

ALTON BOARD OF SELECTMEN

Meeting Minutes

Public Session

October 17, 2016

6:00 PM

1 Monument Square

Alton, NH 03809

Approved: November 7, 2016

Cydney Johnson convened the meeting at 6:00 PM and led the assembly in the Pledge of Allegiance to the Flag and a Moment of Silence. The following members and staff were present:

Cydney Johnson, Chairwoman
Lou LaCourse, Vice Chairman
Philip V. Wittmann, Selectman
Virgil MacDonald, Selectman
John Markland, Selectman
Elizabeth Dionne, Town Administrator

Approval of the Agenda

Lou LaCourse made a motion to approve the agenda as written and Phil Wittmann seconded.

Cydney Johnson requested to amend the agenda; moving Non Public after Public Input II due to the potential for it to be lengthy and table the Minutes of October 11th and October 12th until the Workshop tomorrow night as there seems to be some discrepancies that need to be reviewed and Virgil MacDonald seconded the amendment with all in favor of the motion.

Announcements:

- Halloween Trick or Treat Hours are Monday, October 31st from 5:00 PM to 7:00 PM.
- The Town Clerk/Tax Collector's Office will be closed on Tuesday, November 8th due to the General Election. The election will be held at the new voting location, Pearson Road Senior/Community Center, 7 Pearson Road, from 7:00 AM to 7:00 PM.

Appointments: Tom Varney, Varney Engineering; Proposed Work, Shibley's at the Pier Restaurant

Mr. Varney was called to the table to discuss with the Board the proposed work he intends to do at Shibley's at the Pier Restaurant. On the right side of building there is

a fenced in area that contains a cooler, two (2) dumpsters and propane tank; they would like to double the size of the cooler and bury the propane tank somewhere in the lawn area. Dave Shibley spoke with the Code Enforcement Officer, John Dever, he is fine with the proposal as long as the proper permitting is obtained. Mr. Varney will obtain the Shoreland permit for the propane tank and the Wetlands permit for the fenced in area. There would be some improvements made to the banking where it has eroded which will improve that area and storm water measurements would be taken. Mr. Shibley owns the building but the Town owns the land so the permit would be in the Town's name. The width of the area will be the same but it will be 10' closer to the lake with the propane tank buried underground on the other side of the sidewalk. The propane tank would not be able to be in the fenced area due to the concrete pad being within the fenced area with the cooler taking up most of the space on the pad along with the two (2) dumpsters. Cydney Johnson asked if there were plans drawn yet. There are no plans drawn at this point in time however photos were provided to the Board by Mr. Varney. Liz Dionne, Town Administrator explained that Mr. Varney had come in to see her last week and suggested that he come before the Board first, believing that it would be better to explain the proposal before doing all the work. Lou LaCourse voiced that he was not in favor of the propane tank being on Town property for a private enterprise and would like to see the plans before making a decision. Also, Virgil MacDonald suggested doing a walk thru to see exactly what will transpire.

After the discussion, it was the consensus of the Board for Mr. Varney to provide plans and do a walk thru of the property with the Board as a public meeting. The Town Administrator, Liz Dionne will contact Mr. Varney with dates and times for such.

Public Input I (limited to 3 minutes per person; subject matter ~ agenda items only)

Jeffrey Clay approached the Board stating that as usual, it's always a pleasure to be here tonight to ask you (referring to the Board) to resign. He is asking the Board to resign again due to the Board continuing to embarrass him and other people from the Town that you represent. He doesn't know why you cannot dress appropriately then specifically addressed Mr. LaCourse's attire coming to the meeting. He further stated that I know that you do it to entertain me, I am not entertained, okay, wearing graffiti T-shirts is inappropriate, he then insisted that he wear a shirt and tie, accept the responsibility, when you swore an oath to, that you ran for an elected office on and dress appropriately, there is nothing wrong with asking you folks to wear a collared shirt and tie when you come here and if you don't like that Mr. LaCourse you can resign. Why keep asking this, go ahead, if you don't like the fact that you need to wear a coat and tie, just resign; it's that simple! You folks are well advised to read what the ACLU just accomplished again in Hooksett, of course you should realize this as I have been asking you this for a long time then referred to item "c" in the Public

