

Friday, April 22, 2022



Board of Selectmen Minutes

In attendance: Steve Smith (Chair), Dianne Craig (Selectman), Derek Tremblay (Selectman), Alicea Bursey, Michelle Roy and Scott Warnock.

Meeting called to order by Steve Smith at 5:33

Pledge of allegiance was recited

Consent Calendar:

- Steve made motion to accept Consent Agenda, Derek Seconded. No discussion. Steve and Derek voted yes, Dianne abstained.
- Derek made a motion to accept the March 28th minutes, with Dianne's edits. Dianne seconded it. Dianne requested emails that transpired after the March 28th minutes be attached to those these minutes. Steve suggested discussion on those emails should come later in the meeting during the Communications portion from the Selectmen; discussion on the minutes needed to only reflect the minutes from the March 28th meeting. Derek and Dianne voted yes on approving the minutes, Steve abstained.
- The minutes from the April 11th meeting were reviewed. Edits were made to the April 11th minutes. Dianne took notes for the edits and will give Cindy the edits. Derek motioned to table the April 11th minutes until the Board can review the edits. Dianne seconded. Motion passed unanimously.

Appointments:

Alicea Bursey - Planning Board Chair - discussed the Hersey Pit.

- She spoke with NHMA. The Planning Board has reached out to the State to see if the pit is grandfathered, and will be sending a letter to Mr Hersey letting him know his pit is not currently licensed. At the previous Selectboard meeting, Alicea had said the Planning Board "has no teeth". Alicea gave clarification on the authority the Planning Board has; because the legal budget falls under the Selectboard, the Planning Board needs to ask the Selectboard for legal services. Therefore the Planning Board will not do anything before telling the Selectmen.

- Steve asked if there was any legal action happening right now. Alicea said no, the Planning Board is going to send the letter first and hope Mr Hersey will follow up and ask how to get his pit permitted. In 2020, he was told there would have to be a new application process.
- Derek expressed his reservations making a payment to a vendor who is not in compliance with town regulations. The Town had a bill from Mr Hersey for approximately \$10,000, Derek wants to make sure that, while other businesses in town work really hard to be in compliance, that other vendors also are in compliance. Dianne asked who will inform Mr Hersey; she does not think Cindy should have to be the one to do so. Derek suggested allowing Mr Hersey the opportunity to get into compliance with Town regulations first, and if he does not get into compliance, then the department head who works with the vendor needs to be the person to let the situation be known. In town vendors need to be in compliance so that the Town can continue to do business with them.
- Dianne asked Alicea if the Planning Board would send a certified letter to Mr Hersey. She said she could and also t electronically. Dianne said a certified letter will let the Town know Mr Hersey received the letter and will give the Town a timeframe thereafter regarding compliance.
- This non-compliance issue is coming up now; Derek said the Town has been very prompt and responsible on paying Mr Hersey in the past. Derek thanked Mr Hersey for providing emergency materials and support last year. Dianne said for FEMA, Mr Hersey did a lot.
- Alicea said if we get pushback from Mr Hersey, a reminder was given that in 2020 he came before the Planning Board seeking a renewal for his pit and was denied because his permit had expired almost 3 years prior, but was told he could submit a new application. Alicea has followed up with him several times over the years and she states his non-compliance is not new to him; he knows he does not have an active permit in Goshen.
- Steve said he does not believe the highway department should do business with Mr Hersey until the pit compliance is settled. Derek and Dianne agrees.
- Alicea said with the form submitted previously, Mr Hersey shows intent to excavate in the pit, located in Goshen. Dianne said that the Highway Department needs to know until this is settled, we should not do business with Mr Hersey, but this doesn't mean once on the up-and-up, we cannot resume a business relationship. Steve said that we all agree we appreciate Mr Hersey's help during our flood last year.

- Steve asked to readdress the pit at the May 9th meeting. Alicea said she would be able to.

