

**Town of Auburn
Board of Selectmen
March 31, 2014**

Selectmen Present: Russell Sullivan, James Headd & Richard Eaton

Also Present: John Stout, TSI Logging; Dave Dion, Ken Robinson and Dennis McCarthy, Police Commissioners; Ray Pelton, Police Lieutenant; Michael Dross, Road Agent; Helen Hiltz, Parks & Recreation Secretary; Bruce Phillips, Fire Chief; Brad & Kim Sargent, Scott & Karen Norris, Paula Marzloff, Linda & Kristen Dross, J.H. & Mary Ann Rolfe, Michael Rolfe, Dennis and Pauline Vieira, Tom Gonyea, Jim Boisvert, Francis McFarland, Audrey Trickett, Mike DiPietro, and Paul Raiche, Residents; William Herman, Town Administrator; Kathryn Skoglund, Recording Secretary

Mr. Sullivan called the meeting to order at 7:03 p.m.

Approval of Accounts Payable for Week of March 31st, 2014

Mr. Eaton moved to approve the Accounts Payable Manifest in the amount of \$725,177.11 for the week of March 31st, 2014; Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.

Consent Agenda – Week of March 31st, 2014

Permanent Application for Property Tax Credit/Exemptions – Veteran's Credit

- Richard J. Barrett, St., 392 Wilson Crossing Road (Tax Map #1, Block #36, Lot #10)

Payroll Manifest – 3/27/2014

- Police Department - \$68.60

Pistol / Revolver License

- Six (6) Licenses

Mr. Headd moved to approve the Consent Agenda for the week of March 31st, 2014; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.

John Stout – Ball Field Property Timber Cut

Mr. Stout presented the Board with a Timber Harvest Proposal with an attached aerial picture mapping the area to be selectively cut. Mr. Sullivan verified this was regarding the two properties off Priscilla Lane. Mr. Stout stated only one property, known as Tax Map 1, Lot 36-1. Mr. Stout continued that the selective cut will affect 12 to 15 of the properties 23.8 acres to promote re-growth. Mr. Eaton asked if the cutting was mechanized. Mr. Stout stated no, it would consist of just him with a chainsaw. It was noted that harvest should be done during

July/August or during the winter months when the ground is frozen. Mr. Stout went on to recommend the removal of the pine trees closest to the ball field as the soils appear to be compromising the root system and will affect the future stability of the trees, presenting a danger down the road. Mr. Sullivan asked regarding the amount of potential revenue. Mr. Stout referenced the provided proposal depicting the total estimated revenue of \$5,200.00. Mr. Raiche asked if the area to be cut was wetland or highland area. Mr. Stout responded that a skidder bridge will need to be placed over the stream from the harvest area to the staging but the cut area is flat level land. Mr. Raiche asked if the Conservation Commission had been consulted. Mr. Dross stated that he is facilitating communications between Mr. Stout and Conservation Commission Chairman, Chuck Joy. Mr. Sullivan noted that there was time before the suggested harvest time for Conservation Commission to provide an opinion. The Board thanked Mr. Stout for his proposal.

