

**Town of Auburn  
Board of Selectmen  
February 26, 2018  
Town Hall**

**7:00 p.m.**

**( ) Call to Order – Pledge of Allegiance**

Approval of Payroll for the Week of February 19, 2018 -- \$49,496.44

Approval of Accounts Payable for Week of February 26, 2018

Consent Agenda – as of February 26, 2018

**( ) Public Hearing**

Pursuant to the provision of RSA 284:41 through 51, consider and discuss Warrant Article #8 appearing on the March 13, 2018 ballot: "To see if the Town will vote to allow the operation of Keno within the Town of Auburn?"

**( ) Appointments with the Board**

**( ) New Business**

Appointment of Alternate Library Trustee

Acceptance of Escrow Agreements – Crown Energy Solutions Site Plan/Subdivision

2017 Town Report

**( ) Old Business**

**( ) Other Business**

**( ) Minutes**

- February 12, 2018 Public Meeting
- February 12, 2018 Non-Public Meeting

**( ) Non-Public Session pursuant to RSA 91-A: 3, II (a) & (c)**

Consideration of the compensation of a public employee and consideration of matters which could affect the reputation of someone other than a member of the Board.

**( ) Adjourn**

*Note: "Any person with a disability who wishes to attend this public meeting and needs to be provided reasonable accommodations in order to participate, please contact the Board of Selectmen's Secretary at (603) 483-5052 x100, so that arrangements can be made."*

## Town of Auburn

Town Hall  
47 Chester Road  
P.O. Box 309  
Auburn, NH 03032



## Town Administrator

William G. Herman, CPM  
Phone: (603) 483-5052 Ext. 111  
Fax: (603) 483-0518  
E-Mail:  
townadmin@townofauburnnh.com

To: Board of Selectmen

From: Bill Herman, CPM, Town Administrator

Date: February 26, 2018

Re: Consent Agenda – Week of February 26, 2018

### **Pole License / Eversource Energy:**

- ❖ One Pole – Appletree Road (near intersection with Pinetree Road)

### **Land Use Change Tax Warrant:**

- ❖ 73 Juniper Circle (Tax Map #8, Lot #25 – 22) -- \$13,500

### **Payroll Check Register:**

- ❖ Payroll Period 2/4 – 2/17, 2018 -- \$485.34

### **Master Services Agreement:**

- ❖ Stantec Consulting Services, Inc.

### **Correspondence:**

- ❖ Letter to Skate Park "Scare Crow" Donors (Six)
- ❖ Acknowledgement of Kathryn Lafond Resignation

### **Pistol / Revolver License:**

- ❖ Three (3) Permits

# **LEGAL NOTICE**

## **PUBLIC HEARING AUBURN, NEW HAMPSHIRE**

Pursuant to the provisions of RSA 284:41 through 51, the Auburn Board of Selectmen will conduct a public hearing on Monday, February 26, 2018 at 7:00 p.m. at the Auburn Town Hall.

The purpose of the public hearing will be to consider and discuss Warrant Article #8 appearing on the March 13, 2018 ballot: "To see if the Town will vote to allow the operation of Keno within the Town of Auburn?"

Keno became allowed in 2017 upon the Governor's signing of SB 191 into law which establishes Keno as a revenue source to fund full-day kindergarten in New Hampshire.

BOARD OF SELECTMEN  
AUBURN, NH  
February 8, 2018

REC'D 12 15 17



Nearly \$2 Billion and Counting for our Schools

GOVERNOR Christopher T. Sununu  
CHAIRMAN Debra M. Douglas  
COMMISSIONER Paul J. Holloway  
COMMISSIONER David L. Gelinas  
EXECUTIVE DIRECTOR Charles R. McIntyre

December 11, 2017

Kathleen Sylvia  
Town Clerk  
PO Box 309  
Auburn, NH 03032

Dear Ms. Sylvia,

I'd like to take this opportunity to introduce myself. My name is Charlie McIntyre and I am the Executive Director of the New Hampshire Lottery. This past summer, Governor Sununu signed SB 191 into law which establishes KENO as a revenue source to fund full-day kindergarten in New Hampshire. In response, our agency is launching a new lottery game called KENO 603, which will be played exclusively in taverns and restaurants that have an active liquor pouring license.

The law was written to give municipalities the option to allow KENO in their communities by putting it on city election ballots or as a warrant article for consideration by citizens at annual town meetings. With the passage of KENO in six cities last month, there are already establishments that will be offering KENO 603 beginning later this month, with more signing up each week. Our office is receiving calls from businesses in towns like yours, with owners inquiring about the application process so that they may offer the game to their customers.

Understanding that town meeting deadlines are fast approaching, I offer the support of our staff to answer any questions town administrators, voters, or business owners may have about KENO 603. In some cases, a representative from the Lottery can appear before your Board of Selectmen in January to share a short presentation on the game in advance of the warrant deadline of February 6. Enclosed is a brief question and answer overview of KENO 603 for your reference. Please understand we have had numerous requests to meet with town officials and we will do our best to accommodate as many towns as possible. Our staff is limited, so availability will largely be based on a first come first serve basis.

