Selectman Olmstead **seconded** the motion and the **motion passed unanimously**. Selectman Olmstead swore-in David Swanay.

Selectman Olmstead made a **motion** to appoint Robert White as an Alternate to the SWC with a term ending 3/31/18. Chair Ober **seconded** the motion and the **motion passed unanimously**. TC/TC Davis to swear-in at a later date.

Selectman Olmstead made a **motion** to appoint Andy Sanborn as an Alternate to the SWC with a term ending 3/31/18 and correct his original Oath of Office. Selectman

North **seconded** the motion and the **motion passed unanimously**. Selectman Olmstead swore-in Andy Sanborn.

**4.2 Planning Board Chair** - Evelyn Auger, Don Bormes, Jody Slack and Will Ellis were all present as members of the Planning Board. Mrs. Auger stated she recognizes there have been problems between the Planning Board and the Select Board, she thinks part of it is getting things back on track. Mrs. Auger added there is no difference in duties whether the person is elected or appointed. Selectman North replied yes there is because elected positions are made by the legislative body and if they are appointed it is done by the Select Board. Mrs. Auger read RSA 669:17 and stated the Planning Board (PB) directs the Town Planner's duties & responsibilities but the Selectmen cannot, although they have budgetary control over finances. Mrs. Auger noted the Board cannot interfere with the Planner's delegated duties and referred to RSA 674:1. Mrs. Auger stated the Planner has three bosses..... TA Ambrose and the BOS are his supervisors with the third boss being the PB, who is saying what do we do now? Mrs. Auger noted she feels the laws are pretty clear. Chair Ober explained that a lot of the confusion has come from the Economic Development Chapter of the Master Plan which is not law but a recommendation/guideline to work from and an advisory committee was appointed. Chair Ober stated it is a conflict of interest, the PB can't be reviewing Site Plans while doing economic development, it muddies the waters and is part of the problem. Mrs. Auger noted they do want an economic development committee. Chair Ober replied that may solve some of the problems because we are not getting any of the details about it and we have to work together on that. Mrs. Auger replied before there was a committee, economic development was part of the PB's responsibilities. Don Bormes stated whether the person is elected or appointed their responsibilities are the same. There was a brief discussion of posting a warrant article to change the PB's members to elected versus appointed. Chair Ober noted another part of the problem is that the Budget Committee took away funding and hours. TA Ambrose stated it sounds like everyone is in agreement that the BOS should establish an Economic Development Advisory Committee but what if the Planning budget goes over because of the directed duties, how would we treat that? Mrs. Auger replied it would be treated the same as all the others, you (TA Ambrose) will review his time and you can warn the PB if it's going to go over, so we can cut back on hours. TA Ambrose noted the original advertisement in 2006 was for a part-time Town Planner for a maximum of 20 hours a week at \$20 dollars an hour. Don Bormes replied the PB should be allowed to budget for up to 32 hours because of the past Town Meeting vote. Mrs. Auger added the PB used to have a Secretary/Clerk that did up to 6 hours a week of work in the office and another one was never hired, he picked up the work. Don Bormes stated the position was never filled. Chair Ober replied that didn't really cut back the work, the PB was paying the Planner \$23 dollars an hour to do the work versus \$15 dollars an hour, to do the clerical work which doesn't make sense to me. Chair Ober stated the administrative support line has not been used over the past few years and there is still money on the line, so a person may be needed to do that and it might be the recording secretary. Chair Ober noted if the Planner doesn't have enough hours then there are funds to help with support that so legit planning business can be done not the clerical work. TA Ambrose asked if an administrative support person should be hired? Evelyn & Don replied no but if things are expanded then someone could be. Selectman North stated

back in 2014 when this whole thing began, it was directed by the BOS to fix the problem because the budget was going over. Selectman North stated in 2015 there was no increase because the Planner was going to come back with economic development. Mrs. Auger asked if everyone was clear on who are the supervisors of the Planner's job? Chair Ober replied yes but the PB needs to make sure the PB stays within the budget, to be accountable. TA Ambrose stated she wants to see improved communications, the timesheets always say 3 hours for zoning but the actual times & days it is on, doesn't translate into what is happening in the office, so we can delineate between the Planning & Zoning duties because as it stands now, the only interaction is with the PB and the Finance Officer delivers the timesheets to my desk. Mrs. Auger stated he needs to be honest. Selectman North stated there have been requests for assistance from many different areas of the Town's government and we wanted a delineation of that time, so we can account for it. Chair Ober asked if the Planner needs to be at the entire PB/ZBA meeting or could he be there as needed for questions because he is those board's advisor not a glorified secretary. Don Bormes suggested the Planner ask the PB Chair before attending other board's meetings, to be sure there is enough hours. Selectman North stated the Planner was never supposed to attend ZBA meetings. Selectman North stated all of the positions have been blended into one and in her opinion, the process has not been smooth. Chair Ober stated when she sat on the PB, April was the recording secretary and the clerk but none of the other work was delegated to her, for her to do. Don Bormes asked when the Board told them, they could use her. April Rollins replied Mr. Bormes was the Chair of the PB at that time and he was signing her timesheets for those clerk hours. Selectman North stated the PB clerk and PB recording secretary were separate people, the same as when she was the ZBA clerk/secretary and the work was taken from her, so everything has been blended into one position without a vote of the Select Board. Selectman North noted there have always been separate line items for these positions in the budget and there has been for the 20 years she has been in this town. Don Bormes recalled Carol being hired initially for the work due to the Master Plan. Chair Ober stated the Board will put money back in the budget for 2019 and hire a planning clerk as a resource to free up some of the Planner's hours. Selectman North noted a plan is still needed for the Budget Committee, it has been three years.

