

**Town of Auburn
Board of Selectmen
November 15, 2021
Town Hall
Minutes**

6:00 PM

Selectmen Present: Keith Leclair, Todd Bedard and Michael Rolfe

Others Present: Parks & Recreation Coordinator Amy Lachance, Town Administrator William Herman and Nancy Hoijer, Recording Secretary

Mr. Leclair motioned to go into non-public session pursuant to the provisions of RSA 91-A: 3, II (d) - consideration of the acquisition, sale or lease of real property. Mr. Bedard seconded the motion. A roll call vote was taken, Mr. Leclair voted aye, Mr. Bedard voted aye and Mr. Rolfe voted aye. The motion passed unanimously.

The meeting room was closed to the public at 6:02 PM.

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

The meeting room was reopened to the public at 7:04 PM.

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

Selectmen Present: Keith Leclair, Todd Bedard and Michael Rolfe

Others Present: John Lorden, Attorney Eli Leino, Mike DiPietro, Parks & Recreation Coordinator Amy Lachance, Fire Chief Michael Williams, Deputy Fire Chief Bob Seling, Finance Director Patricia Rousseau, Police Chief Ray Pelton, Town Administrator William Herman and Nancy Hoijer, Recording Secretary

Call to Order – Pledge of Allegiance

Mr. Leclair called the meeting to order at 7:08 PM and led the Pledge of Allegiance.

Approval of Accounts Payable Manifest for the Week of November 15, 2021 - \$45,450.08

Mr. Bedard motioned to approve the Accounts Payable Manifest for the week of November 15, 2021 in the amount of \$45,450.08. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Approval of Accounts Payable Manifest for the Week of November 15, 2021 - \$20,185.00

Mr. Bedard motioned to approve the Accounts Payable Manifest for the week of November 15, 2021 in the amount of \$20,185. Mr. Leclair seconded the motion. A vote was taken, Mr. Rolfe abstained, Mr. Leclair voted aye and Mr. Bedard voted aye. The motion passed 2-0-1.

Approval of Consent Agenda for the Week of November 15, 2021

Mr. Leclair read aloud and provided for inspection a copy of the Consent Agenda for the week of November 15, 2021 which three (3) pistol revolver licenses.

Mr. Bedard motioned to approve the Consent Agenda for the week of November 15, 2021. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Appointments with the Board

Involuntary Merger Application – 109 Appletree Road

Mr. Leclair noted the Board had an application previously that was similar. According to building permits the previous owners used the totality of the lots to obtain permits etc. The owner took an overt act with the building application referencing all lots in one total. He noted he is not in favor of the application to unmerge the lots.

Attorney Leino referenced Section D 307 which he stated said no new use of a non-conforming lot shall be permitted. He opined this language borders on a taking and referenced case law which he stated requires the government to compensate. This lot owner should have four lots to build a house and was told he could not get building permits unless he used all four, so he had no choice to make. The fourth lot has only been wooded since.

Mr. Rolfe noted the prior owner had secured a variance for Lots 79 and 80 in order to build and did not go for one for Lots 52, 53, 60 and 61, so it appears the owner meant to do that.

Mr. Bedard noted none of us were privy to that conversation back in 1986. He agrees with using the records of what the Building Inspector provided and noted he can't agree with unmerging the lots either.

Mr. Bedard motioned to deny the application for involuntarily merged lots for 109 Appletree Road. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Fire Chief Michael Williams – Monthly Meeting

Chief Williams presented the monthly report for October 2021 of the Fire Department. There were 47 calls for service with 25 of them Rescue/EMS. He noted cardiac arrests had increased. He noted two annual life safety inspections were performed and one place of assembly permit.

Chief Williams noted the Department completed fire prevention activities at the Auburn Village School for three-four days and at daycares and hosted their annual open house/safety day. The Department hosted their annual Firefighter Challenge at AVS which the students enjoyed. October is Fire Prevention Month. He noted there are a couple of dozen cases of COVID at the school. Deputy Chief Selinga is updating the gator policy. Weekend coverage shifts are still being covered by the Department's own per-diem members.