Should the Selectmen decide to place KENO on the town warrant, the suggested language for that warrant article would be: **To see if the town will vote to allow the operation of KENO within the town pursuant to the provisions of NH RSA 284:41 through 51.** (Note that a public hearing on the question must be held fifteen to thirty days prior to town meeting.) Finally, the statute describes the wording to be used for the question on KENO substantially as follows: ***Shall we allow the operation of KENO games within the town?***

In the next two weeks, staff will reach out to you to answer any questions and potentially schedule a time for the KENO 603 presentation in January. Please consider this a request to have the matter of KENO placed on your Town's Legislative agenda at an upcoming meeting. Certainly, please feel free to give us a call Monday through Friday, 8 AM to 4 PM, at 271-3391 if you have questions. Thank you very much for your time.

Sincerely,

Charlie McIntyre  
Executive Director



Live Free or Die

New Hampshire Lottery Commission 14 Integra Drive Concord, New Hampshire 03301  
TEL 603.271.3391 FAX 603.271.1160 TDD 1.800.735.2964 www.nhlottery.com

***Q. How does the new law regarding keno and kindergarten affect municipalities?***

A. From a municipal perspective, the new law does two things: (1) It provides funding to school districts for full-day kindergarten, with the intent that the funding will eventually (but not immediately) come from the proceeds from keno operations in the state. (2) It allows each municipality to vote on whether to allow the operation of keno within the municipality.

***Q. How does the kindergarten funding work, and what is the connection with keno?***

A. Under existing law, state adequate education grants to school districts are based on the “average daily membership in attendance” in each district—essentially, the number of full-time students. The basic grant is \$3,561 per student, subject to certain adjustments. Kindergarten students are counted as “½ day attendance,” even if they attend for a full day. In other words, adequate education grants are provided only for half-day kindergarten—a little under \$1,800 per student. Under SB 191, for fiscal year 2019 only, the state will distribute an additional \$1,100 (for a total of about \$2,900) for each student attending a full-day kindergarten program. These distributions do not depend on keno revenue. For fiscal year 2020 and later years, the state will instead distribute an additional one-half share (approximately \$1,800) so that districts are receiving the full grant of \$3,561 for full-day kindergarten students. *However*, that amount is to be funded by keno proceeds, which will be paid (after certain deductions) into the state’s education trust fund. If the amount of revenue raised through keno is less than enough to fund these additional grants, the grants will be reduced proportionally, but not below \$1,100 per student. Thus, districts will receive a minimum of \$1,100 and a maximum of (roughly) \$1,800 per full-time student, depending the amount of keno revenue.

***Q. Must a municipality allow keno in order to receive the full-day kindergarten funding?***

A. No. There is no connection between a municipality’s allowance (or disallowance) of keno and its receipt of kindergarten funding. If the school district provides full-day kindergarten, it will receive the funding, both for fiscal year 2019 and for later years, regardless of whether the municipality allows keno. The only effect of a given municipality’s allowance of keno is a cumulative one: if a municipality chooses to allow keno, and one or more establishments in the municipality subsequently obtain keno licenses, there may be an increase in the total statewide keno revenue that is available to fund kindergarten beginning in fiscal year 2020.

***Q. Who determines whether a municipality will allow keno?***

A. In a town, the question of allowing keno may be placed on the warrant for an annual town meeting, “and shall be voted on by ballot.” If a majority of those voting on the question vote in the affirmative, keno games may be operated within the town.

***Q. May the question be submitted at a special town meeting?***

A. No, the law specifically says “an annual town meeting.”

***Q. How does it work in a town that doesn’t have town meetings?***

A. Unfortunately, the legislature appears to have overlooked that question. The legislation provides for placing the question on the warrant for a town meeting. No provision is made for a town that does not have a town meeting. Because those towns are governed much more like cities, it would make sense to put the question on the ballot at a regular town election—but the statute does not say that, and we are not prepared to opine that this would be legal. We urge towns without a town meeting to consult with their legal counsel before taking action. In the meantime, an amendment to clarify the law seems in order.

***Q. What is the process for getting the question onto the ballot or warrant? Is it up to the governing body, or can citizens petition to have it included?***

A. The short answer is either one. Here is the longer answer:

For towns: The new law says the question “shall be placed on the warrant of an annual town meeting under the procedure set out in RSA 39:3.” That is the statute that authorizes citizens to submit a warrant article by petition (signed by at least 25 voters or two percent of the registered voters), so one might conclude that *only* the citizens, not the selectmen, may initiate the warrant article. However, RSA 31:131 states, “Any question which an enabling statute authorizes to be placed in the warrant for a town meeting by petition may also be inserted by the selectmen, even in the absence of any petition.” Thus, the selectmen may place the question on the warrant at their own initiative, and they *must* place it on the warrant if a valid petition is received under RSA 39:3.

***Q. So the governing body is not required to put the question on the ballot unless it receives a citizen petition?***



A. Correct. In the absence of a citizen petition, the governing body *may* place the question on the ballot (or the warrant), in its sole discretion. If a valid citizen petition is received, the governing body *must* submit the question to the voters.

***Q. If the question is placed on the warrant for a town meeting, should it go on the official ballot?***

A. It depends. Of course, if a town has adopted the official ballot referendum (SB 2) form of town meeting, *all* questions must be on the official ballot.