Participation Policy “*Complaints regarding individual employees, blah, blah, blah, won’t be tolerated.* Oh that’s not what they just decided in Hooksett, when the ACLU sent them a letter again saying that’s against the law you can’t do that, it’s called prior restraint. You really should have this removed cause if not, it’s going to go to court anyways I have been asking you repeatedly to do that. You continue to violate RTK laws as far as your Non-Public Sessions. Here we have vacation compensation for someone, that’s a policy decision that’s not something you can go into Non Public for this was on September 19th. Then you have the audacity to go ahead and publish everyone’s name and address under the deeding of properties but yet you think you have the right to go into Non Public Session to discuss them; I don’t think so, I think you really need to maybe go back to school get a little education on this. Now we have the following reviewed in Non-Public Session, the hiring of these three (3) people. I have discussed this with you before but you don’t want to learn, you don’t want to heed the correct advice. When did this person over here (referring to the Town Administrator), this person that we pay to run the affairs of this Town every day when you’re at working or whatever. This is the person who is supposed to do all this work and make a nomination to you during a public session. I would like to nominate this person, for this job, then and only then if you have a justifiable reason under the exemption to go and discuss that person in Non-Public Session, that’s when you do it but if you don’t then what’s the problem, you just say sure, I agree to it, there’s nothing secretive about it. You know the law; you continue to do it. I really, really, cannot emphasize the need for you folks to resign, you’re disgracing the Town, you’re unwilling to dress appropriately and you continue to violate the laws. Please, resign you owe it to us. Stand up, I am going to be at every single meeting for the rest of my life, asking that you resign, until you do!

Mr. Clay’s time expired; the Chair thanked him.

Public Input I closed.

New Business:

Highway Safety Grant; DWI Patrols #308-17B-049

Cydney Johnson noted that the Chief was in attendance to answer any questions.

John Markland inquired if there was any information on how many DWI’s or how many convictions there have been. At this time, Chief Heath was asked to approach the Board to answer questions. The Chief only had stats for budgetary reasons, but believed it was fifteen (15) but that would be for the entire year. John Markland further inquired about specific stats during the patrol periods. The Chief responded that they have reporting requirements to the Department of Safety for every shift and for every arrest made during those shifts. He can pull the numbers noting that he has

year-end totals for 2014 and 2015 with him tonight. The timeframe for submission was asked. We are already into the timeframe due to the State being on a fiscal year which is October 1, 2016 to September 30, 2017. We get to set the dates on these but a few dates will be missed; there are certain dates that are set for the STEP grant that have to be worked, the rest can be adjusted to our busy times and weekends. Virgil MacDonald asked if officers are called in for these as extra shifts or is it for officer's that are already on shift. The Chief responded that these need to be above and beyond the officer's normal patrols. The grant is for total reimbursement of the officer's time and extra patrols aside from the normal shift coverage and it does not cover court time. John Markland noted he will abstain from the vote if the Board chooses to vote on these grants as he prefers to see stats to see how many arrests are made during these patrols, how much officer time is involved, as far as going to court, convictions, things like that because these are things that we have to pay for as a result of the grants.

After the discussion it was the consensus of the Board to table this item and the next item (STEP Grant) until the statistics are available for them to review.

Highway Safety Grant; Specialized Traffic Enforcement Patrols ("STEP") #315-17B-066

It was the consensus of the Board to table this item.

Proposed Vehicle Weighing Scales; Transfer Station

Scott Simonds was called to the table to answer questions and discuss the proposed Vehicle Weighing Scales for the Transfer Station. Scott clarified that the 25% discount that was listed on the supporting documentation was incorrect the discount was actually 20%. Various comparison costs were discussed for revenues with scales opposed to revenues without scales which puts us in the red without scales and the black with scales so having scales would be a benefit to the Town and would result in fairness across the Board for all users. The costs for this project would come from the Recycling Revolving Revenue Fund with nothing from taxation. Scott recommends that this be approved moving it along as quickly as possible. Pete Dayotas from Fairbanks Scales was present to represent his company's and the proposal. He further stated that in theory the discount is 25%. His company has installed scales in several municipalities in New Hampshire. He informed the Board that there is an opportunity through NH Beautiful that has a 50% grant for the scale purchase for municipalities for 2016. The scales are 34'x10' which will accept a roll off truck with a 50-ton capacity platform, 100K pounds. It is estimated that the payback would be 2/3-year maximum period depending on what materials are coming in. Lou LaCourse questioned if any other equipment would be necessary besides the scale. Scott responded that there would not be a need to have any additional building it would all be tied into the existing structure for power and the necessary devices. Virgil MacDonald questioned