Public Comments:

- Scott Warnock & Michelle Roy discussed Conservation Commission issues:
- Scott had asked who takes care of the road to Gunnison Lake. Dianne and Steve said it's the State's. Scott had previously spoken with Steve at the Town Office, Steve had said he would look into who locks the gate and get back to him. Steve stated he reached out to the snowmobile club; they lock the gate after the season is over. He had passed this information back along to Scott. Steve made a motion that the Road Agency opens the Gunnison Lake access road's gate, when he deems passable, as long as permissible by the State. Dianne seconded.
- Discussion: Dianne asked if we could have a sign at the end of the access road, Derek supported it. Michelle said the Conservation Commission could create a sign saying "road closed for mud season."
- Steve said right now, as the gate is closed, technically Gunnison Lake is no accessible because of the town ordinance at the cemetery not allowing people to park there to use the lake.
- Scott asked when the gate will be open. Steve said once we vote on the motion, then we could give him an answer. Vote on the motion was taken - all in favor. Motion passed. The Board will have Cindy let Kevin know to unlock the gate moving forward.
- Steve addressed the vandalism at Williamson Park / Gunnison Lake. A resident messaged the Town's Facebook page with pictures showing a couple signs shot up with 22's. Steve let Chief Anderson know, and this will be investigated.
- Michelle said during their bridge rebuild at Gunnison Lake, they will need to be able to unlock the gates at the dam to bring supplies down. A key will be provided to them. Dianne wanted to make sure the gates are locked, and no one drives on the dam. Michelle said no one will be driving across the dam. Scott said they would lock the gate once they go through it so no one drives down it.

Communications:

- Administrative Assistant is not present, no communications from her.

- Dianne readdressed her concerns regarding an email thread that transpired between department heads. She stated that her request to ask department heads to attend the April 11th meeting was misconstrued, and the request for a mandatory meeting came from the administrative assistant. She requested the string of emails be put into a PDF form and then attached to this meeting's minutes. Steve said there was another elected official who responded to the email thread who might not look great in her responses and if the Board attaches the emails, as requested, it might put her in a bad light, but if this is what Dianne wants to do, we can. Dianne said the emails put her in a bad light. Derek was concerned that we might be setting a bad precedent here; it's not always the case that, when requested, emails are attached to minutes. Dianne said the Board should take more care on how we respond to things. She said by staying out of the email thread, that was her comfort zone. Steve suggested she could have offered some clarity so all would know it was not her who issued the mandatory attendance. She said if she offered clarity, it would have made someone else look unclear, and she didn't think that was fair of her to do. Dianne requested that an email go out to the department heads stating she was misrepresented. Derek felt much of the conversation of tonight's meeting would be represented in the minutes and it would be on record. Derek what is the criteria of putting town emails on minutes; it has to be developed for the future. Dianne asked if there would be a retraction for what was said and Derek said in editing the minutes previously, that work was already done so the record is accurate. Derek said if anyone wanted to do the work and PDF the emails, that's fine. Dianne said the board should have discussions before we post anything, Steve said because of 91-a, we cannot have discussions, we have to have a meeting. Dianne said she was talking about having the discussion in a public meeting. She wanted to say that she was very upset with what happened, and she wanted Steve and Derek to know she was upset. Steve apologized to thinking what was written by Cindy to the department heads was an accurate representation of Dianne's words. He said it's an example of "the telephone game" where Dianne had asked Cindy to request department heads to attend and Cindy innocently changed it to mandatory.
- Dianne said the Board needs to be more unified. Derek responded that being unified has different manifestations sometimes. Dianne said the Board does not always have to agree with each other. Derek said at the March 28th meeting, he had different recollections of that meeting and that a followup mandatory session, which is why he replied to the email that was sent to the department heads. He felt it was important to clarify to the department heads that they didn't have to mandatorily be there.

- Derek said this brings up a larger issue, moving forward as we look to replace Cindy, there needs to be a clear line of communication and procedures for who is on those communications, and who is she responsible to report back to. Is it three Selectmen or is it one? It is hard to navigate right now the exactly response protocol. Derek says it needs to be clear who the Administrative Assistant reports to.
- Dianne said the chair has no more authority then any other Selectman unless given that authority. Steve said that is true, and said that the Board has delegated liaisons to various projects over the years to represent the Board. Derek said whomever comes in to replace Cindy needs to be very aware for how communication works.
- Steve said the discussion on the floor is whether or not to include the email thread in minutes. Derek said until we look at what is involved with a matter of record, he doesn't believe the Board can move forward with this. He said Dianne should make a PDF of all the emails and prepare them for the board. She said she would and it will be forthcoming.