Old Business

Proposed FY2014 Budget Transfers and Adjustments

Mr. Sullivan stated the Board has been provided with a new proposal from Town Administrator Herman. Mr. Headd stated that he thinks it is an equitable way to distribute the budget shortfall. Mr. Dion asked how much would come out of the Police Department budget. Mr. Herman stated \$14,637.00. \$38,679.00 would be transferred from the Police Sergeant wage line to the Full-time Officer wage line and the Office Manager (PD) line to fund the staff changes the department has made. Mr. Robinson asked what other departments are affected by this proposal. Mr. Herman relayed Planning/Zoning, Building Inspector, Town Details, Welfare Assistance and Parks & Recreation. A resident from the audience asked if this proposal was public. Mr. Sullivan stated that there was discussion at the last meeting to post the previous proposal online as an attachment to the minutes. The same could be done with this too. The resident asked if residents need to be incumbent or to seek out this information. Mr. Sullivan responded yes. Mr. Dion expressed what the grand total to be taken out of the Police Sergeant budget line is. Mr. Herman stated \$50,000 and reiterated that \$38,679 of that would be transferred within the Police Department's budget to the Full-Time Officer line to fund the new full-time Police Officer the department hired when the Sergeant retired and fund the training stipend for the Police Department Office Manager the department agreed to provide. Mr. Dion stated that this proposal is assuming that the department will make no promotions. Mr. Dion passed out some papers to the Board and stated that previously Mr. Herman mentioned the Police Department did not expend \$68,000 of their 2013 budget, however one of the papers provided coming from the Town Report does not reflect that. Mr. Dion proceeded to go over the figures on the papers he provided with the Board. Mr. Herman noted that one figure that Mr. Dion referenced does not include a warrant article that passed and additionally the year-end adjustments that are made by the town's Finance Director are not able to occur until after the town report is printed. Mr. Dion stated that he would like to see the figures jive. Mr. Herman encouraged Mr. Dion meet with the Finance Director for further clarification. Mr. Sullivan acknowledged that the figures in the various reports can be confusing. Mr. Dion brought up the matter of the last payroll of the year the town employees were given a choice whether to be paid on December 31st or January 2nd. Mr. Dion noted this affected the Police Department's budget. Mr. Herman stated it did not. Ms. Skoglund confirmed that and explained that the normal pay date fell on January 1st this year, which was a federal holiday that the banks honor, so town employees were given the option of being paid either on December 31st or January 2nd as either option would affect each employee's financial situation individually. Employees who choose to be paid

on December 31st reflect an additional 2 weeks of income on their 2013 W-2, employees who choose to be paid on January 2nd will reflect 2 weeks less income on their 2014 W-2 as the income stated on employees W-2's is total wages paid between January 1st and December 31st. Ms. Skoglund continued that separate from that the Finance Director budgets the salary lines for wages for hours worked from January 1st to December 31st. Year-end adjustments are done annually and include taking wages for hours worked in the previous year but paid in the new year and moving the respective amount back into the previous year. The Board thanked Ms. Skoglund for her explanation. Mr. Sullivan continued that regarding the proposal when all is said and done the Police Department would be reduced by approximately \$14,000.00, the Town Report by \$750, Planning Board Legal by \$1,000, Building Inspector Legal by \$500, etc. Mr. Vieira asked if all these other reduction were to fund the Personnel Investigation and the landfill buried waste matter. Mr. Sullivan stated no that the mold investigation at the Safety Complex and the additional cost for the former landfill Groundwater Monitoring Permit, etc were also unbudgeted expenses that now need to be funded. Mr. Vieira asked regarding the cost of the Attorney Staples report and the Eaton Hill Road ash investigation. Mr. Sullivan noted that the Eaton Hill Road investigation and a portion of Attorney Staples invoice was paid out of last years budget. Mr. Vieira stated that he thinks any money concerning these matters should come out of the Police Department budget. Mr. Sullivan noted that 2013 is done and this proposal funds the remaining \$14,000 from the Police Department budget. Lt. Pelton noted that he is not involved with the budgets but the concern of the Police Officers is will this budget cut, cut the Officers hours or in an extreme circumstance will there be money to fund a big case, etc. Mr. Eaton expressed that he had time to review the proposal this weekend and if the within budget Police Department transfers are not included the town needs to fund \$20,568.40. The section of the proposal reducing the various budget lines minus the Police Sergeant Wages and Police Retirement total \$5,787. \$20,568.40 minus \$5,787.00 equals \$14,781.40. This figure can be further reduced by the additional funds as referenced on the back page of the proposal to \$5,061.40. Mr. Eaton proposed this figure then be divided 3 ways between the Police Department, Highway Department and Fire Department. Chief Phillips asked why his department budget should be penalized and noted that he keeps a pretty tight budget to begin with. Mr. Eaton stated that his suggestion is not meant to penalize but make the cuts fair. Chief Phillips stated that he doesn't agree with cutting the other departments budgets either but he needs to defend his own department budget. Mrs. Hiltz noted that \$500 or \$1,000 may not seem like a lot of money but the Parks and Recreation Commission went into this past budget season trying to be fiscally responsible and the Budget Committee still reduced so the funds that are budgeted for is just to maintain. Mr. Dross asked if the funds were available in the Police Department budget and would cutting the proposed funds disrupt service. Mr. Sullivan stated that Mr. Herman has worked hard to try to not disrupt any departments' budget with his proposal. Chief Phillips noted that the town has run into similar problems before where unbudgeted expenses are incurred. Chief Phillips commented that he thinks the Police Department is responsible for the personnel investigation bill but in the past each department had individually tried to make cuts and wait toward the end of the year to see where there may be extra funds. Mr. Vieira verified that Mr. Eaton is suggesting reducing Road Reconstruction by \$5,000. Mr. Eaton noted that was a budget line and figure the Board could consider. Mr. Vieira noted that the Road Reconstruction budget is already being reduced by \$300,000 for the Griffin Mill Bridge. Lt. Pelton asked if the fund could be paid out of the general fund for now and then funds moved towards the end of the year as Chief Phillips suggested. Mr. Sullivan noted that the expenditures have already been paid out of the general fund. Mr. Herman reiterated his sentiments from the last Monday meeting that for the departments planning purposes the budget transfers should be identified now. Mr. Sullivan stated that the Board needs to make a