the life of the LED screens with a response that the life is 11 years however Mr. Dayotas stated that he has seen them last far longer than that. If needed it would be the board that would need replacing not the screen which is approximately \$58.00. The components are the scale; that would be in the ground, he recommends the Type S Scale which only utilizes one load cell and has a replacement cost of roughly \$100.00, everything else is mechanical and has cast iron levers so they won't rust or rot. There is a maintenance agreement spelled out that takes care of the greasing, calibration and takes care of the scale for 5 years; training is not provided to the town employees. After the 5-year period there would need to be a maintenance contract that consists of several items of service. Calibration is necessary for legal trade use and is necessary. This has a ballpark figure of approximately \$750.00 after the initial maintenance period. Scott did not have any information on the grant but would obtain the particulars. He also noted that each of his employees that would be operating the scale would need to be certified every two (2) years at a cost of \$96.00. John Markland questioned if approved, the timeline for the installation of the scale. Mr. Dayotas thought that it would be sometime around the week after Thanksgiving. The project would take about 30 days for the construction work then the deck needs to be poured and it should cure for 28 days so the scale would be in operation in the month of January, 2017. John further questioned traffic flow with Scott responding it should not affect it. Scott Simonds questioned the need for this to go out to bid. Liz Dionne stated that there is no state law that it has to go out to bid, we have the right to waive the local bidding process. This is a specialty item and it may be difficult to get enough bids on this type of item. Cydney Johnson questioned the terms of the grant and the need to look at the particulars such as the timing of the money being spent. Scott will obtain the information from NH Beautiful on the grant and report it back to Liz Dionne. There is not a lot of time and going out to bid on this would take a lot of time. The concept of this is great however the Board needs to have the information before making a decision. The timing of this needs to be considered due to the pouring of the concrete with the colder weather approaching it is costlier to pour concrete in the colder months.

It was the consensus of the Board to hold this item until the information is made available on the grant and revisit this upon receipt of such.

Old Business:

Transfer Station Brush Chipping Bid Results and Recommendation

John Markland made a motion to approve Thomas E. Huckins, LLC for the Brush Chipping Bid for three (3) years; 2017, 2018 and 2019 for the Alton Recycling Facility at a cost of \$4,000.00 per year and Virgil MacDonald seconded with all in favor of the motion.

Ambulance Billing Issues

Ryan Ridley, Fire Chief was invited to approach the table to discuss the Ambulance billing issues and questions. Cydney Johnson noted that after the last meeting the Board is looking for him to make a recommendation and provide information with a brief update.

Chief Ridley stated that a lot of research has been done and they were not able to find any minutes regarding the waiver for Alton residents not to be billed for services. There is nothing on file at the station. Our billing company was contacted and through our Tempis System which is where we report every call to the State, they are allowed to access our files. We mark the file ready for billing; items are being scanned into the file that they need, noting that this had not been done previously. At this point Comstar goes through their process, bills the various insurance companies, accepts whatever the insurance companies pay, three (3) invoices are sent then a collection letter goes out to them, it doesn't mean that it is going out to collections it just means it is the final letter; right now this is where it stops, we are not sending anybody to collections. In further research we found a document that a prior Chief had signed that can be provided that shows basically we were sending people to collections. The referred document was provided to the Board. This is the billing process. There is a fair amount of money that is outstanding. Once the billing has gone through the insurance companies and it goes to collections, the collection company keeps 33.3% and the Town gets approximately 3%. It was the opinion of the Chief that it is not worth sending people to collections. The suggestion from the billing company is to do a better job on the Town's end, obtain social security numbers when you can, some people refuse, get the billing sheet from the hospital and there are two (2) hospitals that we don't get them from until at least midnight, they are either faxed or they are picked up, we scan them in noting patient signed or patient unable to sign then it can be directly accessed by Comstar thru the Tempis System. They go through the process, pull the information necessary; they determine what meets the criteria to actually bill then the process begins. Cydney Johnson asked by not billing Alton residents how much money are we losing; in the beginning there probably were fewer calls, fewer residents, fewer expenses, we have probably grown? The Chief responded that in 2014 we did about 257 actual transports, collected 182K, in 2015, 229 transports, collected 172K and this year to date 221 transports, collected 101K. With Obamacare we probably won't be collecting what it has been in the past. It is the belief that it will be more and more difficult for this to be a self-sustaining ambulance. The rates have not changes for two (2) years since January 2014. For basic life support, emergency and non-emergency the rate was \$1,130.00. The average BLS bundle is \$1,293.00; ALS 1 emergency and non-emergency was \$1,890.00 now \$2,099.00 and ALS 2 which is a small portion of the calls was \$2,930.00 now \$3,194.00. We do not do specialty care type of transports; mileage was