**4.3 Prioritization of Future Agenda Items** - Selectman North requested the Board's permission to schedule a meeting with Terry Knowles, DRA's Bruce Kneuer and the Attorney to discuss the Fundraising Policy and this year's Warrant Article #11. The Board agreed this would be okay. The BOS will review a draft of the Old Town Hall Rental Application next week.

1. Town Building Maintenance Plan
2. Media Relations Policy, Fundraising Policy, Personnel Policy, CIPC Guidelines (RSA 674:15) & Reorganization of Staff Duties
3. Contracted & Procured Services Review
4. Old Home Day Committee & Funds (Liability Insurance & Permit?)
7. Future Location of Town Offices/Administration
8. Sewer Ordinance (Review before Town Meeting)
9. OHRV Ordinance (Review before Town Meeting)
10. Perambulation (Legislative Change?)

**4.4 Monthly Expenditure Report - March** - TA Ambrose and the BOS reviewed. A copy of the monthly expenditure report can be found on the Town's website.

## **5.0 Other Business**

**5.1 Response to Letter Re: Town Beach at Hermit Lake** -TA Ambrose explained that the Recreation Commission asked to review the letter before a response is sent out. Tabled.

**5.2 Department Head Updates** - TA Ambrose informed the Board updates will start next week.

**5.3 DPW Waiver** - TA Ambrose stated the DPW waiver is being adapted to fall in line with the Fire Department's waiver form, which has been reviewed by Legal Counsel.

**5.4 Volunteer Policy** - A request was made to spell out the acronym "FLSA" in the policy, which stands for the "Fair Labor Standards Act". TA Ambrose to amend.

**5.5 NH DES Annual Solid Waste Facility Report** - The Board reviewed a memo from Director Bordeau explaining that some of the information was omitted and a new report has been submitted for signature.

**5.6 Lakes Region Truck Service Re: Truck #3** - Chair Ober made a **motion** to approve the new quote from Lakes Region Truck Service to repair truck #3 in the amount of \$3,822.51 dollars. Selectman North **seconded** the motion and the **motion passed unanimously**.

**6.0 Non-Public Session Under RSA 91-A:3 II (a)** – Chair Ober made a **motion** to go into non-public session at 7:38 p.m. Selectman Olmstead seconded the motion. Roll call vote, Ober – aye, North– aye and Olmstead–aye. The Board reconvened the public session at 8:16 p.m. Chair Ober announced that the Board approve a recommendation for termination. Selectman Olmstead made a **motion** to seal the minutes of the non-public session. Chair Ober **seconded** the motion and the **motion passed unanimously**.

## **7.0 Selectmen's Reports**

**7.1 Update on the work of the SWC** - Selectman Olmstead provided an update and will bring back some questions from the Selectmen.

**7.2 Transfer Station - Days Open** - Selectman Olmstead informed the Board he received an inquiry of why the Transfer Station couldn't be open Friday, Saturday & Monday instead Thursday, for trash to be disposed of after the weekend. Chair Ober replied she agrees but this will need to be discussed with Manager Austin and DPW Director Bordeau.

**7.3 Update on the work of the Budget Committee** - Chair Ober provided an update.

**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.

**8.1 Federal Quarterly Tax Return - 941** - Chair Ober made a **motion** to have the Clerk sign the Town Federal Quarterly tax return (941). Selectman Olmstead **seconded** the motion and the **motion passed unanimously**.

**8.2 NH DES Annual Solid Waste Facility Report** - Chair Ober made a **motion** to acknowledge the changes the Annual Solid Waste Facility Report. Selectman Olmstead **seconded** the motion and the **motion passed unanimously**.

**9.0 Review & Approve Minutes**

**9.1 BOS Emergency 3/28/17 draft** - Members of the Board reviewed the draft emergency meeting minutes of March 28, 2017. Selectman Olmstead made a **motion** to accept the draft emergency meeting minutes of March 28, 2017 with changes. Chair Ober **seconded** the motion and the **motion passed unanimously**.

**9.2 BOS 3/29/17 draft** - Members of the Board reviewed the draft meeting minutes of March 29, 2017. Selectman North made a **motion** to accept the draft meeting minutes of March 29, 2017 with changes. Selectman Olmstead **seconded** the motion and the **motion passed unanimously**.

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

**11.0 ADJOURNMENT** – Selectman Olmstead made a **motion** to adjourn the meeting at 8:58 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, April 12, 2017 @ 5 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.)*