Old Business:

Purchasing Policy

- Based on the consensus from the last meeting, including department heads, public and others, Derek has revised the purchasing policy. Dianne had questions on when it would become effective and also had questions on what a justification statement would be. Derek explained it means the rational. Steve said he sees where the public opinion was listened to and applied to the policy. Derek motioned to accept the procurement policy's latest alteration. Dianne seconded. Discussion: Alicea asked what version of the policy was being discussed. Dianne offered Alicea her hardcopy. Dianne asked if there would be a formal meeting for department heads to discuss. Steve said we could invite everyone. Dianne also asked what happens if someone doesn't follow the policy. Derek said we can discuss when / if it happens. The policy said could result in discipline or termination. He said the department heads in multiple times, we should put an effective date for bringing, and just ask Cindy or Derek to send out the policy to all department heads, and if they have any questions with the policy for them to attend a Selectman's meeting. Steve said that is fair since they have sat through all of this before. Derek requested to edit his motion. The new motion was made to accept the procurement policy's latest alteration effective May 1, 2022, for any new transition on that date and there after, excluding any previous purchases or contracts existing. Dianne seconded. No further discussion. All in favor. Motion passed.

ADA Compliance

- Steve spoke with the Governor's Council on Disability, like the State told him to. The woman he spoke with is looking into it. She said the Town may be exempt due to historical purposes and also said to reach out to Building Code Enforcer. Steve spoke with Bruce and believes the Town is and has been exempt for historical purposes. Steve is waiting for clarity from the woman.

New Business:

Job Discription for Administrative Assistant

- Steve said he spoke with Cindy after she made her retirement announcement, to thank her for everything she has done. He mentioned that we would need a job discription for what she does. She said she already had one ready to go. Cindy had emailed the Board for the job summary for Administrative Assistant
- Derek provided other paperwork on the job discription for Town Administrator and Town Manager. Steve said Goshen does not have a Town Administrator, but it was in the last Master Plan to get one.
- Derek said finding Cindy's replacement needs to be the Board's highest priority; we need deadlines for when to post the job and how to post the job. He said we need to know what is expected for that person. We talked about the interview process. He believes we can't post the job until we know what the job is. Need to put in measures and benchmarks, model what Planning Board does with Melissa. He would like to have a professional, positive relationship between the Selectboard and this position. He would not recommend a Town Manager, but looking at what we do Vs Town Administrator, it was very similar. He used paperwork from the NHMA.
- Steve said a Town Administrator Vs Administrative Assistant will cost the Town more money.
- We discussed the benefits for the position currently and what is budgeted.
- Steve mentioned that past Boards (Selectboard and Planning) and the present Planning Board & Budget Committee have deemed a Town Administrator something that would be valuable to the Town. Derek said we have to stick with the amount of money that was voted on and budgeted for the year, but for long term plan we look at

that. Derek believes based on the job that Cindy does currently, the position would be a title change to Town Administrator.

- Dianne said we don't know everything, on a day to day basis, that Cindy does and would like to have her write it down. She believes moving forward, the new person needs to have hours changed during business hours for better availability.
- Steve asked if we need to move forward with looking for Administrative Assistant or Town Administrator. Dianne thinks it benefits the town more with having a Town Administrator and believes we need to have our books audited to make sure all our numbers are in order. Derek thought we had an audit done. Dianne said that was done last year. Steve asked if we have money to have it done. Dianne said there is a cost. Derek said we really need to prioritize what needs to happen next. He says we need to work with the money we have budgeted and try to find ways to create incentives.
- Dianne said surrounding towns pay much more than Goshen does. Derek doesn't recommend hiring for more budgeted. Looking ahead to 2023, the BOS could recommend changes in wages and request to the Budget Committee for town vote. He said the Town is severely underpaying our employees based on the current financial climate. He recommends for 2023, we need to really explore wage increases.
- Discussion on performance reviews transpired. Steve asked to hold off on performance reviews until a later date.
- Dianne said we should take the Administrative Assistant and Town Administrator job description and merge them together. Steve liked her idea.
- The Board agreed to compile job descriptions together that they find, compile them together, and create what the BOS is looking for in this position for the May 9th meeting.
- Steve motioned to table this until May 9th when the Board can compile everything. Derek seconded. All in favor. Motion passed.