In a town with a traditional (non-SB 2) town meeting, the question *may* be, but is not *required* to be, placed on the official ballot. This is because the new law specifies the form of the question and says that it will be "voted on a ballot," but does not use the term "official ballot." Under RSA 39:3-d, II, any law that prescribes the wording of a question, but does not use the term "official ballot," is deemed to "authorize, but not require, the use of the official ballot for that question, unless a contrary intent is specified."

RSA 39:3-d, II, goes on to say that if the question is *not* placed on the official ballot, "the prescribed wording shall be placed in the warrant, and may also be placed upon a preprinted ballot to be acted upon in open meeting in the same manner as a secret 'yes-no' ballot." Although the statute says the question *may* be placed on a preprinted ballot, SB 191 says the question *shall* be voted on by ballot, so there is no discretion. Thus, if the question is not placed on the *official* ballot, it must be voted on by "unofficial" written ballot at the open meeting.

In short, non-SB 2 towns have a choice: put the question on the official ballot, or put it on the warrant and vote on it by written ballot at the open meeting.

***Q. What exactly is "the question" that should go on the ballot or warrant?***

A. The law states, "The wording of the question shall be substantially as follows: 'Shall we allow the operation of keno games within the town?'"

***Q. Must it be stated exactly in that manner?***

A. No, not *exactly*. Note that the law says "substantially." Further, RSA 31:130 states, "The forms of questions prescribed by municipal enabling statutes shall be deemed advisory only, and municipal legislation shall not be declared invalid for failure to conform to the precise wording of any question prescribed for submission to voters, so long as the action taken is within the scope of, and consistent with the intent of, the enabling statute or statutes."

***Q. In an SB 2 town, the question would be placed on the warrant that goes to the deliberative session. May the deliberative session amend the question?***

A. No. RSA 40:13, IV(a) states, "Warrant articles whose wording is prescribed by law shall not be amended" at the deliberative session. If the question is placed on the warrant, voters may discuss and debate it as much as they want at the deliberative session, but they may not amend it. The question must go on the official ballot "substantially" as provided in SB 191.

***Q. Can the governing body include an explanation of the issue along with the question on the warrant or ballot?***

A. No. This would be a supplement to the language required by the law, and is likely to be deemed inconsistent with the requirement that the question be "substantially" in the form stated in the law. If the question is going to be submitted, it should be as stated above, without anything extra. The time for explaining the issue to voters is at the hearing that is required before the vote. It also can be explained as part of the discussion at the deliberative session (in a SB 2 town) or at the town meeting (in a non-SB 2 town).

***Q. When is the hearing required to be held?***

A. For either a town, the governing body must hold a hearing "at least 15 days but not more than 30 days before the question is to be voted on." Notice of the hearing must be "posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing." In a town, the date of the hearing will depend on the session at which the vote will be taken. In an SB 2 town, because the question will be on the official ballot, the hearing must be held 15 to 30 days before the second (voting) session—*not* before the deliberative session. In a town with a traditional town meeting, if the question is going to be on the official ballot, the hearing must be held 15 to 30 days before the voting session. If, instead, it is going to be voted on by written ballot at the open meeting, the hearing must be held 15 to 30 days before the meeting.

***Q. Does the governing body need to hold a hearing before voting to put the question on the ballot or warrant?***

A. No, unless the municipality has a charter or rules of procedure that require such a hearing.

## Town of Auburn

Town Hall  
47 Chester Road  
P.O. Box 309  
Auburn, NH 03032



## Town Administrator

William G. Herman, CPM  
Phone: (603) 483-5052 Ext. 111  
Fax: (603) 483-0518  
E-Mail:  
townadmin@townofauburnnh.com

**To:** Board of Selectmen

**From:** Bill Herman, CPM, Town Administrator

**Date:** February 23, 2018

**Re:** Library Trustees Recommend Alternate Library Trustee

As you may have seen, the Library Trustees had put a request out through the Auburn Village Crier for potential individuals interested in serving as an Alternate Library Trustee. The Board of Trustees is allowed to have as many as three alternates.

The Trustees received several inquiries and met with at least two potential candidates. On February 22<sup>nd</sup>, Library Trustee Chair Nancy Mayland advised me the Trustees were recommending Mary Beth Lufkin for appointment as an Alternate Library Trustee.

Under the statutes (RSA 202-A: 10) the Library Trustees recommend to the appointing authority (which is the Board of Selectmen) individuals for appointment as an Alternate Library Trustee. Alternate Trustees are appointed for a one year term of office.

If the Board accepts the Library Trustees recommendation, it would be appropriate for the Board to formally record the following vote:

*Move to appoint Mary Beth Lufkin to the position of Alternate Library Trustee for a term to expire in March 2019.*

Thank you for your consideration.

# APPOINTMENT OATH OF OFFICE

To Mary Beth Lufkin of Auburn in the County of Rockingham

WHEREAS, there is a vacancy in the position of Alternate Library Trustee in said town and whereas we, the subscribers, have confidence in your ability and integrity to perform the duties of said office, we do hereby appoint you the said, **Mary Beth Lufkin as Alternate Library Trustee** of the Town of Auburn and upon your taking the oath of office, and having this appointment and the certificate of said oath of office recorded by the Town Clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office. Term to expire in March 2019, or upon the selection of your successor.