\$29.00, is now allowed \$34.00. In the current rates if an auto extrication is done Comstar can bill \$650.00 and if there is an extra staff provider \$195.00. In the new bundle bill, the auto extrications and extra staff provider goes away which we don't bill or do very often. Currently we do not get anything to do an extrication using the hydraulic tools. This would all be dependent on the call volume.

Virgil MacDonald reviewed the provided document signed by a former Chief and stated that this doesn't say we are sending them to collections. It says no residents are to be reported to Experian, one letter to residents, one collection letter and as of now only residents receive the hardship form. Nothing about collections.

Lou LaCourse inquired what the difference is between collections vs. reporting to Experian. Chief Ridley responded that Experian goes on your credit report and collections they are trying to collect the money prior to. It was noted that you can still report to Experian and try to collect and the governing body can do this however they choose.

John Markland believes the Virgil MacDonald was interpreting the document incorrectly. Cydney Johnson agreed with John Markland on the interpretation. What is checked off and changed is, send one letter then report it to Experian. According to this document writing it off went away in 2011.

Cydney Johnson asked the Town Administrator with her experiences in the other Towns that she worked in how was this handled? Liz Dionne responded Comstar was the billing company for the town she worked for and she was in charge of reporting to Experian. There was certain criteria before reporting to Experian which would be the last resort. There were 2 options, if billing was ignored: to either set up a 0% payment plan for whatever they could afford or file a hardship claim for waiving; you need to show some documentation but you need to work with the people to help them through the process.

Cydney Johnson asked if there are residents of Alton that have paid their balances after insurance. The Chief responded "yes". There are some people that have been transported on a regular basis that don't pay much, if anything. Cydney further questioned if it was because they are not expected to or is it because they can't afford to pay. The Chief believed that it is both. The Chief had a compiled list dating from 2010 to 2015 of billings and the reasons for non-payment. Blue Cross sometimes send the payment check direct to the department and it gets sent back to them. Liz Dionne stated that there is some sort of agreement with Blue Cross that you can get that method changed however you have to accept their lower rates. The Chief obtained those rates, in 2015 there were 28 Blue Cross transports at \$34,500 @ \$1,230.00 per transport; we could have been guaranteed payment which would have

been \$500.00 to \$700.00 per transport. The Chief doesn't feel having a signed contract with Blue Cross would have any advantage.

John Markland stated he knows that Comstar is used by several communities, has there been a comparison to see where we as far as collection percentages, are we in the ballpark with other communities collecting about 53%? The Chief responded that Gilmanton uses Enhanced Billing with a fee of 8% we are at 7% with Comstar. Our contract with Comstar is currently expired and has been for many years. There is an Evergreen Clause so we are okay but he feels that we need to sign a new contract. They have agreed to drop their percentage that they charge to 5%. The Chief sat through a presentation of which six (6) companies presented their proposals; two (2) of which he would not recommend and 3 others that charge a higher percentage. The difference is there is an online portal. The Chief believes that Comstar is doing a good job collecting, the cleaner the claim the better the chance is of getting paid; it begins with the ambulance crew making sure they get the proper information. We can bill even if the patient is not able to sign due to them being unresponsive. We can also bill auto insurance but you need permission of the patient. This is dependent on the timeframe the sooner it is billed the better the chance of getting paid. We use to bill once a month, then once a week, but we will start billing twice a week; at no additional cost to the Town.

