

**Town of Auburn
Board of Selectmen
February 16, 2015**

Selectmen Present: Russell Sullivan, James Headd & Richard Eaton

Also Present: Fay Hanscomb, Nancy Mayland, Kathy Sylvia, Denise Royce, Joanne Linxweiler, Dale Phillips, Dave & Sue Jenkins, Dan Carpenter, George Gagnon, Jarlene Cornett, Mickey Rolfe, Tim Therrien, Paula Marzloff, Barbara Carpenter, Alan Villeneuve, Scott Eaton, Mike Sullivan, Glen Shaw, Helen Hiltz, Dee Cleary, Armand Miclette, Chris & Audrey Trickett, Mike DiPietro, Mike Linda & Jill Dross, John & Mary Ann Rolfe, Dennis & Pauline Vieira; Greg Santuccio, Scott & Karen Norris and Tom Gonyea, Residents; Adele Frisella, Town Employee; Scott Rogers, Police Officer; Kathryn Lafond, Recording Secretary

Mr. Sullivan called the meeting to order at 7:00 p.m.

Consent Agenda – Week of February 9th, 2015

Abatement Applications

Granted – Silver Hill Road (Tax Map #2, Lot #19) – \$1,262.00

Pistol/Revolver License

One (1)

Mr. Headd moved to approve the Consent Agenda for the week of February 16th, 2015; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.

Appointments with the Board

Kevin Coyle, Rockingham County Commissioner – County Budget

Commissioner Coyle introduced himself as District 3 representative serving Auburn, Candia, Chester, Deerfield, Derry, Londonderry, Northwood, Nottingham and Windham. Commissioner Coyle explained that the county budget is increase 1.6% primarily due to categorical assistance such as aide for the elderly; much of the categorical assistance is mandated by the State and passed down to the County. Commissioner Coyle indicated the county is working hard to provide a good value for taxpayer's dollar. Commissioner Coyle continued that if there are any suggestions with regards to services that the County could provide the Town, please contact him. It was asked what services the County currently provides. Commissioner Coyle responded the County Attorney, jail, nursing home, dispatch services and Sheriff. Ms. Cleary asked what Auburn specifically utilizes. Commissioner Coyle replied that Auburn utilizes all of the County services. Ms. Mayland asked what the duties of the Sheriffs are. Commissioner Coyle answered that the duties included serving paperwork and transporting prisoners, they also have full law enforcement authority. Commissioner Coyle provided his contact information. Mrs. Marzloff would like to invite him in to meet with the Auburn Budget Committee.

Old Business

Update of HB 547 Tax Exemptions for Telephone Poles & Conduits

Mr. Headd relayed that Friday morning he testified in opposition to HB 547 to the House Ways and Means Committee on behalf of Auburn along with Manchester, Nashua, Concord, Portsmouth, Rochester, Franklin, Berlin, Pelham and Bow. Mr. Headd continued that this matter has been ongoing for a number of years, in the past 10 years this is the 4th time this bill has been before the House. Mr. Headd indicated that he believes the Committee will vote in favor of the towns based on the questions that the Committee was asking. Mr. Headd suggested that people reach out to their representatives to express their opposition, noting that Senator Sharon Carson is a sponsor of the bill.

Mr. Sullivan noted that the town received the States notice of red listed bridges, meaning bridges with deficiencies, and there are no new bridges in Auburn on the list. Griffin Mill Bridge remains on the list and as the Board has previously determined, is slated to be reconstructed in 2017 when State funding becomes available.

New Business

Employee Resignation

- Mr. Sullivan indicated that the Board has the resignation of Town Administrator, William Herman to act on this evening. Mr. Headd stated that he would abstain from any vote this evening as he was not invited to the last meeting the Board held with Mr. Herman. Mr. Eaton replied that was incorrect the last meeting was held in non-public session last Monday at the regularly scheduled meeting, Mr. Headd choose to stay home. Mr. Sullivan explained that a separation agreement which includes a four month severance with associated benefits was worked on with Mr. Herman over the course of three meetings and was signed on Friday, Mr. Herman's last day. Mr. Sullivan read aloud Mr. Herman's letter of resignation. Mr. Mike Sullivan verified that no one knows what lead up to Mr. Herman's resignation. Mr. Sullivan indicated that the discussions leading up to the resignation were held in non-public session with Mr. Herman and would remain non-public. Mr. Mike Sullivan asked if the Board intended to hire a new Town Administrator or change the government structure. Mr. Sullivan stated that the Board does intend to fill the position in the future. Mrs. Linxweiler stated we are back where we were last April when the Board was trying to fire Mr. Herman, again without consulting town employees who have worked with Mr. Herman for ten years. Ms. Cleary referenced the Board of Selectmen meeting from April 17th, 2014 and asked why the Board is so hell bent on getting rid of Mr. Herman. Mrs. Mayland stated that she has read Mr. Herman's employment contract and if he was leaving on his own accord he would receive no severance. Mr. Sullivan indicated that the severance was negotiated. Mrs. Phillips addressed Mr. Eaton indicating that when he was running for Selectmen he denied having an agenda, clearly he did. Mr. Vieira agreed with Mrs. Phillips stating that Mr. Eaton and Mr. Sullivan have railroaded Mr. Herman and want Mr. Dross and Mr. Phillips out. Mr. Eaton did not agree, noting that the Selectmen do not make snap decisions. Mr. Scott Eaton indicated that he thinks everyone should try to bury the hatchet. Mr. Vieira stated that things are too far for that then asked why Police Chief Picard still has a job but not Mr. Herman. Ms. Cleary agreed and asked the Board why not look more into that. Mr. Vieira referenced details of a lawsuit involving former Police Lieutenant David Flight. Ms. Cleary stated that Auburn has a corrupt Police Department. Mr. DiPietro indicated that the Board of Selectmen steer the ship and is pretty disappointed in their decisions. Ms. Cleary stated that

