

**Town of Auburn  
Board of Selectmen  
April 17, 2014**

**Selectmen Present:** Russell Sullivan, James Headd & Richard Eaton

**Also Present:** David Dion, Police Commission Chairman; Police Chief Edward Picard, Police Lieutenant Ray Pelton, Police Sergeant Charles Chabot, Atty. William Gannon, Library Trustees Nancy Mayland, Fay Hanscomb, Lorraine Senechal and Sharon Bluhm; Library Director Ricky Sirois, Town Clerk Joanne Linxweiler, Tax Collector Kathleen Sylvia, Checklist Supervisor Susan Jenkins, Residents Stoney Worster, Alan Villeneuve, Tom Gonyea, John and Mary Ann Rolfe, Mickey Rolfe, Dennis Vieira, Armand Miclette, Dale Phillips, Brenda Beer, Dan Carpenter, Bruce Rolfe, and Michael Rolfe; Union Leader Reporter Pat Grossmith; and William Herman, Town Administrator

Mr. Sullivan called the meeting to order at 8:04 a.m.

***Non-Public Session – Reputation of any Person other than a member of the Board (RSA 91-A: 3, II ( c )***

***Mr. Headd moved to enter into Non-Public Session at 8:04 a.m. pursuant to the provisions of RSA 91-A: 3, II ( c ). Seconded by Mr. Eaton. A roll call vote was taken: Mr. Headd, Yes; Mr. Eaton – Yes; Mr. Sullivan – Yes.***

Mr. Sullivan began asking members of the public to leave the meeting room for the Non-Public Session when Attorney William Gannon, representing David Dion, indicated they had no concern discussing the matter in public session. Mr. Dion concurred and declined a non-public session.

Mr. Sullivan called upon Chief Picard, who reported that Detective Sergeant Charles Chabot performed an investigation concerning an incident that was reported to have taken place in Manchester on April 5<sup>th</sup> involving Mr. Dion. The Chief indicated their investigation was requested by the Board of Selectmen, and he would prefer Sergeant Chabot present the results.

Sergeant Chabot reviewed the details of an anonymous report the Board had received that suggested Mr. Dion was involved in an altercation in Manchester around 11:45 PM on April 5<sup>th</sup>, during which time a gun was displayed and Manchester Police were called to handle. Sergeant Chabot reported he contacted Manchester Police and secured a copy of dispatch recordings from that evening, in addition to an audio recording of scanner broadcasts that are available to the public online. He concluded from the material an incident had occurred that involved a Dion, a gun and took place on Hanover Street, but that no other reported items in the initial report were factual and that the incident did not involve David Dion of Auburn. Mr. Dion indicated that he had been home in bed at the time and was not even in Manchester when this incident was reported to have taken place.

Attorney Gannon asked the Selectmen why they would pay any attention to any anonymous reports when they come in unsigned. Mr. Sullivan indicated they have to have concern and perform due diligence when a report involves an elected official. Attorney Gannon asked if the Town was planning to preserve the computer information that was received. Mr. Sullivan indicated the Board of Selectmen will cooperate.

Mr. Dion stated he was surprised something like this went this far, noting he was surprised to

hear this and be asked to meet with the Selectmen.

Attorney Gannon as if the matter was now closed? Mr. Sullivan felt the Selectmen determined it is now closed.

***Non-Public Session – Dismissal, Promotion or Compensation of any Public Employee (RSA 91-A: 3, II ( a )***

***Mr. Eaton moved to enter into Non-Public Session at 8:20 a.m. pursuant to the provisions of RSA 91-A:3, II ( a ). Mr. Headd stated he felt there should be a public discussion and asked Mr. Herman if he objected to a public discussion. Mr. Herman preferred a public discussion. The Board agreed to remain in public session.***

Mr. Headd asked Mr. Eaton to explain the purpose of his motion from April 14<sup>th</sup> meeting to terminate the employment of the Town Administrator. Mr. Eaton noted the employment contract for the Administrator allows for termination if the Board desires a change in administration. He felt the Town needs some healing to take place and he felt there has not been a lot of cooperation between departments. AS a result, he wants to make a change in administration to begin that process.