Cydney Johnson commented that she doesn't see how we can continue this way not expecting residents to pay. We are billing people, some are paying, some think that they shouldn't have to pay because they are a resident meanwhile we're....., Chief Ridley intervened stating this is what supports the ambulance service. Cydney continued we have looked at what it would take to privatize the service; it is an ugly number. Virgil MacDonald asked the amount with Cydney responding that first off they wouldn't do it if were just one town, we are not large enough nor do we have a nursing home in town so it would have to be with one or two other towns without guarantee that the ambulance would be local or even housed in our town. It was in the range of 275K per year plus the cost of the ambulance with no revenues coming to the town. Chief Ridley spoke with Best Care they were 500K and Stewart's was 475K; this was for just one ambulance.

Chief Ridley had this suggestion: We need a new contract. With Medicare, Medicaid and TriCare we get what we get with the other insurance companies are all over the place. His belief is that the three (3) invoices should be sent. Beyond what the insurance company pays and then it is open for debate, how hard we bill for the various residents, non-residents etc. Do we send them to collections? And, once this happens we are not collecting that much money.

Cydney Johnson voiced that she would rather see some sort of payment plan set up. Comstar has offered this to people that have called about their bill. Chief Ridley stated that he thought there should be some sort of a Hardship Committee. Some

people, just don't have the means to pay but this is not the case for everybody. For some it has just been the practice and as a Town we can't afford to do that anymore. Cydney believes that it is a user fee and she knows people that have utilized the service, they have paid, and are thankful that they have the service. She is not sure that we could approve privatizing ambulance services; not knowing that it would even pass at Town meeting.

Chief Ridley mentioned he worked for a private service and noted that their rates are typically high. There is not a lot of money to be made in the ambulance service business.

Cydney Johnson stated that in speaking with the various departments in Town, population, fees and revenues are increasing. It is natural that we will be having more ambulance calls and fire calls due to the increases. She further asked the Chief if he had a bottom line recommendation for the Board. His response was we obviously need to have a new contract at 5%, (possibly trying for 4½%) for a 3-year period. This can be put out to bid. Enhanced was offering services but at higher percentages. Chief Ridley further stated he will do whatever the Board decides or would like for him to do. Cydney would really like the recommendation to come from him, such as should we be billing, doing payment plans, having rate increases, etc. The Chief has spoken to the surrounding towns and they all do it differently with higher numbers for transports. Some have intercepts with Frisbee Hospital they don't bill as only one entity can bill so at the end of the month they get a check from them. Cydney asked if we can get intercept set up? The Chief responded, with our advanced providers and our paramedics, we don't really have to intercept with anybody.

John Markland voiced that if the Chief wants the Board to be the decision maker then we should send it out to bid, for the services then the Board would decide and interview from the bids; for billing. Phil Wittmann was in agreement with this.

Cydney Johnson stated that this wouldn't take care of the secondary issue of whether we bill or don't bill residents.

Lou LaCourse would like to see the Chief work with the Town Administrator, Liz Dionne in order to come up with a recommendation. Maybe we can't send residents to collections but depending on the circumstances of the situation, if someone is just ignoring payment and can afford to pay then he has no problem reporting them to Experian; maybe it would give them an incentive to pay the bill.

Virgil MacDonald stated that we are doing relatively the same amount of calls as in the past and the ambulance has survived for years, by not billing the residents and without sending them to collections. Adamantly stating that their taxes pay for that ambulance, it's still surviving, we have gone through this year, after year, after year.

We have to do this and collect this, the ambulance is going to go broke, but it still survives! Lou LaCourse noted that the ambulance budget keeps going up. Virgil MacDonald said it hasn't changed that much and doesn't feel that people should be sent to collections if they don't want to pay that bill their taxes are paying that ambulance! Lou LaCourse further stated that if you exhaust the mechanisms you have to collect the money that is due and people that can afford to pay and choose not to pay, then he has no problem reporting them to Experian. Virgil MacDonald argued Experian vs. collections, both of which ruin your credit. Cydney Johnson voiced that if the opportunities are given with hardship, setting up a payment plan etc. then that gets ignored then they should be reported to Experian.

