

**Town of Auburn
Board of Selectmen
December 3, 2018
6:30 PM**

Selectmen Present: James Headd, Richard Eaton and Keith Leclair

Others Present: Michael Rolfe, Dale Phillips, Paula Marzloff, Susan Goodhue, Russell Sullivan, Michael DiPietro, Loren Martin, Avitar Associates, Road Agent Mike Dross, Police Lt. Ray Pelton, Parks & Recreation Coordinator Amy Lachance, Parks & Recreation Commission members Lisa Canavan, Marge McEvoy, David Oliviera, Zach Eaton and Pat Kelly, Gaetano Sammartano, Cynthia McLaughlin, Corey Joy, William Herman, Town Administrator and Nancy Hoijer, Recording Secretary

Mr. Headd convened the meeting at 6:30 PM.

Non-Public Session – RSA 91-A: 3, II (e) Consideration of negotiation of pending claim or litigation.

Mr. Leclair moved to go into Non-Public session under RSA 91-A: 3, II (e) consideration of negotiation of pending claim or litigation. Mr. Eaton seconded the motion. A roll call vote was taken: Mr. Headd – Yes; Mr. Eaton – Yes; Mr. Leclair – Yes. The motion passed unanimously.

The meeting room was closed to the public at 6:29 pm.

Mr. Herman advised a letter was received from Gary Roberge, Sr. Utility Assessor on November 7, 2018, copy provided, concerning the NNETC (FairPoint) Offer to Settle regarding the Public Right of Way valuation for the Town of Auburn. Mrs. Martin was present to discuss the issue with the Board and answer questions.

The final offer from NNETC to settle their outstanding appeals for 2016 and 2017 with no interest is \$9,059. They further offer to non-suit 2018 for an additional \$3,700 for a total of \$12,759. Mr. Roberge recommends accepting full settlement ending all appeals. Mr. Roberge advised the equalization ratios of 90% for 2016 and 85% for 2017 had a large impact which is why it is significantly higher than he had planned.

Mrs. Martin advised this result would remain the standard moving forward until either a court decision is issued or legislation is passed changing the process.

Mrs. Martin advised to stay in the fight would risk other Towns settling and dropping out of the pool which would cost those Towns left in, more money both in legal expenses to stay in the fight as well as potential settlements of the appeals. Currently those legal fees are costing about \$11,000 per year.

Mr. Roberge advises that as part of the settlement they would be using the Public Right of Way (PRW) valuation approach similar to 2018 in determining the PRW acre value. However, based on the Superior Court decision, we will now divide that per acre value by the number of users to determine the per acre value for each user.

Mr. Headd stated he was in favor of paying the \$12,000 and having it end. Mr. Eaton agreed. Mr. Leclair stated that he agreed, be done with it.

Mr. Herman advised the \$175,000 overlay funds are available this year, which would be where the \$12,759 would be paid.

Mr. Leclair motioned to come out of non-public session. Mr. Eaton seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

The meeting room was reopened to the public at 6:47 pm.

Mr. Leclair moved to accept the settlement offer with Northern New England Telephone Company for tax years 2016, 2017 and 2018 totaling \$12,759. Mr. Eaton seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Call to Order – Pledge of Allegiance

At 7:00 pm, Mr. Headd led the Pledge of Allegiance.

Approval of Payroll for the Week of November 26, 2018 - \$46,296.08

Mr. Eaton motioned to approve the Payroll for the Week of November 26, 2018 in the amount of \$46,296.08. Mr. Leclair seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Approval of Accounts Payable Item for the Week of December 3, 2018 - \$1,815,663.53

Mr. Eaton motioned to approve the Accounts Payable Item for the Week of December 3, 2018 in the amount of \$1,815,663.53. Mr. Leclair seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Approval of Longevity Payroll for FY 2018 - \$8,239.91

Mr. Eaton motioned to approve the Longevity Payroll for FY 2018 in the amount of \$8,239.91. Mr. Leclair seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Approval of Consent Agenda for the Week of December 3, 2018

Mr. Headd read out loud and offered for inspection a copy of the Consent Agenda for the Week of December 3, 2018 which included: three (3) abatement/refund requests; one correspondence – Longevity Pay Letter to Town Employees; one NH Department of Revenue Administration 2018 Equalization, Municipal Assessment Data Certificate and one (1) Municipal Finance Application – Two Police Patrol Vehicles.

Mr. Eaton motioned to approve the Consent Agenda for the Week of December 3, 2018. Mr. Leclair seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Appointments with the Board

Loren Martin – Assessing Agreement 2019-2023

Mr. Herman provided a copy of the proposed five-year contract renewal with Avitar Associates of New England, Inc. for the Town's multi-year assessing service, which is due to expire on December 31, 2018. The Board discussed the proposed contract and options with Mrs. Martin.