Given under our hands this 26th day of February 2018

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Selectmen of the Town of Auburn

"I, Mary Beth Lufkin, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as Alternate Library Trustee for the Town of Auburn to the best of my abilities, agreeably to the rules and regulations of the Constitution and Laws of the State of New Hampshire; So help me God."

Signature .....

Address .....

Phone .....

E-Mail .....

Personally appeared the above named, Mary Beth Lufkin took and subscribed the foregoing oath.

State of New Hampshire, Rockingham County

.....

On the \_\_\_\_ day of \_\_\_\_\_ of 2018

Selectman, Moderator,  
Town Clerk or Deputy Town Clerk

Received and Recorded .....

.....

Kathleen A. Sylvia, Town Clerk



# TITLE XVI LIBRARIES

## CHAPTER 202-A PUBLIC LIBRARIES

### Section 202-A:10

**202-A:10 Library Trustees; Vacancies; Alternates.** – Vacancies occurring on any board of library trustees in a town shall be filled as provided in RSA 669:75. A vacancy occurring among the publicly elected members of the board of library trustees of a city library shall be filled by the city council or other appropriate appointing authority within 2 months of the notice by the remaining members of the board of trustees. The board of library trustees may recommend to the appointing authority names of persons for appointment to vacancies on expired terms. The board of library trustees may recommend to the appointing authority the names of no more than 3 persons who may serve as alternate members on the board when elected members of the board are unable to attend a board meeting. The alternate members shall be appointed to one-year terms.

**Source.** 1917, 59:1. PL 10:55. RL 15:58. RSA 202:9. 1963, 46:1. 1979, 410:19. 2000, 9:3, eff. April 16, 2000.

**ESCROW AGREEMENT  
BETWEEN  
TOWN OF AUBURN, NEW HAMPSHIRE  
AND  
CROWN ENERGY SOLUTIONS, LLC.**

**THIS MEMORANDUM OF AGREEMENT**, entered into this 23rd day of February, 2018, by and between Crown Energy Solutions, LLC a limited liability corporation existing under the laws of the State of New Hampshire, with a principal place of business at 10 Rocky Ridge Road, County of Rockingham, State of New Hampshire, and a mailing address of 10 Rocky Ridge Road, Windham, NH 03087 (hereinafter referred to as the "Petitioner"), their heirs, successors and assigns, and the PLANNING BOARD of the TOWN OF AUBURN (hereinafter referred to as the "Town"), represents the understanding between the parties with regard to the escrow account required by the Auburn Planning Board in reference to a certain SITE PLAN/SUBDIVISION for the PETITIONER for the property located on **692 Londonderry Turnpike**, identified as **Tax Map 1 Lot 11**.

**WHEREAS**, the PETITIONER has received approval of a SITE PLAN/SUBDIVISION all in compliance with the Town of Auburn Zoning Ordinance, Site Plan Rules and Regulations, and Rules and Regulations of the Auburn Planning Board.

**NOW THEREFORE**, in consideration of the Auburn Planning Board having granted approval of the Site Plan titled **Crown Energy Solutions, LLC, Shawn Thrasher**, recorded on February 19, 2016 at D-39322 it is agreed:

That an escrow account will be established at TD Bank North in the amount of **\$8,174.40**, payable by Crown Energy Solutions, LLC. to the Town of Auburn. This escrow of **\$8,174.40** is solely for the purpose of construction monitoring of the site plan/subdivision outlined in a letter from Stantec Consulting Services, Inc., dated February 4, 2016.

**IN WITNESS WHEREOF**, the parties hereto and hereunto set their hands (and seals) the day and year written above.

*Denise I Royce*  
Witness

By: *[Signature]*  
Crown Energy Solutions, LLC  
Shawn Thrasher, Petitioner

\_\_\_\_\_  
Witness

TOWN OF AUBURN, NEW HAMPSHIRE

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

**ESCROW AGREEMENT  
BETWEEN  
TOWN OF AUBURN, NEW HAMPSHIRE  
AND  
CROWN ENERGY SOLUTIONS, LLC.**

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**WHEREAS**, the PETITIONER has received approval of a SITE PLAN/SUBDIVISION all in compliance with the Town of Auburn Zoning Ordinance, Site Plan Rules and Regulations, and Rules and Regulations of the Auburn Planning Board.

**NOW THEREFORE**, in consideration of the Auburn Planning Board having granted approval of the Site Plan titled **Crown Energy Solutions, LLC, Shawn Thrasher**, recorded on February 19, 2016 at D-39322 it is agreed:

That an escrow account will be established at TD Bank North in the amount of **\$85,382.00**, payable by Crown Energy Solutions, LLC. to the Town of Auburn. This escrow of **\$85,382.00** is solely for the purpose of Site Plan On-Site Reclamation of the site plan/subdivision outlined in a letter from Stantec Consulting Services, Inc., dated February 4, 2016.