Chief Williams reported the Department was awarded the 2022 Forest Fire grant in the amount of \$2,000, a 50-50 matching grant totaling \$4,000 and may replace forestry jackets. Chief Williams thanked the Selectmen for the repaving of the Station 2 parking lot. Chief Williams noted that he attended a virtual Health Officer Class with Building Inspector Rouleau-Cote. He noted four Fire Department members were completing testing at the Safety Complex tonight for driver operator certification with multiple towns including Chester.

Repair of Car-2 – Onboard Charging System

Mr. Herman provided the Board with an email dated November 12, 2021 from Chief Williams concerning the request to purchase an onboard charging system from the Equipment and Fleet Maintenance Fund. He noted Car 2-s battery kept dying. He provided an invoice dated November 9, 2021 from Lakes Region Fire Apparatus in the amount of \$1,757.92.

Chief Williams noted the onboard charging system was removable and would stop charging when it was not needed.

Mr. Bedard motioned to pay the invoice submitted by Chief Williams in the amount of \$1,757.92 out of the Equipment and Fleet Maintenance Fund. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Sharon LeBlanc – Roadside mowing and repairing intersection of Tanglewood Drive and Rattlesnake Hill Road for right-hand turns

Mr. Herman provided the Board with a copy of an email dated November 15, 2021. Mr. Leclair noted he went by the site. Mr. Bedard noted he also went by the site and observed some brush by the stop sign but did not see street widening was necessary.

Mr. Leclair agreed he observed no more overgrowth of vegetation than in other areas, but the Town does not have the manpower or a Department of Public Works. He noted he had no difficulty with a large pick-up truck negotiating the turn.

FY 2022 Town Budget

Mr. Herman provided the Board with the Budget Comparison and FY 22 Running Total as of November 4, 2021.

Call Firefighters Pay

Mr. Herman provided an email dated October 21 concerning pay rates and stipends, SOP #12 with Chief Williams' recommendation to amend Line #01-4220-1-160-1 of the FY 2022 budget to \$60,300. As reasons for the increase Chief Williams noted it would give call members with certain levels of certifications a bump up to be more competitive with other Towns. He noted the Town of Chester started at \$10/hr. then increased to \$15/hr. after one year. He provided the Auburn Fire Department's Pay Rates effective June 1, 2021 which ranged from a starting pay of \$9.00 per hour for scene support to \$16 per hour for the Deputy Chief. He also reviewed stipends which he noted have seen a COLA increase.

Chief Williams proposed the average hourly rate is \$13.50 per hour and is low compared to other communities. He would like to increase this to between \$13-15 per hour based on certifications. Mr. Leclair asked which position was most typical and Chief Williams indicated the FF/EMT at the \$12/hr. rate.

Mr. Rolfe asked if call firefighters were paid for training and Chief Williams noted one EMT class has been paid for since he has been here and one FF1 class which has a two-year contract. Members put out their own money for training. It is hard to hire a call firefighter.

Finance Director Rousseau summarized the budget in 2021 \$51,750 and 2022 \$55,550. The \$60,300 proposed would be a 15% increase. Chief Williams noted the increase which did not include COLA was due to there being more average hours, from 3400 to 3500. The call volume was busier.

Chief Williams proposed the two Captain stipends increase from \$750 to \$1,000, the Lieutenants from \$500 to \$1,000. Mr. Leclair asked when the rates were set and Deputy Chief Selinga noted it had been a while.

Mr. Leclair asked about the Deputy Warden's position and how many annual burn permits. Chief Williams noted the online program has helped. He asked if the Department needed to contribute, and Chief Williams explained those scenarios.

Mr. Bedard noted he understood wanting pay increase and recommended the stipends meet in the middle. Mr. Leclair noted the increase was 20% for Captain and Lieutenant and should be plus COLA going forward. Mr. Leclair asked if the Road Agent's stipend included COLA. Finance Director Rousseau noted the Fire Department was the only one that did not seem to include COLA. Mr. Leclair guessed that having the stipend rates fixed in SOP #12 may be the reason they have not automatically updated annually the COLA increase. The budget line changes the line, but the stipends don't change.

Mr. Leclair noted with the hourly pay rate changes and Captain Stipend increasing to \$900 and the Lieutenant Stipend increasing to \$600 this would increase the line to \$57,900.

