

**BOARD OF SELECTMEN
MEETING MINUTES
December 28, 2015**

PRESENT: SEAN P. MURPHY, CHAIRMAN, PRISCILLA R. LINDQUIST, SELECTMAN; CHAD BENNETT, SELECTMAN

Visitors: P. Williams (Tri Town News), J. Worthen, Chief Beaudoin, Chief Carrier, Sen. R. Birdsall

Public Announcements

- Christmas trees may be disposed at the *Town Garage* on January 2nd and January 16th from 8 am to 1 pm. Please note this is a change from previous years.
- Compost bins are available at the Town Offices. The cost for each bin is \$50 each.
- Waste Oil, car batteries and thermostats are collected at the Town Garage on the first and third Saturdays of the month 8 am to 1 pm. Books may be dropped off anytime.
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Visitors Comment

Stephen Wentworth- Mr. Wentworth was present to question the Selectmen as to why the office was told to withhold \$1,000 from his payment on the septic system at the Town Gym. He noted that there was nothing in the RFP stating that he had to come back and seed in the spring, which is what he was told the reason was. Chairman Murphy asked Mrs. Theriault what it said about grass in the RFP. After a short discussion Mr. Wentworth stated that he would look at it in the spring and reseed if needed. Selectman Lindquist stated that Mr. Wentworth stated in a public meeting that he would check on this and she was good with that. Both Selectmen Lindquist and Murphy stated that they were okay with the release of the \$1,000 that was held back.

Joe Tabbi- Charlestown Ridge-

Mr. Tabbi questioned the Selectmen about the need for a Town Administrator. He asked a few questions about the need. He noted that he has worked in the municipal government field for a long time and has worked with towns that clearly had the need for a TA, but felt that Hampstead was not one of them. He also asked where there would be room for additional staff.

Chairman Murphy stated that room could be found in the recreation office or the planning board office. He stated the reason for the position is that it will benefit the town and would have a cost savings. He saw savings in things such as research purchases to get the better rates and options. Mr. Tabbi asked if this was going to be a warrant article and was told that per Town Ordinance it needed to be a warrant article. Mr. Tabbi stated that the Selectmen are the administrators of the town and each has a department that reports to them.

Department Heads

There were none for discussion

New Business

Discussion concerning Code of Ethics – Jorge Mesa-Tejada

Mr. Mesa- Tejada brought up a concern from the last Selectmen's meeting. He noted that Selectman Bennett submitted a bid on the proposal for the demolition of the old police station. Selectman Bennett did step down when the bid was awarded. Mr. Mesa-Tejada explained that the perception to the public is that it is a violation of the code of ethics. He emphasized that the

enforcement falls on the shoulders of the Board of Selectmen and they should be aware of what it states. He brought up an issue from the past which may have been the reason behind the code of ethics being created. He stated that there was an open position for a Building Inspector and there were applicants. The Selectmen at that time threw out all the applicants and after a closed door session announced that Ken Clark, Chairman of the Selectmen at that time, would be the new building inspector. He also noted that when Maurie Randall was the Chairman of the School Board, he also served as Clerk of the Works for new construction. Recently, Paul Wentworth was on the Police Station Building Committee and stepped down so he could be appointed as the Clerk of the Works. He noted section 4.

Chairman Murphy responded that from what he read and understood, Selectman Bennett went through the correct process. Everyone had the opportunity to bid on the job, the bid process is sealed until the meeting when opened, and the recommendation comes from the department head. He noted that Selectman Bennett stepped down during the discussion on the recommendations. He noted that the Code of Ethics was not created to prevent someone from earning a living. Selectman Lindquist said that if Mr. Mesa-Tejada had an issue, it should be brought to the Code of Ethics Commission. That is the process, she said.

The Selectmen thanked Mr. Mesa-Tejada for bringing forward his concerns.

Approve NEPBA Union Contract

Chairman Murphy announced that there is a final agreement on the NEPBA and that the police officers have ratified the agreement. It has been reviewed by the Selectmen through the process. There were significant language changes for areas that were considered "gray areas" to clarify them. There was new language added to identify active versus non active employees and language added for the "Cadillac tax" due to take effect in 2018. It was noted that the "Cadillac Tax" has been extended out another two years.