Mr. Eaton stated the five-year renewal, without utilities, would be \$206,700. Mr. Leclair noted it represented an increase of 8.5% over five years, or 1.5% annually. Mr. Eaton indicated he felt Avitar was doing a good job for Auburn. Mr. Headd agreed.

Mr. Leclair motioned to enter into the new five-year contract with Avitar Associates of New England, Inc. for assessing , Cycled inspections and full update without utilities beginning January 2019 through December 31, 2023 for a total cost of \$206,700 over the five years. Seconded by Mr. Eaton. A vote was taken, all were in favor, the motion carried unanimously.

Mr. Sammartano asked how the common land in his development was assessed and if the property was physically walked and detracted for wetlands and other features.

Mrs. Martin advised that the common land is valued to each owner as an amenity. They do not physically walk the property to appraise it. The value is the residual portion based on the value of the land and buildings. For example, sales are extracted, so if you have a \$500,000 sale and \$300,000 is the value of the building and \$175,000 is land, the remainder value is placed on the amenity. While Mr. Sammartano's development is cluster lots with less than the minimum buildable acres, the value is comparable to someone with a standard sized building lot.

Corey Joy, 40 McQueston Drive – Request for Street Light

Mr. Joy stated he is new to Auburn, lives on 40 McQueston Drive and is requesting a street light be put either at Wilsons Crossing and McQueston Drive or Wilsons Crossing and Nutt Road. Mr. Joy stated it is dark when the school bus arrives to pick up the children and cars have difficulty seeing the children who are standing waiting for the bus and there could be an accident. He has already observed cars skidding around the corner.

Mr. Headd asked if there were stop signs – yes. Mr. Leclair advised it is a cul-de-sac with approximately 10 homes.

Mr. Sullivan advised residents had a street light on Parker Way that they paid for and he believes it is no longer on. He also indicated the Town Zoning Ordinance is supportive of Dark Skies that generally indicates the Town does not want street lights. He felt Mr. Joy may need to go to the Planning Board for a street light.

Mr. Joy asked how he would find out who put the street lights up that exist in other neighborhoods. Mr. Joy stated he is interested in documenting his efforts for liability issues.

Mrs. Marzloff recommended having Highway Safety review the matter.

Mr. Joy stated that he contacted Eversource who would not discuss cost with him and advised him to go to the Town who pays to maintain any street lights.

Mr. Eaton advised that if the Town were to do one, they would have to do the same on all. Some residents support that, others don't. Many of the existing street lights were put up 30-40 years ago. Mr. Eaton suggested Mr. Joy get on the agenda for the next Highway Safety meeting. Mr. Leclair advised the request would need to comply with the Town ordinance.

Mr. Herman will check on the feasibility of the homeowners putting up the street light.

FY 2019 Budget Presentations

Mr. Herman presented a table showing Budget Comparison FY 18-19 Running Totals as of November 19, 2018.

Police Department – Computer Services

Lieutenant Pelton returned to present the remainder of the Police Department budget for FY 2019 which included Computer Services.

Lieutenant Pelton advised he went back to the Police Commission to see about using surplus funds from the current year budget for some of the computer needs and they agreed, but in order to spend they have to get the Board of Selectmen's permission.

Lieutenant Pelton advised the cost for two mobile data terminals for the cruisers would be \$11,290 and there are nine desktop workstations and nine monitors needing to be replaced for a cost of \$7,830. The total cost would be \$19,120, and Lieutenant Pelton believed the department would have approximately \$30,000 remaining in part-time wage account.

Mr. Leclair asked the life expectancy. Lieutenant Pelton advised the average user expects to have the computer for five years due to technology improvements, however these would be expected to last from eight to ten years.

Mr. Leclair motioned to approve the Police Department's use of 2018 surplus funds for the purchase of two Toughbooks and nine PCs and monitors at \$19,120. Mr. Eaton seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Mr. Leclair motioned to approve the Police Department's Computer Services budget for FY 2019 in the amount of \$23,100. Mr. Eaton seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Parks & Recreation – Amy Lachance & P&R Commission

Mrs. Lachance presented a request for \$13,000 for the Recreation Ice Rink.

Mr. Eaton asked if the proposal had any guaranty or warranty. Mrs. Lachance stated she asked but still doesn't know. Mr. Eaton advised if it fails, they are out \$17,000. Mr. Leclair agreed he would like to see case studies, how many years successful, that the process works, has it been done before, have guarantees and recommendations. Mr. Eaton would like to know how the liquid emulsion is applied and noted the repair order does not say anything about digging down around the rink as David Nye had indicated was required.