Mr. Bedard motioned to approve adjustment of the Fire Department's FY 2022 budget for Line 01-4220-1-160-1 to \$57,900. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Insurance

Mr. Herman presented the proposed FY 2022 budget for Insurance in the amount of \$147,159 which is a 15% increase over last year. Mr. Leclair noted Liability Insurance increased 19%, Unemployment Compensation increased 12%, and Worker's Compensation increased 9%.

Mr. Bedard motioned to approve the FY 2022 Insurance budget in the amount of \$147,159. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Personnel Administration - Insurances

Mr. Herman presented the proposed FY 2022 budget for Personnel Administration Line 2-210-1 Health Insurance, Line 2-211-1 Dental Insurance, Line 2-213-1 Disability Insurance and Line 2-214-1 Life Insurance in the amount of \$425,396.54 which is an 11% increase over last year. Mr. Leclair noted Health Insurance increased 11% with 6.2% rate increase and the remainder was due to changes in elections of coverage, Dental Insurance increased 7% with the rate increased by 1.5%, Disability Insurance increased 10% with the rate increased by .7% and Life Insurance was level funded from last year. Finance Director Rousseau noted the Disability Insurance line 2-213-1 is based on wages paid so increases with higher wages.

Mr. Bedard motioned to approve the FY 2022 Personnel Administration budget for Health, Dental, Disability and Life Insurance in the amount of \$425,396.54. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Personnel Administration – Longevity Pay

Mr. Herman presented the proposed FY 2022 Personnel Administration budget for Longevity Pay in the amount of \$11,500 which is a 1% increase proposed over the current year. Mr. Herman noted 11 employees would be at 5-9 years of service, six would be at 10-14 years, five would be at 15-19 years, three would be at 20-24 years and four would be at 25 plus years of service.

Mr. Bedard motioned to approve the FY 2022 Personnel Administration budget for Longevity Pay Line 2-290-0 in the amount of \$11,500. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Financial Administration – Audit

Finance Director Rousseau presented the proposed FY 2022 budget for Financial Administration – Audit Line 3-310-1 in the amount of \$13,500 which is level funded from last year.

Mr. Leclair noted there has not been that amount expended in the previous years. Mr. Herman reminded that Ms. Frisella had included \$500 to help with preparation of the MS-535 form, and the final bill for the audit has not been received yet as the audit has not been submitted to the Town yet as complete.

Mr. Bedard motioned to approve the FY 2022 budget for Financial Administration – Audit (Line 3-310-1) in the amount of \$13,500. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Financial Administration – Assessing

Mr. Herman presented the proposed FY 2022 Financial Administration budget – Assessing Update in the amount of \$29,000 which is a four percent increase over last year. Avitar assesses new homes, decks, porches and other items permits are pulled for.

Mr. Leclair asked if the amount was contracted. and Mr. Herman noted it was a five-year contract through 2023. The Town should be able to do a statistical update for approximately \$80,000. Mr. Leclair noted the current equalized valuation was at 77%.

Mr. Bedard motioned to approve the FY 2022 Financial Administration budget (Line 3-330-2) in the amount of \$29,000. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Health & Social Service Agencies

Mr. Herman and Ms. Rousseau presented the proposed FY 2022 Health & Social Service Agencies budget in the amount of \$5,875 which is level funded from last year. Ms. Rousseau noted Lamprey Health Care merged with another agency already supported by the Town. Mr. Herman noted all were ones the Town has contributed to since at least 2019.

Mr. Bedard motioned to approve the FY 2022 Health & Social Service Agencies budget in the amount of \$5,875. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Intergovernmental Welfare

Ms. Rousseau and Mr. Herman presented the proposed FY 2022 budget for Intergovernmental Welfare Payments in the amount of \$4,471 which is level funded from last year. Ms. Rousseau noted RCCAP provides service to many of the eligible residents in Town who request it, but RCCAP did not send a request letter this year. Ms. Rousseau will follow-up with them.

Mr. Bedard motioned to approve the FY 2022 Intergovernmental Welfare Payments budget in the amount of \$4,471. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Funding for Water Resources Study

Mr. Herman noted there was an adjustment in the Conservation Commission budget and Planning Board budget due to the Phases of the Groundwater Hydrogeological Study for Planning & Conservation. The current budget for Task 1 and Task 2 is overfunded. They need \$8,110 for Tasks 1, 2 and 3. In the current budget, the former Finance Director put \$17,000 in the Planning budget and \$3,000 in the Conservation budget. Mr. Herman noted assuming the Town encumbers

the unspent balance of the \$20,000 funded in FY 2021 the Town only needs to raise a total of \$5,300 in FY 2022 to cover the full cost of all three proposed tasks. \$11,000 were budgeted between Planning & Zoning so \$5,700 could be removed from the FY 2022 budget. Mr. Herman will make them aware and bring it back to the next meeting for approval.