Phil Wittmann asked Liz Dionne about her previous experiences with the filing of a hardship and if it were comparable to applying for Welfare. Liz responded that it was much easier by filling out a form, you needed to prove your annual household income and there were different levels that were in place; so depending on where you fell in the levels you would qualify for the hardship waiver. If this was ignored, then the hardship would not be waived. The billing company would continue to bill and at some point it would be sent to collections (3 months but no more than 6 months) if there was nothing obtained then it would be written off and reported to Experian. After a certain amount of time without getting any response increases the chance that you are not going to get anything, then there is no point in proceeding. Chief Ridley stated dating back to 2010 there is \$148K that won't be collected. Comstar stated that the Town needs to get rid of this bad debt however he will not sign off on it nor does he feel that he has the authority to do so unless it is approved by the Board.

Cydney Johnson stated that a decision needs to be made to move this forward with two (2) issues at hand:

1. Charge or not charge residents for services
2. Contracted Services

Lou LaCourse voiced to Virgil MacDonald that if he doesn't use the ambulance services this year, should he get a refund on his taxes. He further inquired if we could figure out how much the average person pays in taxes for the ambulance services.

Chief Ridley stated that last year the ambulance budget to maintain the ambulance was approximately 160K, 70K in the budget for wages. Ambulance services don't pay for heat, rent or electricity. Virgil MacDonald was insistent that residents should not be charged! We keep adding and adding onto that budget and we are still surviving and we are doing the same volume as in the past, again he stated, it still survives! We are at the same budget of 160K. Chief Ridley stated that we have to pay people. Cydney Johnson voiced wages and expenses have gone up with Virgil saying we are still surviving with the same budget. The Chief responded that right now in the

Ambulance Revenue account there is 26K in the checking account and 353K in the savings account. We are paying out about 160K in wages and training, vehicle repairs at about 13K this year to keep two (2) ambulances on the road; this amount was only for inspections. Cydney noted that we are bringing in approximately one half of the expenses/expenditures according to this. The total collected is 82K, the deficit will catch up eventually. Virgil said, it hasn't caught up yet and we haven't charged residents yet! Cydney responded that we are charging residents, some are paying and some are not paying and we are not going after the ones that are not paying; some are carrying this for all. Chief Ridley reported some statistics on payments. Virgil MacDonald asked how many were residents vs. non-residents? The Chief did not have those figures.

Virgil MacDonald asked Liz Dionne if Josh Monaco could go into the old Chief's Excel files and obtain the information which would be broken out and shows all the information of residents vs. non-residents, electricity etc. He would like to see that information which was compiled for about 10 years.

Cydney Johnson called the topic of discussion for a decision.

Phil Wittmann felt that apparently the people in Town believe that this policy, that we have had, has been the policy and nobody seems to be able to find anything. Cydney Johnson voiced that only some people feel that way. Virgil MacDonald stated that it was done right at Town Meeting and he was there when it was done. Cydney responded that only some people believe that because some residents are paying. Phil wishes that there was some way of knowing with Virgil stated he has watched the films, the minutes never match what is said at Town Meeting, ever. Phil asked if they were filming back then. Virgil responded that yes they were filming, they should be right at the Library. Cydney commented that Virgil previously stated that he has watched the film and asked if he could bring it in. Virgil responded if he can find it again; he doesn't want to sit down and review all those films again. Phil would really like to see it. Virgil knows that it exists and will spend some time over at the Library. Virgil noted that the date is around the 90's but the meeting minutes to the films don't match. Cydney stated that a legal vote would have to be captured. Virgil stated that it should be there, it was discussed and laid out on the floor with the Article from the Ambulance. Phil wondered what the residents would think if we had a Public Hearing and laid everything out, the facts that have been spoken about tonight to see what the residents would have to say. Do they want to continue a policy that so far we can't find documentation on, but it might be on film or do the residents think it is time to change the policy?

Lou LaCourse questioned if it could be done in a Warrant Article? The wording was questionable. Cydney Johnson noted people might say oh, I think we should pay and

continued that there are not many services that people don't have to pay for anymore. It doesn't make any sense. Nobody can produce the proof of this policy.

Virgil MacDonald made a motion to table this item.

Lou LaCourse would like to at least try and write a Warrant Article. Cydney Johnson would rather have a Public Hearing.

After the lengthy discussion Virgil MacDonald made a motion to hold a Public Hearing and Phil Wittmann seconded adding with as many facts as we can present along with the other requests made, lay out the facts, listen to what the residents have to say. There was no vote.