decision soon. Mr. Eaton noted that he has made his suggestion using the figures provided by Mr. Herman. Mr. Headd stated that he does not like taking funds from departments who did their due diligence. Mr. Headd stated to Mr. Dion that promotions should have been brought forth to the Budget Committee. Mr. Dion stated that at the time the Budget Committee was provided a true picture, one Sergeant just recently retired and new full-time Officer was hired. A resident from the audience verified the budget was voted on by Auburn voters. Mr. Sullivan stated yes in total, no individual budget lines. Mr. Michael Rolfe suggested the Police Department lay off an Officer. Mr. John Rolfe suggested that the Police Department tighten their belt. Chief Phillips asked if David Garofano held his title of Sergeant when he retired from the position to a part-time position. Mr. Dion stated yes. Mrs. Trickett noted that the town is seeking restitution from Mr. Wetherbee, could that be used offset the cost of the personnel investigation report. Mr. Herman commented that is a decision the Board can make. Mr. Sullivan noted that it was likely that the town would not recoup money this year.

Mr. Headd moved to approve reducing the budget accounts as follows:

Town Report - \$750.00

Planning/Zoning Legal - \$1,000.00

Police Sergeants Salary – \$50,000.00

Police Retirement - \$3,460.00

Building Inspector Legal - \$500.00

Town Details - \$1,537.00

General Welfare Assistance - \$1,000.00

Recreation Senior Trip - \$500.00

Recreation Family Events - \$500.00

And to increase the following line budget accounts:

Voter Guide - \$1,320.00

Ballots - \$892.00

Legal - \$14,627.00

Repairs & Maintenance - \$1,920.00

Full-Time Police Officers – \$35,879.00

Office Manager (PD) - \$2,800.00

Landfill Monitoring - \$800.00

And to create a new budget account as follows:

Container for Roadside Pick-up - \$1,000.00

Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.

Town Hall Septic System Request for Proposal

Mr. Herman noted that their continues to be problems with the downstairs bathroom toilet backing up and overflowing, Stantec had previously prepared a proposal to replace the septic system and Mr. Herman requested the Boards approval to put the project out to bid. The Board was in agreement to move forward with that.

Horses on Watershed Property

Mr. Herman relayed to the Board that he was contacted by Dorine Remillard of 18 Haven Drive regarding Manchester Water Works consideration of limitation of horseback riding on their property. Mr. Remillard indicated that she would be protesting the proposal at a MWW Board of

Commissioners meeting and is of the opinion the Town of Auburn Selectmen should get involved with this issue. Mr. Headd commented that he had received a call from Senator Carson regarding the matter as several residents have contacted her and she will be suggesting that the horse owners/riders group together, similarly to snowmobilers, and help clean up the trails. Mrs. Marzloff stated that there is the misnomer that the property is private property however it is owned by the City of Manchester. Mrs. Marzloff continued that the two bacterial issues that spurred this, consideration by Manchester Water Works, has been proven to have not come from horses but perhaps beavers. Mrs. Marzloff went on to note that 20 years ago Manchester Water Works stated that they can filter any contaminants. Mr. Raiche confirmed the type of bacteria with Mrs. Marzloff and commented that those types should certainly be able to be filtered. Mr. Gonyea noted that the trails are inundated with dogs; he sees far more dogs than horses so it seems that Manchester Water Works is picking on just one source.