**IN WITNESS WHEREOF**, the parties hereto and hereunto set their hands (and seals) the day and year written above.

Denise L Royce  
Witness

By : [Signature]  
Crown Energy Solutions, LLC  
Shawn Thrasher, Petitioner

\_\_\_\_\_  
Witness

TOWN OF AUBURN, NEW HAMPSHIRE

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

Shawn Thrasher  
396-7848



February 4, 2016  
File: 1951113136

TM1, L11

Mr. Ron Poltak, Chairman  
Office of the Planning Board  
P.O. Box 309, 47 Chester Road  
Auburn, NH 03032-0309

Dear Mr. Poltak:

**Reference: Auburn, NH  
Crown Energy Site Plan Tax Map 1 Lot 11  
Surety and Site Plan Compliance Monitoring Estimates**

Please find attached the reclamation Site Plan Improvements Reclamation Surety Estimate for the subject project. The recommended surety amount is \$85,382.00. In addition, please see the attached Site Plan Compliance Monitoring Estimate. Prior to the preconstruction meeting, the applicant should provide the surety and deposit the estimated construction monitoring escrow in the amount of \$8,174.40.

Please call if you have any questions.

Sincerely,

**STANTEC CONSULTING SERVICES INC.**

A handwritten signature in black ink, appearing to read "J. Daniel Tatem".

J. Daniel Tatem  
Project Manager  
Tel: 603-206-7539  
Fax: 603-669-7636  
[dan.tatem@stantec.com](mailto:dan.tatem@stantec.com)

Attachments: Site Plan Reclamation Surety Estimate  
Site Plan Compliance Monitoring Estimate

c. Shawn Thrasher, Owner  
Rene LaBranche, Stantec

**TOWN OF AUBURN, NEW HAMPSHIRE  
SITE PLAN RECLAMATION SURETY ESTIMATE**

Map 1 Lot 11 Name of Project: **CROWN ENERGY SITE PLAN  
ON-SITE RECLAMATION**

Date: February 4, 2016

ITEM	QUANTITY	MEASURE	UNIT PRICE	PRICE
1 <u>Reclamation and Erosion Control</u>				
a Silt Fence	1,430	L.F.	\$4.00	\$5,720.00
b Stone Construction Entrance	1	L.S.	\$1,500.00	\$1,500.00
c Restoration of Growth	12,800	S.Y.	\$5.00	\$64,000.00
d Grading Site	12,800	SY	\$0.50	\$6,400.00
			SUBTOTAL	\$77,620.00
2 10% Contingency				\$7,762.00
3 Required Surety			<b>TOTAL:</b>	<b>\$85,382.00</b>

Signature:

Title:

Date:

Tele. #:

*J. Daniel Tatem*  
J. Daniel Tatem

*2-4-16*  
2-4-16

*(603) 669-8672*  
(603) 669-8672



AUBURN, NH  
CROWN ENERGY SITE PLAN  
SITE PLAN COMPLIANCE MONITORING ESTIMATE

JDF

Manhour Breakdown:

			Hours	Total Hours
1	<u>Clearing, Grubbing &amp; Construction Entrance</u>			
2	visits @	1 hrs. each	2	2
2	<u>Erosion Control Maintenance</u>			
2	visits @	2 hrs. each	4	4
3	<u>Cut &amp; Fill Work</u>			
3	visits @	2 hrs. each	6	6
4	<u>Drainage System Work</u>			
	Drainage Culvert & Det. Basin			
5	visits @	2 hrs. each	10	
	Catchbasins			
2	visits @	2 hrs. each	4	
	End Sections / Headwalls			
1	visit @	1 hrs. each	1	15
5	<u>Parking Lot / Storage Area Construction</u>			
	Subgrade			
3	visits @	2 hrs. each	6	
	12" Bank Run Gravel & Recycled Asphalt (storage area)			
3	visits @	2 hrs. each	6	
	6" Crushed Gravel			
2	visits @	2 hrs. each	4	
	2.5" Base Course Paving			
1	visit @	3 hrs. each	3	
	Prepaving			
1	visit @	2 hrs. each	2	
	1" Wearing Course Paving			
1	visit @	2 hrs. each	2	23
6	<u>Misc.</u>			
	Restoration of Growth			
2	visits @	2 hrs. each	4	
	Outdoor Site Lighting			
2	visits @	1 hrs. each	2	
	Utilities			
2	visits @	1 hrs. each	2	
	Punch			
1	visit @	2 hrs. each	2	
	As-Built Review			
			3	13
			Total Manhours	63

Summary:

A. Labor cost:

B Mileage

C Construction Admin. (25% of Subtotal)

D Preconstruction Meeting and Minutes

63	Hours	Straight time (\$96.00/hr)	\$6,048.00
26	Trips - 8 Miles each @	\$0.55/Mile	\$114.40
			\$1,512.00
			\$500.00

**TOTAL**

**\$8,174.40**

**Town of Auburn  
Board of Selectmen  
February 12, 2018**

**Selectmen Present:** James Headd, Richard Eaton & Dale Phillips

**Also Present:** John MacLean of Municipal Resources, Road Agent Michael Dross, Rene LaBranche of Stantec Consulting, Planning Board Chair Ronald Poltak, Town Clerk Kathleen Sylvia, Tax Collector Susan Jenkins, Recreation Coordinator Amy Lachance, Finance Director Adele Frisella, Michael DiPietro, Michael Rolfe, Linda Dross, Paula Marzloff and William Herman, Town Administrator

Mr. Headd called the public meeting to order at 7:00 p.m. and led the audience in the Pledge of Allegiance.

