

## Selectmen's Meeting Minutes

Tuesday, July 17, 2007

**Present: Selectman Maxfield, Ives, and Bowles.**

**Also present: Road Agent David Rice.**

Chairman Maxfield called the meeting to order at 6:30 PM.

- I. Selectman Ives moved to approve the Selectmen's Meeting Minutes of Tuesday, July 10, 2007 as presented. Seconded by Selectman Bowles. All in favor. Motion carried. Chairman Maxfield state in paragraph III, c, there was a quote made by Bob Fiske that Jean Lee received a 4% pay raise. He stated on page 9 of the Town Report the Office Manager received 3.24%, not 4%. Chairman Maxfield said Office Manager is Jean Lee's primary job. He said that Mrs. Lee received 3.96% as Assistant Welfare Director, which changed her salary from \$1,414.00 to \$1,470.00 or \$56.00 more per year. Chairman Maxfield said he felt that it was important for clarification on this issue.
- II. The Board met with Road Agent David Rice.
  - a. Mr. Rice advised the Board almost all of the drainage is complete on Clough Pond Road and grinding will begin on Monday. He said gravel should be in place and depending on the weather should be ready for asphalt on Thursday. Mr. Rice said it might be next week before Old Shaker Road is complete. Discussion ensued regarding the catch basins and drainage at the intersection of Clough Pond Road and Old Shaker Road.
  - b. Mr. Rice stated Tad Flagg did a good job last week dealing with all the washouts. Selectman Ives thanked the highway Crew for their assistance with Greenview Drive.
  - c. Mr. Rice advised the Board that Glenn White is out for medical reasons and Tom Drouse is back part-time from his surgery.
  - d. Selectman Bowles asked if all the culverts on Clough Pond Road and Old Shaker Road have been inspected. Mr. Rice said that there is one more header to be completed. Discussion ensued regarding drainage issues. Selectman Bowles said he wants to be sure that the drainage issues are all addressed and the area where the duplex is located is addressed. He said that it is important to lift the roads in the area of culverts. Discussion continued on catch basins. Mr. Rice advised the Board that he had spoken with Chris George regarding the location of his driveway.

- e. Selectman Bowles stated he still has concerns regarding the embankment on Berry Road at Ms. Maratea's property. He said the contractor has done what he could to fix the issues, however, since it was not done properly from the beginning, he still has concerns. Discussion ensued regarding washouts and drainage issues.
- f. Selectman Ives asked if Mr. Rice had reviewed his copies of information regarding Cross Brook and Chichester Road Bridge projects as well as a memo from Judy Huston regarding Berry Road. Mr. Rice said he had not been in to get his mail today.
- g. Mr. Rice advised the Board that Mr. Minery would be working on brush cutting once he returns from vacation. Chairman Maxfield asked about the culvert across from Mr. Minery's house. Mr. Rice said he would check it out.
- h. Selectman Ives asked Mr. Rice about putting some pavement at the end of the entrance to the Town Office Building. Mr. Rice said the whole parking lot needs to be paved.

III. Chairman Maxfield stated he wanted a motion to release the bond on Ms. Maratea's property on Berry Road. He said he knows that the Board does not like it completely, but it is going to be the way it is. Selectman Ives moved to release the bond for Dee Dee Maratea's driveway on Berry Road. Seconded by Chairman Maxfield. Selectman Bowles said he feels this should be a lesson learned for everyone that driveways of this nature need to be tended to and if the developer/property owner is not going to do what they are required to do, the Town has the authority and needs to shut the construction down. He said if an engineered plan is what is needed then that is what will be required. Selectman Ives stated he wanted to be sure that the new owners of the second house need to be aware that they are going to be responsible for the water coming off the property, that it comes down their driveway and causes problems on Berry Road. Selectman Ives said it is not done right but the Town is going to have to deal with it. Chairman Maxfield said as unbelievable as it is, they were lots of record, and Ms. Maratea received permission to build up there even with the tremendous slope. Majority vote in favor. Motion carried. Chairman Maxfield said he had received a phone call from the company who holds the bond on Ms. Maratea's property wanting to know who was going to be paying the bond to continue to be in place, as Ms. Maratea has not continued her payment with the company. He said that he advised the bond company that it was Ms. Maratea's responsibility.

- IV. The Board began their review of weekly correspondence.
- a. The Board received copies of the payment from NHIS for the Nextel Cup Fire Department Special Detail in the amount of \$42,781.75.
  - b. The Board received background information from the 2007 – 2008 budget preparation regarding the hourly rate increases along with the January 16, 2007 Budget Hearing minutes relative to the statement that the salary increases were 3.25%.