The police officers have agreed to a 0% increase for 2016-2017 (first year) and a 3% increase for 2017-2018 (second year). He also noted that there was a new pay matrix for new personnel hired after the start of this contract that brings them in at a lower rate than the current matrix. He noted that overall it was a good negotiation and everyone was reasonable to demands. A copy will be emailed to the Budget Committee. Mr. Mesa-Tejada asked that they also be sent a breakdown of what makes up the union and the changes (personnel info) etc. Mrs. Theriault stated that she prepared a signature page for the Selectmen to show their approval to move it to the warrant. The formal ratification signature page will be done once ratified by the town meeting.

Chairman Murphy motioned to approve the proposed NEPBA contract for 2016-2018. Selectman Lindquist seconded the motion. The motion passed unanimously.

Job Description- Town Administrator-Warrant Article

At the last meeting Chairman Murphy gave the other Selectmen a job description that he put together for the Town Administrator position that is expected to be on the 2016 warrant. Selectman Lindquist stated she had no questions and Selectman Bennett stated he had no big questions. Mr. Mesa-Tejada asked for a copy to review. Mrs. Theriault stated that there are actually three job description changes with the Town Administrator position. The Town Administrator, the Administrative Assistant and the Finance Officer and she would send them each to Mr. Mesa-Tejada. Mrs. Theriault asked to speak about the job descriptions. She noted that the changes to the job descriptions actually create a new position, but the new position is not the Town Administrator because most of the requirements in that job description are on the current Administrative Assistant to the BOS job description. Instead the AA to the BOS job

description has been completely rewritten and is actually the new position being created. She also noted that the job description for the Town Administrator (TA) does not include items such as the MS-4, Joint Loss Management, Safety Committee, EOP, among other things. She also noted that there is no factor associated with the job description so that it fits into the salary matrix that is currently in place. This is the process that they just followed with the new Road Agent job description. She noted that this job description for the TA is actually from the Town of Atkinson and a lot of it does not apply to Hampstead. She suggested that they do the same process as they did for the Road Agent. It was decided that job descriptions from other towns would be accumulated and a work session held on January 11th to review them and determine what is needed for Hampstead and then the factoring could be done for the salary range. There was a question as to whether or not the job description needed to be in place for the public hearing. If they find out they can't pull it together in time, they noted that it could be withdrawn. Mr. Mesa-Tejada asked the Selectmen who wrote the job description. Chairman Murphy responded that it came from the Town of Atkinson. Mr. Mesa-Tejada asked about the two other job descriptions that were changed. Chairman Murphy stated that he made the changes based on what he sees is done. It was decided that job descriptions from other towns would be accumulated and a work session held on January 11th to review them and determine what is needed for Hampstead and then the factoring could be done for the salary range.

Encumber funds:

Fire alarm systems and other related fire protection – \$9,800 – J&M Protective Services Chief Carrier has offered to cover the cost for the repairs of the alarm systems in the town buildings from his budget. The buildings are the Town Office, Meeting House, Old Library, Memorial Gym and Town Garage.

Selectman Lindquist motioned to encumber \$9,800 for the alarm systems from account 1001-42202-59000. Selectman Bennett seconded the motion. The motion passed unanimously.

Mr. Worthen asked that he be allowed to encumber funds from his 2015 budget to complete the work on the Dam at Shop Pond and to install the generator taken from the old Police Station and hooking it up at the garage. There is also a request for installing the new heating system at the garage. He noted that tomorrow there is a storm expected and it could take whatever money is left in his bottom line. If that was the case, he would need to add the money to his 2016 budget. Selectman Bennett questioned the amount for Irving Oil and asked why it didn't go out for bid. The response was that Irving Oil is our current vendor for service, and was put out to bid in 2014. Mr. Worthen stated that the previous amount he mentioned was just the cost of the heater which was about \$1,500. The rest of the cost is the installation and piping.

- Atkinson Electric - \$2,000 (highway)
- Falwell Engineering - \$1,980 (highway)
- Dane Land Surveying - \$2,660 (highway)
- Irving Oil - \$3,911.10 (highway)

Chairman Murphy motioned to encumber \$2,000 for Atkinson Electric and \$3,911.10 for Irving Oil for line 1001-43127-43000 and Falwell Engineering \$1,980 and Dane Land Surveying for \$2,660.00 from account 1001-43121-31000. The total encumbered for the Highway Department is \$10,551.10. The motion was seconded by Selectman Lindquist and the motion passed unanimously.