At this time, it was the consensus of the Board to hold a Public Hearing with a date to be determined.

Cydney Johnson made a motion to put the Ambulance Billing Contract out to bid and Lou LaCourse seconded with all in favor of the motion.

Parks and Recreation Commission Draft Bylaws

Phil Wittmann was very much in favor of the new bylaws as was Cydney Johnson. It does clarify the roles of the Commission and Phil has a Parks and Recreation meeting on Thursday night and if the Board is in agreement he would like to provide copies to the members at that meeting. If they would like to make suggestions, schedule a meeting with them, then finalize the bylaws. Once finalized then everyone should sign off on it.

It was the consensus of the Board to allow Phil Wittmann to provide copies to the Parks and Recreation Commission members at their next meeting.

Approval of Selectmen's Minutes:

September 28, 2016

John Markland made a motion to accept the minutes of Budget Workshop Session, September 28, 2016 as written and Phil Wittmann seconded. The vote was 3 approved, 2 abstentions, Lou LaCourse and Virgil MacDonald.

October 3, 2016

John Markland made a motion to accept the minutes of Public Session, October 3, 2016 as presented and Virgil MacDonald seconded with all in favor of the motion.

John Markland made a motion to accept the minutes of Non Public Session, October 3, 2016 as written and Phil Wittmann seconded with all in favor of the motion.

October 4, 2016

John Markland made a motion to accept the minutes of Budget Workshop Session, October 4, 2016 as written and Virgil MacDonald seconded. The vote was 4 approved, 1 abstention, Lou LaCourse.

October 6, 2016

John Markland made a motion to accept the minutes of Non Public Workshop Session, October 6, 2016 as written and Virgil MacDonald seconded with all in favor of the motion.

October 11, 2016

- Budget Workshop Session

This item was tabled at the request of the Chair at the beginning of the meeting.

October 12, 2016

- Budget Workshop Session

This item was tabled at the request of the Chair at the beginning of the meeting.

Town Administrator's Report and Updates by Liz Dionne

General Election; November 8th

The Town Administrator reminded the Board members that the General Election is being held on November 8th with a request from the Moderator for the Board's representation at the polling location during the day. Cydney Johnson noted that she would be there and Lou LaCourse stated he would be there for part of the day.

Upcoming Holidays and Meeting Schedule

A memo was provided to the Board for upcoming holidays with a possibility of changing the meeting schedule. The following was the consensus of the Board:

- | | |
|---------------------|-------------------|
| • November 7, 2016 | Keep as scheduled |
| • November 21, 2016 | Keep as scheduled |
| • December 5, 2016 | Keep as scheduled |

- December 19, 2016 Keep as scheduled
- January 2, 2017 Wait on decision
- January 16, 2017 Wait on decision

Town Deliberative Session; Power Point Presentation

As previously requested at a Budget meeting, was to have a Power Point presentation at Town Meeting. At this time, the Moderator would prefer not to have a Power Point presentation allowed at the Deliberative Session however another option was presented of possibly having just rolling pictures presented on the side of the stage. Liz Dionne will present this option to the Moderator and report back to the Board.

Selectmen’s Committee Report

John Markland had no updates to report.

Virgil MacDonald noted that he might need to be at the Planning Board meeting tomorrow night in order for there to be a quorum so he might not be in attendance at the Selectmen’s Budget Meeting.

Phil Wittmann had no updates to report.

Lou LaCourse had no updates to report.

Cydney Johnson had no updates to report.

Approval of Consent Agenda

There was no Consent Agenda for tonight’s meeting.