- c. The Board received information regarding special duty rates for Lt. Krieger. It was noted that time and a half pay for overtime would now put Lt. Krieger a few cents over the \$37.00 per hour rate for special duty pay. Based on US Dept. of Labor rule 29CFR553.227 as long as Lt. Krieger's special detail hours are voluntary and not part of his regular shift, he would be exempt from the time and a half rule.
- d. The Board received a request from Town Counsel for payment of escrow fees for pending litigation. Chairman Maxfield stated this is in reference to the agreement that the Board made to allow Attorney Mayer to contract with an outside attorney for the Alvin Davis litigation.
- e. The Board received information from the NH Charitable Foundation on the Francis E. Tewksbury Memorial Fund that has been set up for the Loudon Fire Department.
- f. The Board received copies of a letter of appreciation from Robert Levan regarding the excellent job by Lifeguard Lisa Halterman and the facilities at the Town Beach.
- g. The Board received a copy of a letter sent to Conservation Commission Chairman Julie Robinson regarding the Lake Host Program.
- h. The Board received copies of an e-mail to DES from Engineer Judy Houston regarding the Berry Road drainage issues and the response from DES with their requirements.
- i. The Board received a request from Alvin Davis to remove "Brown's Lane" from the tax map as "Brown's Lane" was voted to be discontinued at the March 2002 Town Meeting. The Board agreed that "Brown's Lane" could be removed from the 2008 Town of Loudon Tax Maps.
- j. The Board received a letter from Michael Harris regarding NHIS.
- k. The Board received NHIS Scholarship thank you notes from Samantha Robinson and Lyford Merrow IV.
- l. The Board reviewed past due ambulance bills. Selectman Bowles moved to forward past due ambulance bill account #35124 in the amount of \$510.10, account #35042 in the amount of \$510.10, account #12900 in the amount of \$83.07, account #34610 in the amount of \$544.60, account t #725 in the amount of \$118.60, and account #29547 in the amount of \$807.63 to collections. Seconded by Selectman Ives. All in favor. Motion carried.
- m. The Board received the Department of Revenue Administration newsletter. It was noted that Loudon is up for assessment review by DRA in 2008.
- n. The Board received notification of upcoming meetings regarding the establishment of a non-emergency transportation system to assist the NH Employment program.

V. Chairman Maxfield read the public notice relative to the request for bids for the structural supports and foundation repair of the Town Office. He stated all of the contractors bidding on the project had the specifications so they are aware of what they are bidding on.

a. Chairman Maxfield opened the following bids”

1. E. Guimond Construction, 103 Knox Road, Bow, NH in the amount of \$38,000.00.
2. DCS Construction Co. Chocorua P O Box 86, Chocorua, NH in the amount of \$12,800.00.
3. Howard Gassett Carpentry, 7299 Currier Road, Loudon, NH in the amount of \$8,690.00 with any additional work at a rate of \$40.00 per hour.
4. Target New England, 185 ?? Road, Wolfeboro, NH in the amount of \$23,600.00 with a 10% discount on the proposal they submitted on June 18, 2007 for a new price of \$21,240.00.

Discussion ensued regarding being sure that each bid included costs for the entire scope of work. Selectman Ives will contact references for DCS Construction Co., as the Board does not know the company. Selectman Bowles moved to take the bids under advisement and to perform background checks prior to awarding the bid at next weeks meeting. Seconded by Selectman Ives. All in favor. Motion carried.

VI. The Board recognized Brenda Pearl from the audience.

a. Mrs. Pearl asked the Board why the Selectmen chose not to give her the raise she anticipated getting. Chairman Maxfield asked Mrs. Pearl what she had anticipated for a raise. Mrs. Pearl stated 4%. Selectman Bowles said he does not know where the percentages came from. Mrs. Pearl said she received a list from the Town Office. Selectman Bowles said he was unaware of the list Mrs. Pearl was referencing. He said during the work session budget negotiations there was no discussion of a 4% increase for any employee. Mrs. Pearl asked why the Town Report listed that she would be getting 4%, or 3.99%? Chairman Maxfield said the Board gave the Office Manager copies of all the documentation received during the budget review process. He said that Selectman Bowles had stated during the Budget Hearing, the COLA would be 3.25% except for Officers and one other. Mrs. Pearl said she guessed that she was not the “one other”. Selectman Bowles said that no, she was not, and it was not his decision to give the “one other” the increase. Mrs. Pearl stated she had two issues. One is that the information went to the budget hearing, it’s in the Town Report. She said that she attended the Budget Hearing and there was no discussion about it. Mrs. Pearl said that she went to Town Meeting and voted on the budget as it is printed in the Town Report and voted on the budget as a resident and now the raises that were in there are