**Approval of Accounts Payable for Week of February 12<sup>th</sup>, 2018**

***Mr. Eaton moved to approve the Accounts Payable Manifest in the amount of \$961,179.16 for the week of February 12<sup>th</sup>, 2018; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

**Consent Agenda – Week of February 12<sup>th</sup>, 2018**

Abatement – Refund Request:

- ❖ Cisz Daniel (Tax Map #5, Lot #65-ORA-9) – Campsite vacated over a year ago - \$71.00

Notice of Health Insurance Coverage Change:

- ❖ Executive Director, SchoolCare
- ❖ President, Auburn Police Union
- ❖ All Town Employees

***Mr. Eaton moved to approve the Consent Agenda as presented; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

**Appointments with the Board**

Presentation of MRI Operations Assessment of Town Hall Operations

John MacLean of Municipal Resources formally presented the Board of Selectmen with the report of the Operations Assessment of Town Hall Operations that had been ongoing since mid-of-last-year. Mr. MacLean reported the intent of the report is to

present the concerns of the management and administrative team, while also incorporating the findings of the MRI professional staff in such a way as to best identify opportunities for improvement. He indicated he felt the Board of Selectmen had outlined early in the process their overall thoughts and concerns, and he noted when the field work and interviews were conducted, they found the Town Hall operations functions well with excellent employees. In general, the Board of Selectmen had revealed concerns for staff development, cross training, succession planning, employee recruitment/retention, processing invoices and project management.

Mr. MacLean described the process they worked through and all of the various department heads and elected officials they interviewed as part of this process. He indicated one common theme that came up almost universally is that there does not appear to be a specific position or individual tasked with “being in charge” of the Town Hall operations. “Who has the authority to act” in between Board meetings. He noted they were offering a recommendation on that front in the reports overall recommendations.

Describing the report’s recommendations as “allowing for the day-to-day operation to function more efficiently and effectively”, Mr. MacLean outlined the following recommendations:

1. The Town Administrator meet with other administrative staff bi-weekly to review upcoming agenda items, discuss follow-up to recent BOS actions, share common concerns, and celebrate important employee milestones such as employment anniversaries, awards, and recognitions. A timed agenda should be created for this purpose.
2. That a periodic review of the Town's "Classification and Compensation System" be performed in order to reflect market conditions and significant changes in job descriptions and/or responsibilities.
3. Establish protocols for processing payroll by requiring employees to sign their individual time sheets; and submit formal requests in writing to their supervisor/department head for desired time off.
4. Seek budget authority from the BOS whenever possible to hire new employees in advance of retirements/resignations in order to ensure the transition goes smoothly; thus providing the new employee with the opportunity to learn from the outgoing employee.
5. As mentioned in the Police Department Assessment report, the

Town should consider the purchase of an additional license for the accounting software, MuniSmart, so that the police department office manager can access the accounting system remotely. The Town could also consider networking all Town departments.

6. Document procedures with references to authority as well as steps to be taken for each administrative function and include forms, reports, and key filing dates as appropriate.
7. Consider appointing rather than electing the Tax Collector/Treasurer positions in order to ensure that candidates for these offices have the necessary qualifications, experience, and personality to work as highly effective members of the administrative team.
8. Review the position of the elected road agent to determine new benchmarks for efficiency and service expectations. And consider whether it might be appropriate to upgrade this important position to an appointed Director of Public Works in order to include such activities as Highways, Fleet, Buildings and Grounds, Utility operations, and Cemeteries. Or if establishing a separate Buildings and Grounds function, that it be responsible for the overall respective facilities including parks, recreational areas and cemeteries.
9. Authorize the Town Administrator to act on the Board's behalf as the designated Human Resources Director for the Town and submit a quarterly report to the Board detailing activities and results.
10. Update the vital records page on the Town's website in order to allow customers to order vital records through the same portal as e-reg.
11. Provide tax bills online in order to decrease the number of phone calls and walk-in traffic to Town Hall, and reduce the amount of time the Deputy Clerk must spend helping the Tax Collector.
12. Add online payments and also accept credit cards for annual tax bills by expanding the Town's use of the Avitar software program currently in use by the Town Assessor's office. (Note: Avitar offers a premium online service to accomplish this purpose.)
13. Authorize the use of Administrative Regulations by the Town Administrator to be established on behalf of the BOS, thereby outlining a specific protocols, procedures, and guidelines to be

followed when implementing the policies adopted by the BOS affecting the current Personnel Policy.