Joanne Linxweiler asked why this particular change? Why did you not seek any of our input who deals with this individual on a daily basis? Mr. Eaton said sometimes decisions have to be made and you have to make a change.

Nancy Mayland felt things were out of line. She felt Bill Herman is the best thing to have happen to Auburn for a long time. As a Library Trustee for approximately 20 years, she felt lines of communication have never been better and the Board shouldn't make a change because he is easy prey. Mr. Eaton said it is not because he is easy prey, but that he (Mr. Eaton) is also not one to just let things run their course. He felt legal costs are going to skyrocket and something has to happen. Mrs. Mayland felt the problems will not go away if Bill Herman goes away.

Mrs. Linxweiler asked why the Board would make such a drastic decision without taking some time to consult with employees in the Town Hall. She felt a disservice to all Town employees was being done.

Mrs. Mayland noted the Town Administrator began monthly department head meetings about a year ago as a means to open up communications, and he has included the Library Director and the School Principal into the effort. Mr. Eaton said he had been spending a lot of time since the election trying to get up to speed, but he had no knowledge of these meetings. Mr. Sullivan indicated the Board was aware, but is not invited to participate as it is all staff level participants. Mr. Eaton reported when he stops at the Town Hall, he makes an effort to say "Good Morning" to everyone. He noted a recent stop when the Town Administrator, Road Agent and Fire Chief were conversing in the front office, but when he arrived, the Road Agent and Fire Chief left and the Administrator did not say "Good Morning". He felt there needs to be some deep healing in Auburn and it needs to begin today.

Mickey Rolfe felt that before the Board took an action to dump one of the best assets of the town, serious consideration should be given to doing a management study or the Town was going to lose big time. He felt it would cost just about as much as the severance that would be due to the Town Administrator, but would be a much better investment. Mr. Eaton noted Mr. Rolfe had indicated right after the election that he wanted to talk to Mr. Eaton, but he hasn't seen him yet.

Dale Phillips indicated she agreed with Mickey Rolfe and felt the Town Administrator has been extremely helpful just by being on site. She sensed there was an overall agenda here and that perhaps after the Administrator, there will be an effort to get the Road Agent next and perhaps the Fire Chief after that. She felt the Town Administrator has been extremely help to

employees and residents, is a knowledgeable person and that something is rotten in Denmark with all of this.

Mr. Eaton noted that when he ran for office, he said it was to lower taxes. During his campaign, no one in any town department or Town Hall supported me. Despite knowing he wasn't supported by any departments, he didn't hold grudges. He felt Auburn needs to stop making the news and to stop lawsuits from being filed. As such, he simply felt there needed to make a change in administration.

Mrs. Mayland asked if Mr. Eaton or any of the Selectmen could specify any one thing the Administrator had done that is the cause for all of this. Mr. Eaton said no, there isn't. Mr. Sullivan indicated he felt the Board had two options – to determine is a change in administration is warranted or to determine if there is any action to be taken for a just cause dismissal. He indicated no decision had been made.

Mrs. Linxweiler suggested that change sometimes is a good thing, but felt it had to be based on an informed decision and that was not the sense she was getting from this conversation.

Susan Jenkins also agreed change could be a good thing, but it also has the potential of being much more destructive than helpful if not thought out.

Michael Rolfe expressed the sentiment that it felt like this was turning into a dictatorship. He related it to a personal experience he had in the private sector when there was a change in CEO's and immediately everything within the company went downhill due to unilateral changes that were made.

Dennis Vieira noted he has been in Auburn for nearly seven years. He is retired and has nothing to do with Mike Dross, the Rolfs or others. He felt Mike Dross has a PR problem, but not much else. He felt he is honest and does a great job, and that Mike has not done anything wrong. It is what got Mr. Vieira to start coming to meetings and he said he didn't like what he was hearing. He noted the advertisement that went into The Crier went there because others were afraid to put their name to it. He indicated he felt Mr. Herman is one of the Board's best assets, adding he felt Joanne, Kathy, Dale, everyone in the Town Hall is positive and is doing their jobs. He indicated his sense was you will start with the Town Administrator, then squeeze the Road Agent and then the Fire Chief. He felt the Town Administrator is a good man and you'll look foolish getting rid of him. Mr. Eaton felt that comments like 'people are afraid to come in here because of the Auburn Police Department' are part of what has to stop. He stressed he felt there needs to be some deep healing and this is what we need to do. Let's get everyone together. He stressed he is not trying to get rid of Mike Dross, noting he had voted for Mike Dross. He reported an incident where he recently ran into Officer Kevin Cashman at Dunkin Donuts and asked him how he liked working in Auburn and was told "I love Auburn". He felt everyone needs to work in the spirit of cooperation and, as such, we shouldn't say things like that. He felt everyone needs to let stuff die and to stop spending so much time on negatives.