not the raises that were received. She said her second issue is that yes, the Selectmen are the ultimate bosses, but she has a superior in the department that she works and he felt that she should be rewarded slightly, very slightly for a job well done, but the Board nixed that. Selectman Bowles said that he was not begrudging anyone deserving of a raise, and that Mrs. Pearl does an outstanding job; however, what was presented to the Board in December, when he specifically asked the question relative to raises, is not what is being presented now. He said there is no way he is going to battle now for what is being presented as raises. Those issues should have been negotiated a long time ago. Selectman Bowles said what Mr. Fiske represented to the Board during the budget workshops was that the fulltime Officers would be getting \$2.00 more per hour and the part-time Officers would be elevated to a flat rate of \$14.00 per hour and represented that he was planning to hire another Officer. Mrs. Pearl said she does not know anything about that, and she believes Mr. Fiske was not asking for \$2.00 more per hour for her. Selectman Bowles said he knows that he didn't. Mrs. Pearl said she is only talking about what she was led to believe. Chairman Maxfield stated the three Selectmen take their notes during the budget workshops exactly as the information is presented to them. He said it was discussed that the increases were for the Officers and the rest was for a new hire, now it is being presented that all that money is for all of these raises, which is not how it was presented to the Board. Selectman Bowles said he wants to see the paperwork that shows all of these percentages that were approved during negotiations. He said the piece of paper presented to the Board last week was supposedly in the Selectmen's booklets, but is not in the booklets. Selectman Bowles went on to say the information was never presented to the Selectmen that showed the individual percentages, all the Board received was a piece of paper that showed the bottom line for the Police Department was going up this much and Code Enforcement was going up this much. He said there was no explanation whatsoever. Selectman Bowles said where the piece of paper the Mr. Fiske presented last week came from, he has no idea, as it was never presented to the Board during budget season. He said that he would continue to look at his information, and if in fact the Board has made an error, he will personally step up to the plate and make the correction. Chairman Maxfield said he is absolutely clear on what he heard during the discussions. He said all three Selectmen are clear; there is no question in his mind. Selectman Ives said one thing was presented to the Board and another thing presented to Mrs. Pearl and that is the bottom line. Mrs. Pearl stated in light of this discussion she has her resignation, not to her Code Enforcement position as she feels that Mr. Fiske has gone to bat for her to try and get her a tiny bit of a raise, but she is resigning from the Zoning Board, as Trustee of the Trust Funds, and the Scholarship Committee. Chairman Maxfield said

he feels very bad but does not feel there is anything else to do but except Mrs. Pearl's resignation. Selectman Bowles said he does not want to accept the resignation, but does not feel there is any other choice. He said he feels that the Board deals with what is represented to them, at the present time there is some sort of miscommunication and it is reflecting on the Board, and is causing Mrs. Pearl a lot of turmoil. Selectman Bowles went on to say that, nobody seems to understand there is series of hearings and department heads come and represent what they want to do. He said that is what the Board stands by, when the Selectmen are at Town Meeting, the information from those meetings are in their minds. If a discussion breaks out as to why the Board is doing something, they go back to the information from the meetings with department heads to explain to the Town's people. Selectman Bowles said the Board makes corrections along the way during the Public Hearings. He discussed the adjustment made during the budget hearings relative to the Treasurer's line and said it was an issue that was never discussed during the budget workshops and not brought to the Selectmen's attention until the budget hearing where it was adjusted. Chairman Maxfield said there was also a correction to the Transfer Station Managers hourly rate, which was done at the budget hearing. Selectman Ives said Chief Fiske never brought up anything to do with raises for Administration, it was strictly regarding fulltime, and part-time Police Officers everything else discussed was 3.25%. He said if Mr. Fiske had brought it up, it would have been discussed, but it was never brought up. Chairman Maxfield said it is unfortunate, but all of the documentation given to the Board during the budget process is kept at the Town Office. Selectman Ives advised Mrs. Pearl that the Selectmen cannot accept the resignation for the Zoning Board or the Trustees of the Trust Funds, but will accept it for the Scholarship Committee. He said he wished Mrs. Pearl would reconsider, but if her mind were made up then the Board would have to stand by her decision. Chairman Maxfield noted that Mrs. Pearl did say that she would continue to do her job with Chief Fiske to the best of her ability. He said as far as the Scholarship Committee goes, the Selectmen have been pleased that she has been part of the Committee as she keeps the Committee in line. Selectman Ives said if Mrs. Pearl reconsiders, to let the Board know. Selectman Bowles said he has not seen anything directly from anyone asking specifically for a 4% increase for Mrs. Pearl. He said he knows that Mrs. Pearl does an outstanding job and talked about when she took over as Secretary of the Planning and Zoning Office. The Board reviewed a spreadsheet relative to pay increases.

- b. Roy Merrill was recognized from the audience. He discussed his concerns and feelings relative to pay raises and the history of pay issues.

Selectman Ives moved to adjourn the meeting at 8:09 PM. Seconded by Selectman Bowles. All in favor. Meeting adjourned.

THE LOUDON BOARD OF SELECTMEN

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Roger A. Maxfield, Chairman

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Steven R. Ives, Selectman

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Dustin J. Bowles, Selectman