14. Consolidate the functions of the Executive Assistant for Accounting, Human Resources, Purchasing and Welfare into one position reporting directly to the Finance Director.
15. Any finance activities performed by the Executive Assistant should be completed in coordination with the Finance Director and/or Town Administrator, and any routine matters that arise during the course of work should be brought to their attention, rather than directly to the Board of Selectmen. However, staff should know that a direct approach to the Board of Selectmen is appropriate in certain situations.
16. Contract for minute-taking services to provide for BOS and other boards such as Highway Safety Committee, Cemetery Trustees and Budget Committee.
17. Consider electronic record storage in order to address space issues, provide better access to files, and enhance transparency to public records in accordance with state laws and the use of PDF-A format.
18. Consider the potential of establishing a "private" office area for the Building Inspector and Land Use Administrator by dividing up the large open office area in the Town Hall.
19. Empower the Deputy Town Clerk and Deputy Tax Collector to handle multiple tasks within the office as needed to serve the public and meet the needs of both the Town Clerk and the Tax Collector.
20. Designate the Town Administrator as the supervising department head for the Town Hall with the Building Inspector, Finance Director, Land Use Administrator and Parks & Recreation Coordinator reporting directly to the Town Administrator. The Board of Selectmen would still retain their overall hiring authority responsibilities for all Town employees.
21. Designate the Parks & Recreation Coordinator as the supervising department head for part-time Parks & Recreation maintenance positions and for budget administration and purchasing oversight.



At the conclusion of his presentation, Mrs. Phillips indicated she felt the report and recommendation address a number of key areas and the Town should get to work on implementing the recommendations.

Mr. Eaton suggested they needed to read and re-read the report and its recommendations, and then work with the Town Hall staff to implement what we can within the restraints of staff and finances the Town has.

Responding to Mr. MacLean's inquiry, Mr. Herman indicated he felt the report provided a road map for improvements to Auburn Town Hall operations that were achievable, some sooner than others due to potential financial implications. But he felt there was nothing recommended that was out of line and, in the end, could help provide a more efficient and effective organization.

Mr. MacLean concluded he had truly enjoyed his work effort in Auburn. Based on his time with all of the Town officials, departments and Town Hall employees, he found everyone to be engaging, professional and committed to the Town. He believes the Town is being well-served, and had a real good nucleus to build upon for the future.

#### Renewal of Stantec Master Services Agreement with Town of Auburn and Auburn Planning Board

Planning Board Chairman Ronald Poltak and Rene LaBranche of Stantec Consulting met with the Board to discuss the renewal of Stantec's Master Services Agreement with the Town of Auburn and Auburn Planning Board.

Mr. Poltak indicated the Town and the Planning Board have had a long standing professional relationship with Stantec Consulting and its predecessor firm, Dufrense-Henry. He indicated the agreement appears to have last been renewed in 2003, and he felt it was appropriate to take the action now. He recommended the agreement be renewed so both the Town and the Planning Board could move forward on projects in process and they can continue to do the work we need to do. He felt the Town's relationship with Stantec has been professional, timely, and responsive, and their recommendations have been spot on. Their overall assistance to the Planning Board has been excellent, and he strongly recommended the agreement's renewal.

Mrs. Phillips felt the Town and Stantec has had a good working relationship during which no problems had arisen to suggest the relationship should be severed. She felt the Town and the Planning Board get answers to what they are looking for and Stantec has been timely in their response to the Town. She was in favor of moving forward with the renewal.

Mr. Eaton asked if corporate headquarters was after the local Stantec office to get the Master Services Agreement in place, he had not seen one before. Nor had he seen the Task Orders for individual projects. Mr. LaBranche noted the Master Services Agreement is identical to past contracts the Town has had, the last being in 2003. However the Task Orders are new from the current 'Notice to Proceed' document. Mr. Eaton requested a rate sheet be placed on file at the Town Hall. He felt if contractors or others had questions about their billings, Town Hall Staff would be able to refer to it. Mrs. Frisella noted the invoices themselves identify the rates charged, but a rate sheet wouldn't hurt. Mr. Eaton asked if the rates stay the same for the duration of the agreement, and Mr. LaBranche said the rates have always been adjusted by a percentage amount at the first of the year. Mr. Eaton wanted Stantec to come forward to the Selectmen and review the rate sheet on an annual basis.

Mr. LaBranche indicated the Board of Selectmen and the Planning Board may want to consider delegating signature authority for the Task Orders to staff personnel in order to move forward timelier with work requested. He recommended the Town Administrator be authorized to sign for Town work and the Land Use Administrator be authorized to sign for the Planning Board. Mr. Poltak indicated that is what happens now on the Planning Board side, so he believes that would be business as usual without any problems.

Mr. LaBranche also noted the Town Administrator had Town Counsel review the Master Services Agreement and he recommended three changes to the language that would be of benefit to the Town. Mr. LaBranche indicated Stantec had no problems with those recommendations and would incorporate the changes.