the Board should get rid of the Police Commission. Mr. Sullivan indicated that is something the voters control not the Board. Mrs. Mayland stated that even back on April 17th when the Board was looking to fire Mr. Herman they were asking Mr. Herman questions, the Board relies heavily on Mr. Herman. Mr. Vieira expressed that he and his wife only recall a time when they thought Auburn was a beautiful great town to live in. Mr. Vieira indicated that he keeps a folder in his car containing information, excerpts in the Flight matter and he has provided to others. The Board is blowing out people who don't deserve it. Mrs. Linxweiler asked that Board to provide the audience with one reason why Mr. Herman had to go. Mr. Sullivan reiterated that the per the separation agreement the Board has said all that is going to be said. Mrs. Linxweiler felt that was a cop out. It was asked what the Boards plan was. Mr. Sullivan stated this evening they are going to act on the resignation. Mr. Villeneuve asked what the plan is for the future; it is only fair that the tax payers are aware. Mr. Villeneuve continued who is in charge at the Town Hall, will money from the budget needed to be reallocated to fund the severance, etc. Mr. Sullivan indicated that the Board has scheduled a meeting with employees on Wednesday to discuss details with them. Mr. Sullivan continued that there is no need for additional funds, the severance can be paid out of the budget and the Board of Selectmen will deal with day to day operations with administration. Mrs. Mayland stated that she has been a Library Trustee well before Mr. Herman was hired and she believes he was a huge asset and asked who the Trustee call now. Mr. Sullivan stated that everyone is welcome to call the Board of Selectmen; they can call him anytime at his home or on his cell phone. Mrs. Marzloff pointed out, as a former Selectman, personnel discussions in non-public are non-public for a reason, and no one wants their personnel matters out there. Mr. Santuccio agreed that if Mr. Herman wanted those discussions to be held publicly he had that right. Mr. Villeneuve stated the Board needs to address morale. Ms. Cleary stated what the Board did was wrong. Mr. Vieira indicated that the Boards opposition is growing. Mr. Gonyea addressed those present by noting that regardless of issues the Town of Auburn is a good, supportive community and that was proven last night at a fundraiser for a local boy with leukemia. Mr. Gonyea continued that time and again the residents come together to support their community, that is what matters. Mr. Gonyea stated lets not lose focus of that. Mrs. Barbara Carpenter asked who the point person is now. Mr. Sullivan stated that any one of the Selectmen can be contacted directly or via Ms. Lafond the Boards Executive Assistant. Mrs. Hanscomb stated that she is sorry to see morale so bad and the Selectmen so distrusted, she hopes to see things resolved.

Mr. Eaton moved to accept the resignation of Town Administrator, William Herman. Mr. Herman and the Board of Selectmen have agreed to a mutual parting of ways and reached an amicable agreement of a reduced severance package of four months instead of the maximum of six months plus the benefits due under the previously signed employment contract; Mr. Headd seconded the motion; A roll call vote was taken; Mr. Eaton – yes, Mr. Sullivan – yes, Mr. Headd - no. The motion passed.

Planet Aid Donation Bin Hosting

The Board reviewed a flier solicitation from Planet Aid regarding the town hosting a bin or bins in town. Ms. Lafond indicated it is before the Board tonight to determine if they would like to look into this further or not. Mrs. Sylvia indicated that she has read some negative press about Planet Aid. The Board agreed they were not interested in looking further into hosting a bin.

Other Business

Mr. Headd informed the Board that this evening he attended the monthly Parks and Recreation

Commission meeting and the Commission would like to find out if they have an existing mission statement, they would like to update it. The Board asked Ms. Lafond to look into whether the Commission does or not. Mr. Headd continued that there are also reports of kids drinking at the skating rinks. Officer Scott Rogers indicated that he would relay that back to the Police Department.

Minutes

February 9th, 2015

Mr. Eaton moved to approve the minutes of the February 9th, 2015 public meeting; Mr. Headd seconded the motion; All were in favor, the motion passed unanimously.

February 9th, 2015

Mr. Eaton moved to approve the minutes of the February 9th, 2015 Non-public meeting; Mr. Sullivan seconded the motion; Mr. Headd abstained, the motion passed.

Non-Public Session

Mr. Eaton moved to enter into non-public session pursuant to RSA 91-A 3, II (c) Reputation of any person, other than a member of the Board; Mr. Headd 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 was Secretary Lafond.

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

Mr. Eaton moved to adjourn; Mr. Headd seconded the motion; all were in favor, the public meeting ended at 8:56 P.M.