Mickey Rolfe felt Mr. Eaton was right to a point, but he also asked him to look at who started this stuff. He felt that is what really has to stop.

Mr. Vieira asked what Mr. Herman has done to make this healing process necessary? What has he specifically done? And by getting rid of him, did the Board think that will make the law suits stop?

Mrs. Mayland again asked the Board to give a reason for getting rid of the Town Administrator and how that will begin the healing. Why will that heal the Town and keep it out of the newspaper? Why of all Town employees do you start here? Mr. Eaton reemphasized his belief that there is need for a change. Mrs. Mayland asked Mr. Eaton to reconsider his decision. She felt if we all want healing, then we all need to work together, but that this is not the right direction.

Alan Villeneuve said he wanted to hear from Mr. Sullivan and Mr. Headd. He didn't think Mr.

Herman is the cancer in this business, but he wanted to hear from the Board of Selectmen about their plan. What are you going to do? He felt the Town has an incredible group of people, and that cutting is not bringing things together. If the Board had an overall plan and this was but a part, then maybe he could support it. But he didn't see, hear or believe this action will heal anything, and he didn't think it was appropriate.

Mr. Vieira asked what the cost of the Town Administrator's severance of six to eight months would be. He said he felt it was about the cost of a management study, and that the Town would gain far more benefit out of a management study than the dismissal of the Town Administrator. He felt if the Board wanted to do something meaningful, that makes the most sense.

Mr. Sullivan indicated he had been listening and now had a question to ask individuals – 'What are you going to do to help make things better and to help make departments work together?'

Mr. Villeneuve felt the Board needed to get folks together at a table. He lays blame on the Board of Selectmen for the morale problem, noting he disagrees with the proposed approach. From his service on the school board, he has learned government is not a business, and it can't be run like your personal business. He felt he has done his part by coming here to speak. He noted he was disappointed with how the Town negotiated with Manchester Water Works and he will do his part by trying to speak up more.

Mickey Rolfe expressed the belief that no one's name should be splashed through the newspapers week after week after week like Mike Dross' has been. He felt it would help to fire a few police officers. Mr. Eaton felt that was the sort of thing he meant and doesn't show cooperation. Mr. Rolfe said it is part of the problem, particularly when you are told 'we demand respect and we will get it.'

Mr. Eaton said the Board needs suggestions as to how to move forward and hopefully everyone can come in with something to offer. Mickey Rolfe said you can start by not firing the Town Administrator.

Mrs. Mayland noted the Neighborhood Watch program and the e-mail system they have developed where notices and information are sent out in mass to individuals. She felt that perhaps the Board of Selectmen could develop an electronic system where the Board can communicate better with the Town and visa versa.

Bruce Rolfe said he didn't know what steps in particular should be taken, but the rumors have to stop to help heal.

Kathleen Sylvia indicated she felt that this has to be all one cambia situation that individuals can disagree professionally, but still work cooperatively with each other. She felt that was a hallmark of the Town Hall staff who does not agree with each other on everything.

Mr. Sullivan asked if Primex could be of help to the Town, and Mr. Herman indicated they can offer significant assistance to the Town at the appropriate time.

Mrs. Phillips noted that the Board is concerned about communications, but as a town employee, she did not know anything about this until she had come into work this morning.

Stoney Worster indicated that the Board has indicated they would like Auburn to stay out of the newspapers and to commence a healing process. He hoped that it has been abundantly clear from the conversation this morning that firing the Town Administrator is not going to make that happen, it will make things worse.