Mr. DiPietro noted it may be worthwhile to investigate some water sources and partner with Pennichuck. Mr. Herman noted they would expect the Town to expend the cost of laying pipes and bringing water in. A couple of years ago the Board discussed reforming a Development Authority and Mr. DiPietro was the only one who responded. The Board would still encourage him to recruit others. Mr. DiPietro noted the Town may have land that water could be extracted from.

New Business

Initial Draft of Potential 2022 Warrant Articles

Mr. Herman provided a draft of the proposed FY 2022 Warrant Articles including:

- 1) the CBA Agreement cost items related to the first year of a five-year CBA reflecting a \$53,022 increase over FY 2021 and to further raise and appropriate \$53,022 for FY 2022. The remaining years will be presented to the voters for approval in March 2023, 2024, 2025 and 2026.

Mr. Leclair noted the Board had already indicated their support for this proposal with their ratification of the tentative agreement for a five-year collective bargaining agreement with the Auburn Police Union.

- 2) to Raise and Appropriate \$25,000 to be placed into the Fleet Maintenance and Replacement Expendable Trust Fund to come from the unreserved fund balance surplus as of 12/31/21 with no addition from taxation in 2022.

Mr. Bedard motioned to move and place on the ballot and recommend placing \$25,000 into the Fleet Maintenance Expendable Trust Fund from the unreserved fund balance. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

- 3) to Raise and Appropriate \$25,000 to be placed into the Accrued Benefits Liability Reserve Fund previously established to come from the unreserved fund balance surplus as of 12/31/21 with no addition from taxation in 2022.

Mr. Leclair motioned to move and place on the ballot raising and appropriating \$25,000 to be placed into the Accrued Benefits Liability Reserve Fund previously established to come from the unreserved fund balance (surplus) as of December 31, 2021 with no additional amount to come from taxation in 2021. Mr. Bedard seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

- 4) to Vote to authorize fifty (50%) percent of the Land Use Change Tax collected pursuant to RSA 79-A: 25 to be deposited into Conservation Fund with the remaining fifty (50%) to be deposited to the General Fund o the Town effective April 1st.

Mr. Leclair explained the importance of the Town having long-term revenue issues with rising salaries and insurance and decreased revenue from housing development.

Mr. DiPietro noted there were years where new car registrations increase revenues and those unanticipated revenues is handled so there should be no adverse effect revenue wise with adjusting LUCT revenue.

Mr. Leclair motioned to move and place on the ballot the Town authorize fifty (50%) percent of the Land Use Change Tax collected pursuant to RSA 79-A:25 be deposited into the existing Conservation Fund and the remaining fifty (50%) be deposited in the General Fund o the Town effective April first remaining in effect until altered or rescinded by a future vote of the Town meeting . Mr. Bedard seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

- 5) To see if the Town will vote to raise and appropriate the sum of Five-thousand dollars (\$5,000) to be placed into the Cemetery Maintenance Fund previously established. The sum of \$5,000 represents the proceeds from the sale of cemetery plots in 2019 and 2020 and shall come from the unreserved fund balance (surplus) as of December 31, 2021 with no additional amount to come from taxation in 2022. (Majority vote).

Mr. Leclair motioned to move and place on the ballot to raise and appropriate \$5,000 to be placed into the Cemetery Maintenance Fund previously established. The sum of \$5,000 represents the proceeds from the sale of cemetery plots in 2019 and 2020 and shall come from the unreserved fund balance (surplus) as of December 31, 2021 with no additional amount to come from taxation in 2022. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

- 6) to Affirm establishment of a Cemetery Maintenance in 2016 and to allow future proceeds from sale of cemetery lots and interest for the maintenance of cemeteries and to name the Board of Selectmen as the agents to expend from this fund.