Mr. Eaton will contact Dave Romano at Brox to see if he can get information on NH Bituminous to see if they still come out and spray liquid asphalt on rinks as they have in the past, which only

cost a few hundred dollars. It may be worthwhile to see if a roof company would do it. Mrs. McAvoy advised they looked into that and the company would not guarantee the work.

Mr. Leclair recommended putting the repair on hold to get more information and explore other options.

Recreation Improvements – Amy Lachance & P&R Commission

Mrs. Lachance returned to present the remainder of Parks & Recreation's Recreation Improvements' budget for FY 2019.

Mr. Leclair advised of the original \$350,000 proposed, the amount for the proposed LWCF grant at Wayne Eddows had been removed, as well as the Walking Path and the paving of the Wall Ball Area at Circle of Fun.

A spreadsheet with proposed costs from several companies was provided concerning the proposed LED fixtures, poles, trenches and wiring for the baseball, soccer and softball fields. Mr. Eaton suggested using the Town's forces to do the trenching.

Mrs. Lachance advised a shed could be purchased at Home Depot for about \$2,000 to store sports equipment at the field next to the Safety Complex.

Mrs. Lachance obtained an estimate for a guardrail option as the Selectmen had requested instead of a fence to separate the parking area from the field next to the Safety Complex. It would cover 133' and cost \$3,724.

Mr. Leclair stated he would like to see the conclusion of the Town's other budget proposals for FY 2019 before approving any of these discretionary improvements. Mr. Eaton advised the budget season will be ending in the next couple of weeks and he was still uncomfortable with the metal guardrail to separate the parking area and possible use timber or something more aesthetically pleasing. Mr. Leclair would like to see the lighting projects completed in totality and not be piece meal and possibly not completed over time. Mr. Headd agreed he would like to see this all at once and have Mrs. Lachance get more information.

Griffin Free Public Library – Bill Herman

Mr. Herman advised the Library Trustees had presented their budget earlier and the Board took no action while waiting to receive additional quotes for the repair of the sign. The Library Director had received one additional quote for \$1,172, which the Board reviewed and agreed was acceptable.

Mr. Leclair asked if they had any unexpended funds remaining that could be used to pay for the sign repair this year. Mr. Herman will check with the Trustees to see if they have unexpended funds remaining and would be willing to fund the repair this year with those.

Insurance – Bill Herman

Mr. Herman presented the proposed Insurance budget for FY 2019 in the amount of \$118,939. Mr. Herman advised the budget covered Municipal Property Liability, Unemployment Compensation, Worker's Compensation and Insurance Retention (Claims). Unemployment and Insurance Retention are level funded from 2018. Property Liability increased by 1.1% and Worker's Compensation, which premiums are claim-based, increased by 8%.

Mr. Leclair motioned to approve the Insurance budget for FY 2019, as presented, in the amount of \$118,939. Mr. Eaton seconded the motion, with all in favor, the motion passed unanimously.

Personnel Administration – Bill Herman

Mr. Herman presented the proposed Personnel Administration budgets for FY 2019.

Mr. Herman advised the Health Insurance account reflects a 10 percent reduction based on the policy change the Board made last year, while Dental reflects a 14% increase due to a six (6%) percent rate increase as well as some change in employee coverage. Disability Insurance is based on payroll. Life Insurance premiums increased a little over 2%.

Mr. Leclair motioned to approve the Personnel Administration budget for FY 2019, as presented, in the amount of \$312,786. Mr. Eaton seconded the motion, with all in favor, the motion passed unanimously.

Mr. Herman advised the proposed Longevity Pay budget of \$10,900 is \$300 more than current and covers 28 people. Per the Personnel Policy and Police Union Collective Bargaining Agreement, in 2019, of the 28 eligible employees there are 10 with 5-9 years, seven employees with 10-14 years, six employees with 15-19 years, one employee with 20-24 years and four employees with 25+ years.

Mr. Leclair motioned to approve the Personnel Administration Longevity Pay budget for FY 2019, as presented, in the amount of \$10,900. Mr. Eaton seconded the motion, with all in favor, the motion passed unanimously.

New Business

Application – Parks & Recreation Commission

Mr. Herman presented an application to the Parks & Recreation Commission of Mary Royer who has been a resident of Auburn for 65 years.

Mr. Headd stated he was very comfortable with the appointment, as were Mr. Leclair and Mr. Eaton. Mr. Herman advised this was for a three-year term to expire in March 2021.

Mr. Leclair motioned to appoint Mary Royer to the Parks & Recreation Committee with a term to expire at the end of March 2021. Mr. Eaton seconded the motion, with all in favor, the motion passed unanimously.