Brenda Beer noted she had served as a Selectman at a time when Auburn did not have a Town Administrator. She hoped the Board members were ready and willing to spend a lot more time at the Town Hall as it takes a lot more effort to be a Selectman without a Town Administrator. She felt the Board took a shot in the dark and it fell on Mr. Herman. Mrs. Beer felt the Town needed to secure an outside facilitator to help with putting things back on track.

Fay Hanscomb said she liked the idea about a facilitator or mediator. She also liked Nancy Mayland's suggestion for some sort of a communications system. She expressed her personal

sentiments that the Town Administrator has been very helpful to the library and to individuals in general, that he is welcoming and a gentleman.

Michael Rolfe offered the suggestion of an electronic suggestion box where employees and volunteers could provide various input and suggestions on an anonymous basis. His business has a "Listen Jack" system where this has been helpful. Mr. Eaton felt it was a good and interesting idea, but wouldn't want it to be anonymous.

Ricky Sirois suggested if the situation exists of people wanting to offer input, but were fearful of potential retribution; a management study would help provide a means to secure the information and could be of help. Mr. Eaton feels we should try and do it ourselves versus going out and spending public funds for a management study. He felt the Town could be spending its money more wisely.

Mrs. Linxweiler noted the Board is asking what we want to do. Folks have brought up valid suggestions, and likely Primex can help us with some of this effort. She felt all Town employees, including the volunteer firefighters, should be included in some sort of group event. She felt everyone wants to make a start and we need to recognize we need help to do this.

Mrs. Mayland said the Board has the sense of how everyone feels and they have the sense that the Board is reconsidering its possible action. She indicated she does not know all of what the Board members have been talking about in terms of rumors, lawsuits and the like, so she felt most folks can't comment on the root of the problems or concerns.

John Rolfe asked 'have you heard enough, and will you rescind your pending motion?'

Tom Gonyea noted he has been attending Board of Selectmen meetings for a number of years now. He felt, at some point, there was a turning point that hasn't been positive. He indicated he has publicly chastised the Board for canceling meetings and for holding meetings at different hours when the public can't attend. He has seen frustrated individuals at various meetings who felt they weren't being heard. He felt he has done his part by attending meetings, mainly Selectmen and Police Commission meetings. He felt communications is a two-sided responsibility.

Armand Miclette appreciates the desire to handle things internally, but he also felt things won't go away by getting rid of the Town Administrator. He reiterated he felt there needed to be an effort on everyone's part.

Mr. Eaton stated he did not have any grudges with anyone and felt that he had been the only one who might have tried to offer a solution. He indicated he would be willing to rescind his motion if there is a commitment of all parties to work together and heal the community.

Mr. Sullivan suggested that should be the effort for the balance of the year and to have Primex or someone else to come in and help in a healing process. If not successful, then the Board could look at a management study next year if need be. He appreciates folks coming and telling the Board what your thoughts are. He felt they can only learn from that.

Mr. Miclette felt whatever is going to happen, there needs to be a deadline and a plan in place to ensure it moves forward.

Mr. Sullivan asked Mr. Herman to make contact with Primex to pursue a course of action.

Mr. Gonyea felt the Board needs to make a choice, and that was whether they were going to move forward with or without Bill Herman as Town Administrator. He wanted to hear from Mr. Herman about what he felt his effort in all of this should be. Mr. Herman indicated he works at the direction of the Board of Selectmen, and it is their decision what that role should be.

Mr. Eaton agreed there should be a time frame and deadline established for this undertaking -- three months, four months, six months. Mr. Sullivan agreed there should be a deadline established, and that we should get professionals in to assist as soon as possible.

Mr. Headd indicated the Board needed to clear the table and he suggested to Mr. Eaton that his motion should be withdrawn. Mr. Sullivan agreed that the Board should take some action in that regard.

***Mr. Eaton noted as long as we are all going to be working together in a spirit of cooperation to try and get things resolved, he would withdraw his motion to terminate the Town Administrator's employment. Mr. Headd said he would support that action. The motion was withdrawn.***

**Adjourn**

***Mr. Headd moved to adjourn; Mr. Eaton seconded the motion; all were in favor, the meeting adjourned at 10:01 a.m.***