Town Audit

- Derek motioned to table Town Audit. Dianne seconded. All in favor. Motion passed.

Announcement from State on paving of Brook Road

- This was tabled from last meeting. Dianne said we don't have anymore information, so the Board doesn't have enough information to get out to people. Derek hopes we get a Town Administrator who can handle getting information out to the public. Derek will draft verbiage to post on the Town Facebook page letting the public know Brook Road will be paved.

Discussion of Action Items and Goals

- Steve would like the Board to think about what we would like to see completed this year, from low hanging fruit to big projects. Dianne and Derek agree we need to think what needs to get done.

Adoption of Town Holidays

- The Town doesn't actually have a list of Town holidays for when the offices are closed. Some towns give extra days. Dianne asked if there is something in the employee handbook for when holidays are issued. Discussion happened on the Transfer Station being closed on Holidays; it should be closed on Christmas Day. Derek agrees that making workers work on Christmas 4th of July, etc at the Transfer Station is not good.
- The Board discussed if the offices should be closed on all Federal Holidays. Holidays like Columbus Day and Martin Luther King Day, some places are open, others are closed. Steve will talk with Cindy Williams to see when the office is closed. Derek thinks whatever we decide should be the way it is each year.

SAU 102 office at Grange

- Gail Paludi emailed Steve with questions on security, internet and phone lines. Dianne said she had answered Gail previously. She said the School needs to pay for their phone lines, if they want a land line, they need to pay Consolidated for it. For internet, Dianne thinks if the SAU shares the internet with the police, it should be a shared cost between the two.
- Steve said we need to have our meeting with the SAU to discuss terms.
- Regarding security, Dianne said the Town is short on money, so other then fire, the SAU would have to come up with money to help fund security.
- Steve had talked with Bruce and he said the town does not need to put security system in the Grange. There was no plan to put security system, fire suppression,

carbon monoxide or anything, and Bruce said we don't need this because of the historical nature of the building. Bruce has already given the occupancy permit for the Grange.

- Dianne said the move in date is the first week of July. At that point all the inside would be complete.
- Steve will like Gail know the situation, but will reach out to Chief Anderson if it is ok, for police private reasons, for the SAU to use the police's internet.
- The Board discussed meeting with the SAU regarding a lease agreement between the Town and the SAU. This way the SAU knows what they have to cover and what they have access to. Derek thinks it would be great to meet with the SAU and have a template for a lease to work off. Dianne wants it as simple as possible, but they need to be responsible for their own utilities. Dianne has worked in real estate leases and will reach out to a lawyer she knows to get a simple lease.
- Dianne asked if we can do this another meeting.

Lempster Coach Bridge

- Nothing new to report

FEMA:

- Dianne said we need labor hours and documents sent in to FEMA. She hopes Cindy will get this from Kevin ASAP and will follow up with Cindy on it.

Planning Board:

- Derek has to bring a physical copy of the CIP to Cindy. He said the Board needs to meet with Planning Board and hold a joint meeting. Alicea said Planning and Budget are working on a joint meeting in August to review the CIP and look at the next steps. She said Barbara Paranto asked if the Selectboard should be there also.
- Steve asked Alicea if the Board of Selectmen have any authority on the CIP, this is a Planning Board document. He said he isn't sure if the BOS have the authority to comment on the CIP project. Alicea didn't know the answer but is inviting the Board to be involved. Steve thanked her but wanted to make sure the BOS does not overstep their authority. Alicea said whomever our ex officio is would represent the BOS.

Selectman roles

- Dianne will stay on Budget Committee, Derek will remain on Planning Board.

Dianne motion to adjourn meeting, Derek seconded. All in favor. Meeting adjourned at 7:57pm.

Respectively submitted by Steven Smith