It was noted that at the previous meeting, the Historic Commission was allowed to encumber up to balance in R & M fund- which at that time was \$721.42.

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Mr. Worthen told the Selectmen that he had some updates regarding the two warrant articles he is working on. The Shop Pond Dam work had an original estimate of \$100,000. This was with plans that were hand drawn. Now with the plans drawn by the engineer, a contractor has quoted a cost closer to \$50,000-\$60,000. He asked if the warrant article should be for 25% of the cost so that they could apply for the grant and have enough. Mrs. Theriault said that they should go for the full amount in case they don't get the grant and would have enough to complete the job. Mr. Worthen said that he is trying to finalize the lease payments on the new truck to add to the budget. He is working with Foss Motors to get the numbers and hopes to have it for the January 13th public hearing.

There is a warrant article for the loader requested by Mr. Worthen. Mrs. Theriault told Chairman Murphy that the one he wrote up didn't need an escape clause when it is voted on at town meeting. The escape clause is only needed when entering into an agreement during the year.

Old Business

Liaison Reports

Chairman Murphy

No update

Selectman Lindquist

No update

Selectman Bennett

No update

AA Report:

Old Police Station Status

Fairpoint was at the Old Police Station today removing the wires from the building to the pole. Everything except for the demolition has now been completed. The stair rail was removed last weekend as well.

Request for Town Wide Donation Drive

The Town has reserved Valentine's Day weekend as its weekend for contributions to Savers. The BOS need to decide which organization it would like to donate to, so that Mrs. Theriault can follow-up on getting the Federal Tax ID number from the agency/organization. Selectman Lindquist stated that they couldn't pick one town charity over another so suggested Community Caregivers. The other two had no issue with the choice.

ACA Cadillac Tax delayed

On December 18th H.R. 2029 was signed into law, which includes a two-year delay in the Cadillac Tax. The effective date is now the year 2020 not 2018.

Minutes

The Selectmen's meeting minutes of November 23rd have been signed by a majority of the Selectmen.

Selectman Lindquist motioned to approve the minutes for November 23rd as amended. Selectman Bennett seconded the motion. The motion passed unanimously.

Activity Log

Activity log was reviewed.

Mrs. Theriault reported that she has heard the new MS-4 permit may be coming down in March. She will discuss surplus equipment with the department heads after the town elections. There was a request by the Garden Club to address the knotweed issue in town. Mrs. Theriault noted that this was not the time of year to address it but will relook at it in the spring. She also noted that she added the request from Library Trustee, Emily Reschberger at the last meeting to have a look at how the town arrives at the COLA increases.

Chairman Murphy noted that at the last meeting he announced that St. Anne's had been in contact regarding the old police station and potentially using it for a regional food pantry. The process was already in place to demolish the building so it was too late to make any changes now. They agreed that a comfort station is still a good idea to move forward with.

Re- Appointments/Appointments

There was a request to appoint Alexander Logan as a Firefighter/EMT call department/per diem. **Chairman Murphy motioned to appoint Alexander Logan of Derry as a member of the call department/per diem. Selectman Lindquist seconded the motion. The motion passed unanimously.**

Call for candidates:

- o Ordway Park, full members and alternates – monthly meeting
- o Recycling and Waste Disposal Committee – monthly meeting
- o Recreation Commission, alternate member – monthly meetings
- o Trustees of the Trust Funds, alternate members – meetings as needed
- o Zoning Board of Adjustment, alternate member – monthly meeting

Correspondence

Trucking on Central Street-There was a letter received from a resident complaining about the trucking on Central Street through the website. There was a question as to whether or not the street is set to be no thru trucking. Selectman Lindquist stated that there was an ordinance passed years ago regarding no through trucking on Central Street. Mrs. Harrington was able to find an ordinance on line, which is probably what the resident saw. It was noted that someone will look into it.

Visitors Comments

There was none

Selectman Lindquist motioned to adjourn at 8:00 pm. Selectman Bennett seconded the motion. The motion passed unanimously.

A True Record.

Approved By:

Tina Harrington, Recording Secretary

Sean P. Murphy, Chairman

Priscilla R. Lindquist, Selectman

Chad R. Bennett, Selectman