Board/Committee Re-appointments

Ms. Skoglund informed the Board that she has confirmed that Edward Fehrenbach, Daniel Carpenter and Eva Komaridis would all like to be re-appointed to their respective Boards.

Mr. Headd moved to re-appoint Edward Fehrenbach to the Conservation Commission, term to expire March 2017 and Daniel Carpenter and Eva Komaridis to the Highway Safety Committee, terms to expire March 2015; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.

Mr. Dross relayed to the Board that the drainage work that was done on Pingree Hill Road is doing its job and the problems with water encroaching on the road and ponding has been alleviated; Maple farm Road did pond.

Mr. Sullivan asked Mr. Herman the status of the policy concerning roadside waste. Mr. Herman stated that he is waiting for feedback from Stantec Consulting.

Mr. Raiche brought up Mr. Eaton's appointment as ex-officio member of the Conservation Commission and as he understood from previous discussions with Mr. Sullivan a Selectmen on the Conservation Commission would result in opportunity for double votes on matters. Mr. Sullivan noted that the minutes of a prior town meeting allows for a Selectmen's representative on the Conservation Commission. Mrs. Marzloff noted that a resolution to that may be that Mr. Eaton could recuse himself from a vote of either the Conservation Commission or the Board of Selectmen. Mr. Raiche also noted that as a past developer Mr. Eaton perhaps should not sit on the Conservation Commission. Mr. Eaton has no problem with not sitting on the Conservation Commission. Mr. Sullivan proposed that the Board rescind their previous motion regarding Mr. Eaton's appointment and to pose a re-write regarding the composition of the Conservation Commission to be put forth to the voters next year.

Mr. Headd made a motion to rescind the vote made on March 17th, 2014 to appoint Mr. Richard Eaton as Selectmen's Representative on the Conservation Commission; Mr. Sullivan seconded the motion; all were in favor, the motion passed unanimously.

Minutes

March 24th, 2014 Public Meeting

Mr. Headd moved to approve the minutes of the March 24th, 2014 public meeting as written; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.

March 27th, 2014 Public Meeting

Mr. Headd moved to approve the minutes of the March 27th, 2014 public meeting as written; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.

March 24th, 2014 Non-Public Meeting

Mr. Headd moved to approve the minutes of the March 24th, 2014 non-public meeting as written; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.

Non-Public Session

Mr. Headd moved to enter into non-public session pursuant to RSA 91-A 3, II (c) Reputation of individual(s) other than a member of the Board & to review previously sealed non-public meeting minutes; Mr. Eaton seconded the motion; A roll call vote was taken; Mr. Headd – yes, Mr. Eaton – yes, Mr. Sullivan – yes. The motion passed.

Meeting in Non-Public Session with the Selectmen were Tax Collector Sylvia, Town Administrator Herman and Secretary Skoglund.

Mr. Headd moved to exit Non-Public Session; Mr. Eaton seconded the motion; A roll call vote was taken; Mr. Headd – yes, Mr. Eaton – yes, Mr. Sullivan – yes. The motion passed.

Mr. Headd moved to seal the minutes of the Non-Public Session; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.

Mr. Eaton moved to sign the tax deed waiver for 21 Deerneck Lane (Tax Map #3, Lot #6-5); Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.

Mrs. Sargent expressed to the Board that it can be difficult to hear them and requested that they get a microphone.

Mrs. Norris informed the Board in light of their upcoming meeting with Mr. Demirjian that there is a clause in the deed for the former fire/police station that the property reverts back to the Preston estate if the property is no longer used by the town. Mr. Sullivan noted that the Board is aware of that.

Mr. Headd moved to adjourn; Mr. Eaton seconded the motion; all were in favor, the public meeting ended at 8:33 p.m.