Public Input II (limited to 5 minutes per person; subject matter - any Governmental/Town Business)

Jeffrey Clay approached the Board commenting that he hopes that the Board will take the time to review tonight’s tape to see how ridiculous you folks sounded and how long you went on about something so easy or so trivial that should have been resolved a long time ago. The truth of the matter is you try and micromanage everything in this Town and all that tells me is you have no faith or confidence in the Town Administrator. Maybe you don’t, maybe you have a justifiable reason to have no confidence in her, maybe she lacks the skills, the education, the training to carry out her jobs which we pay her in an effective and competent manner, that’s what I get from you. Long before these meetings ever took place the Town Administrator should meet with all of her Department Heads, you need to stop having our people show up

here and have to explain everything to you because you want to micromanage them whether it is the Department of Public Works or the Fire Station or whatever, they should go through the Town Administrator and the Town Administrator should bring you her conclusions, her assessments and say after consultations with the department, here's my recommendation. That's why we pay the person the big money, not to have you folks sit here and ramble on for an hour or an hour and one half, talking about nothing. It's ridiculous! Town Administrator, two weeks from today, excuse me at the next public meeting, you need to have in front of this Board a book of every single public policy required by law for the Board, if there are none; fine. Also, I want you to have recommendations or recommended policies for this Board to approve so that we have a book of policies, we can no longer go by the way you folks do business. Here's an example: you keep telling us oh, there's a record of Attorney Sessler, there's no record of Attorney Sessler, the closest thing the Town was able to provide to me under the RTK law, October 3rd, 1988 and what it says is this "Executive Session held on September 26, 1988, on a motion made by R. Calvert and seconded by R. Jones, the Board voted to hire J. Sessler as Town Counsel, that's it now, you need to explain to me, your supervisor, instead of walking out the door like a rude Selectmen would do (referring to John Markland leaving the room); was he hired as a Town Councilor like it says, if so, he is a town employee. What in the world is he doing working in Laconia or wherever he's working. This is what it says here, he is working as a public employee but this is the last piece of evidence that we have that Attorney Sessler has with this Board. Every single lawsuit, every single thing that he has done since that time is null and void. You continue to ignore the entire situation; like it has no merit. This has merit, where is his contract, why have you not instituted a new contract with Attorney Sessler or put it out to bid or hired someone new to do this job. This is malfeasance, this is negligence, this is on you and you're breaking the law, you're costing us tax dollars and potential law suits and I am not going to tolerate it anymore! Now what I am going to do, absolutely, you can swallow your wand, I am going to send this to the Attorney General's office, I am also going to send it to the Attorney discipline office at the State Supreme Court, look at what Virgil MacDonald refused to ignore in his own Town. Is there any wonder why there is no contract with the Ambulance Service or whatever the case might be. You people don't know what you are doing and you refuse to take the steps necessary to correct your ignorance and it's costing the Town plenty and it is making us look very poor. I want to remind everyone that you called two (2) Police Officers to the location where you had your last meeting to intimidate me, once again, as I was sitting there doing nothing wrong. The Chairman said oh, let me stop the meeting Mr. Clay is here, let me stop the meeting. There were two (2) Policemen that showed up to intimidate me. You continue to have the Chief here for intimidation, hands up, no problem, I surrender but you are not going to curtail what I want to tell this Board. I would fire this Town Administrator but first I would get all your resignations. I will be back next time. I'll see you next time, thanks for the entertaining meeting.

Chairwoman Johnson noted that Mr. Clay's time expired.

Loring Carr approached the Board requested that if there is a Public Hearing regarding the billing of the Ambulance services that you would also have some figures of how much we're bringing in from non-residents. If Virgil's proposal comes to fruition he would like to know and how long before we run out of money, with the funds that we have in the accounts. Mr. Carr noted that he sees it in a different way than Virgil does, he feels that it is like a fee, comparing it to various departments within the Town. There is a base of what is allowed and if you go over that allowance then you pay a fee. It is the same as the Planning Board you pay the fees, taxpayers pay a fee and when somebody comes in, they have to pay a fee, added on top of just coming in asking the if this is allowed or not allowed. There is a certain base or baseline, if you want more services beyond that, then you have to pay some fees. He believes that that Ambulance fee would be one of those. We have our tax dollars paying for the ambulance, the building etc. but if you start to use it then there ought to be a fee, you're using it beyond the base and there should be a fee. Noting again that he views it differently than Virgil.

Non-Public Session: Vote to enter into non-public session pursuant to RSA91-A:3, II (a) through (k) as deemed necessary.

Cydney Johnson made a motion to enter into non-public session pursuant to RSA 91-A:3, II (a) and John Markland seconded. The Board was polled in the affirmative with all in favor of the motion.

Adjournment

The meeting adjourned at 7:41 PM.

Respectfully submitted,

Mary K. Jarvis

Mary K. Jarvis
Recording Secretary