Mr. Leclair motioned to move and place on the ballot affirming its establishment of a Cemetery Maintenance in 2016 pursuant to RSA 31:19-a and RSA 289:2-a, and to further allow all future proceeds received from the sale of cemetery lots in Auburn cemeteries and any interest gained thereon, for the maintenance of cemeteries; and further to name the Board of Selectmen as agents to expend from this fund. Mr. Bedard seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

- 7) to see if the Town will vote to discontinue electing the Road Agent and give the Selectmen authority to appoint an "Expert Highway Agent" in accordance with RSA 231:64.

Mr. Herman noted the Highway Agent if passed would be effective the following March (2023) and would override the elected term of office of the current Road Agent in the same fashion as the

appointed Tax Collector article approved earlier this year.. This allows the Road Agent to use his contract with the Town and use his own equipment as has been done in auburn for decades.

Mr. Leclair motioned to move and place on the ballot to see if the Town will vote to discontinue electing the Road Agent and give the Selectmen the authority to appoint an Expert Highway Agent in accordance with the provisions of RSA 231:64. Mr. Bedard seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Mr. Bedard spoke to the importance of educating the voters as to why there would be these changes.

NH Locality Equipment Purchase Grant Program

Mr. Herman provided a Memorandum dated November 10, 2021 concerning a new grant program announced on November 9th by the Governor's Office of Emergency Relief and Recovery (GOFFERR) that would provide up to \$50,000 per New Hampshire community for purchasing safety and emergency equipment needed in response to the health crisis and its negative effects. Mr. Herman noted it is a 90/10 matching grant most likely from leftover CARES or ARPA funds and purchases must qualify under ARPA requirements. He recommended Auburn apply for the extractor for the fire department and police lavatory upgrades. The Board members were in agreement.

ARPA Funds Expense Consideration – Security Camera System for Storage Facility

Mr. Herman provided a request from the Police Department for purchase of a security camera for the inside portion of the new storage building. Installation was completed this week at a cost of \$588.15. An invoice dated November 10, 2021 was provided.

Mr. Bedard motioned to obligate the amount of \$588.15 from the American Rescue Plan Act funds for the installation of a security camera in the storage facility building adjacent to the Public Safety Complex on Eaton Hill Road. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Roof Replacement – Highway Department Garage

Mr. Leclair noted he met with the contractor and got an estimate for \$28,950 dated November 11, 2021. He asked about using shorter panels. The contractor noted that would require more linear footage. The recommended roof would be aluminum to avoid rust.

Mr. Rolfe noted the building will not last that long and questioned if spending \$29,000 on this building was worth it and recommended pricing a steel roof. Mr. Leclair asked about getting a price for two smaller side by sides.

Other Business

Mr. Herman noted the budgets are finished on the Board of Selectmen side and they could begin to meet every other week.

Mr. Herman provided copies of three 91-A requests concerning the Fire Department and one concerning the Highway Department recently submitted by Edward Gannon of 157 Windsor Drive in addition to copies of Mr. Herman's responses to each request. Mr. Herman noted the new Fire Department software program does not produce the specific report requested, although he noted Chief Williams has provided several different reports trying to address the inquiry.

Mr. Herman reported the attorney for the Michaud application for an Involuntary Merger of lots at 145 Appletree Road has filed a request for rehearing with the Zoning Board of Adjustment for the decision they rendered last month. The request would likely be considered by the ZBA at their meeting this week. Mr. Herman noted a rehearing was not an automatic item. The applicant is required to have new information that was not considered during the original hearing.

Mr. DiPietro asked about negotiations with Manchester Water Works. Mr. Leclair noted they have agreed to let Mr. O'Neil and Mr. Herman work out easements that will memorialize agreements they have previously had. The Board should have more information about Severance School by mid-December. Other items will take longer due to scheduling. There is no capital outlay due to the proposed lease agreement.

Next Meeting/Events

- Monday, November 29, 2021 – Board of Selectmen's Meeting – 7:00 PM
- Monday, December 6, 2021 – Board of Selectmen's Meeting – 7:00 PM

Minutes

November 8, 2021 Public Meeting

Mr. Bedard motioned to approve the November 8, 2021 Public Meeting Minutes. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Adjourn

Mr. Bedard motioned to adjourn the meeting at 8:46 PM. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Respectfully submitted,

Nancy Hoijer
Recording Secretary