Scheduling of 2019 Deliberative Session of Town Meeting

Mr. Herman advised the Board the statutory window for the holding of the 2019 Deliberative Session is February 2nd to February 9th. Historically, the Board has chosen the first Saturday to hold the meeting with the second Saturday to be a back-up snow date if necessary.

The Board agreed unanimously to schedule the Deliberative Session of Town Meeting on Saturday, February 2, 2019.

Mr. Herman also noted the Selectmen and School Board has previously discussed the possibility of holding the two deliberative sessions on the same day, one after the other. He indicated the Boards would need to decide soon on this possibility if it is to be tried for 2019.

Mr. Headd expressed some concerns about having enough time in one day to hold both meetings. Mr. Herman advised in the past the Town Deliberative Session has taken approximately one hour, with he understood the School District Deliberative Session being about half an hour. Mr. Leclair felt there may be better participation in both meetings and if they are held on the same date, there may be some costs savings as opposed to holding two separate meetings.

The consensus of the Board is they were willing to try the process in 2019 as long as the two meetings were held on a Saturday and the Town Deliberative Session was held first. Mr. Herman will reach out to the School District.

2019 Lawn Mowing Request for Proposal

Mr. Herman advised he had issued a joint request for proposals for Town and School District to solicit proposals for the care and maintenance of approximately eleven (11) Town-owned lawns, parks and other properties for the 2019 season. He indicated the Cemetery Trustees asked to include the two cemeteries in this process as well as the current vendor for the cemeteries is in his last year and does not want to continue next year. Mr. Herman provided the Board with a copy of the RFP and reported bids were due in on Thursday, December 27, 2018.

Initial Draft of 2019 Warrant Articles

Mr. Herman presented the first draft of proposed FY 2019 Warrant Articles to the Board of Selectmen for review and comments, which included:

Collective Bargaining Agreement – Auburn Police Union

Amendment to Special Details Revolving Fund

Appropriation to Town Buildings Rehabilitation CRF

Multi-Use Path Capital Reserve Fund; and

Amendment to Land Use Change Tax Appropriation.

Mr. Leclair stated he would like to see the Capital Reserve Fund have a broader potential than the Multi-Use Path. Mr. Eaton agreed this would give the Town an opportunity to utilize the funds in the event the Multi-Use Path is not approved. Mr. Herman advised the Town has a fund for buildings and this fund could be used for land improvements. Mr. Leclair felt it made sense to have one fund for buildings and one for property.

Old Business

Town Hall Porch and Painting Project

Mr. Herman advised the Board that representatives from Target New England came in concerning the completion of the front porch and painting project. They did not dispute any of the six items on the punch list remaining to be completed. They advised that painting would have to wait until spring

Two additional items, that were not in the project design or original contract, were raised by Building Inspector Carrie Rouleau-Cote who cited code compliance would require the installation of the one-hour fire rated cement board in the enclosure under the front stairs, in the

event combustible items such as the snowblower were to be stored there; and installation of an additional handrail. Target New England provided an estimate for Change Order #2 on November 27, 2018 in the amount of \$4,970 for the fire-resistant material under the stairs and the installation of the handrails (one of which they had to have made and is finished and only requires painting).

Target New England requested if they finished the bulk of the work, excluding painting, within the next few weeks, they would like the Board to consider paying a portion of the balance owed, retaining an amount until spring when the painting would be completed. Slightly more than two-thirds of the project has already been paid.

The Board felt the estimate for Change Order #2 was a bit high and requested a breakdown for the items proposed. Mr. Herman reported the contractors have indicated they had already made the handrail and have completed that part already. Mr. Herman he would check with the Building Inspector to see if the area under the porch was not used for storage, would they have to install the cement board. Currently the snow blower is stored at the Safety Complex and has to be trucked over to the Town Hall to be used. The Board agreed not to store any combustibles under the porch and to hold off on any additional payment to Target New England until spring when the project is completed.

Other Business

Workshop Meeting – Thursday, December 13th at 9 AM

Next Meeting – Monday, December 17, 2018 at 7:00 PM

Minutes

- November 19, 2018 Public Meeting
- November 19, 2018 BOS & Police Commission Meeting

Mr. Leclair motioned to approve the November 19, 2018 Public Meeting Minutes, as written. Mr. Eaton seconded the motion, with all in favor, the motion passed unanimously.

Mr. Leclair motioned to approve the November 19, 2018 BOS & Police Commission Meeting Minutes, as written. Mr. Eaton seconded the motion, with all in favor, the motion passed unanimously.

Adjourn

Mr. Headd motioned to adjourn the meeting at 8:28pm. Mr. Eaton seconded the motion, with all in favor, the motion passed unanimously.

Respectfully submitted,

Nancy J. Hoijer,
Recording Secretary