**Mrs. Phillips moved to approve the proposed Master Services Agreement between the Town of Auburn and Stantec Consulting and to authorize the Chairman of the Board of Selectmen to sign the agreement on behalf of the Town contingent upon the adjustments for inclusion of the rate card; signing delegation language and the changes recommended by Town Counsel being made. Seconded by Mr. Eaton. A vote was taken, all were in favor; the motion carries.**

#### Proposed Parks and Recreation Spring and Summer Programs

Recreation Coordinator Amy Lachance presented the Board with an outline of five programs the Parks and Recreation Commission is interested in offering to residents during the spring and summer of 2018. All of the programs would be self-funded, meaning fees charged would cover all costs with no funding to come from the Town operating budget. If approved by the voters, these programs would be operated through the Recreation Revolving Fund. But if the fund is not approved, she asked whether the Selectmen would consider accepting and expending the moneys for each program at the appropriate time. She was interested in beginning to promote the

programs in the March edition of The Auburn Village Crier, particularly for the one week summer camp program. The spring and summer programs include:

Camp Adventure for the week of August 6 through 10 at the cost of \$259 per week per participant. The age group for this activity are students entering 5<sup>th</sup> through 8<sup>th</sup> grade for the 2018-2019 school year. This program would be for a minimum of 30 students to a maximum of 40. There will be four councilors supervising the students, all of whom as teachers at the Auburn Village School. The students will meet at the school first thing in the morning, board a bus and will be transported to different activities and attractions for the day.

Town Wide Yard Sale on Saturday May 12<sup>th</sup> from 8:00 am to 2:00 pm. In this event, participants will set-up sales on their property and the day will be promoted to attract folks to come to Auburn. The work effort for Parks & Recreation is to create a map to promote every yard sale location in Town and to promote the event to a regional audience. The participation fee will be \$15.

Junior Chefs and Little Chiefs on April 9<sup>th</sup> (Breakfast and Brunch), May 14<sup>th</sup> (Healthy Snacks) and June 11<sup>th</sup> (Fun Summer lunches). This activity will be held at the kitchen area of the Longmeadow Congregational Church. Little Chefs are for ages three to five, while Junior Chiefs are for ages 6 and older. The fee will be \$19 per class.

Lil' Yogis is for ages three to five and will be offered on Thursdays from March 29<sup>th</sup> through April 19<sup>th</sup> at 9:15 am in the Safety Complex Meeting Room. The fee will be \$40 per session.

Cupcake Decorating will be offered for students in Grades Four through Eight on Wednesday, April 11<sup>th</sup> from 6 to 7 PM. This will also be held in the kitchen area of the Longmeadow Congregational Church at a cost of \$19 per participant.

The Selectmen were very supportive of the program offerings and complimented Mrs. Lachance on the effort to develop these activities. They agreed to take the steps required to hold these programs moving forward so promotion of them could begin.

**Mrs. Phillips moved to approve the Parks and Recreation Spring and Summer Program schedule including Camp Adventure in August; Town Wide Yard Sale on May 12<sup>th</sup>; Junior Chefs and Little Chefs in April through June; Lil' Yogis March through April, and Cupcake Decorating in April. Seconded by Mr. Eaton. A vote was taken, all were in favor, the motion carried.**

## **New Business**

### Proposed Voluntary Merger of Town Properties

Mr. Herman provided the Board with information concerning two abutting properties the Town owns, but treats as one parcel. The properties consist of an approximate two-acre parcel at the intersection of Wilsons Crossing Road and Pingree Hill Road (Tax Map #5, Lot #12 – 6) which the Town acquired in 1974. It is the property the Pingree Hill Fire Station sits on. The second property is a sliver of land of approximately 0.103 acres in size (Tax Map #5, Lot #14) abutting the previously mentioned lot along Wilsons Crossing Road. This property was acquired by the Town in 1987. Mr. Herman noted they are treated as if they are one lot, and there is nothing that the small 0.103-acre parcel could do for anyone as a stand-alone lot. Mr. Herman recommended the Board voluntarily merge them so they in fact become one lot. The Board members reviewed the Tax Map and supporting documents and agreed the voluntary merger was appropriate.

**Mrs. Phillips moved to approve moving forward with the Voluntary Merger of two Town of Auburn owned properties identified as Tax Map #5, Lot #12 and Tax Map #5, Lot #14, and to submit the required notice of request to the Planning Board. Seconded by Mr. Eaton. A vote was taken, all were in favor, the motion carried.**

## **Other Business**

### Joint Meeting with School Board

Mr. Headd announced the Selectmen would hold their next quarterly meeting with the School Board on Tuesday, February 13<sup>th</sup> at 6:00 PM at the Auburn Village School.

## **Minutes**

### February 5<sup>th</sup>, 2018 Public and Non-Public Meetings

***Mrs. Phillips moved to approve the minutes of the February 5<sup>th</sup>, 2018 public and non-public meetings; 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 at 7:55 p.m. pursuant to RSA 91-A 3, II (c) matters which could affect the reputation of someone other than a member of the Board; Mr. Eaton seconded the motion; A roll call vote was taken; Mr. Headd – yes, Mr. Eaton – yes, Mrs. Phillips – yes. The motion passed and the Board entered into Non-Public Session.***

Meeting in Non-Public Session with the Selectmen was Town Administrator Herman and Finance Director Frisella.

***Mr. Headd moved to exit Non-Public Session at 8:26 p.m. Mr. Eaton seconded the motion; a vote was taken, all were in favor, the motion carried unanimously.***

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

**Adjourn**

***Mr. Headd moved to adjourn; Mr. Eaton seconded the motion; all were in favor, the public meeting ended at 8:27 p.m.***