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**Town of Henniker
Board of Selectmen Meeting
Tuesday, June 1, 2021
Henniker Community Center**

Members Present: Selectman Kris Blomback, Chair; Selectwoman Tia Hooper, Vice Chair; Selectman Peter Flynn; Selectman Scott Osgood; Selectman Leon Parker

Town Administrator: Joe R. Devine Jr.

Recording Secretary: Kelly McCutcheon

Guests: Rocky B., Jerry G., W. French, Bill Marko, Lori Marko, Heidi Aucoin, Joan O'Connor, Tom Dunn, Jenn McCourt, Marc McMurphy, Lynn Morse, James Morse, Johanna Hauptman, Susan Adams, Chazz Freeman, Police Chief Matthew French, Officer Cole Bannister & family, Officer Alicia Burton, Officer Matthew Mitchell & family, Lieutenant Michelle Dandeneau & family, Officer Rachel Lang & family, Deborah, Doreen Connor, Zachary Dodge, Steve Carson, Debbie Aucoin, and Kim Johnson

Item 1: Consent Agenda for May 13, 2021
Item 2: Consent Agenda for May 19, 2021
Item 3: Consent Agenda for May 26, 2021
Item 4: Consent Agenda for June 1, 2021

Vice Chair Hooper moved to approve the consent agendas as presented. Selectman Flynn seconded. Motion carried 5-0.

PUBLIC COMMENT# 1

Jennifer McCourt addressed the board regarding nonstandard reflector post within the right of way on Davison Road, at the intersection of Liberty Hill & Bacon Road. Selectman Parker stated they were removed in the fall after the Highway Supervisor spoke with the landowner. Chair Blomback stated that he would get back in touch with Jennifer on the subject.

Jennifer McCourt also addressed the board regarding public input on the noise ordinance. She advised the board that the ordinance as written severely impacts land use and it should be put on the ballot to be voted on at Town Meeting.

Bill Marko advised the Board that Town Hall Streams was not broadcasting the live video. Town Administrator Joe Devine stated he was presently online with tech support to correct the issue.

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Lori Marko thanked everyone who was involved and got the Memorial Day Parade up and running again. She stated it would have been nice if there had been more notice as many residents did not know about it.

Public Hearing

ITEM 5: CHAPTER 25- BUILDING FEES

Joe Devine reviewed the charges of the old system compared to the new proposed charges. The Board of Selectmen then opened the meeting for public comment. Bill Marko stated that when working the committee to determine the fees, the committee tried to make it comparable with surrounding towns and almost equal to the towns around Henniker.

Vice Chair Hooper moved to accept Chapter 25 Building fees as written. Selectman Flynn seconded. Motion carried 5-0.

New Business

ITEM 6: POLICE DEPARTMENT RECOGNITION

Police Chief Matthew French advised that in May 2020 Officer Stephen Dennis left the Henniker Police Department to Join the New Hampshire Fire Marshalls Office and that vacancy was filed by Cole Bannister who competed the Academy in April 2021. (Officer Bannister was joined by his fiancée Brittany for the pinning ceremony).

Chief Matthew French advised that Officer Alicia Burton had previously completed the part-time academy before being sworn in as an officer in Henniker. She has since completed the full-time academy where she came in the top three of her graduating class. Chief French then presented Officer Burton with a letter of commendation for her outstanding performance.

In December 2020, Lieutenant Michael Martin retired after 20 years with the Henniker Police Department. After the departure of Lieutenant Martin, Sergeant Michelle Dandeneau was promoted to the position of Lieutenant and Officer Matthew Mitchell was promoted to the role of Sergeant. Lieutenant Dandeneau was joined by her husband and Sergeant Mitchell was joined by his wife and children for the pinning ceremony.

Officer Rachel Lang was hired to fill the open position created when Lieutenant Michael Martin retired. She previously served 6 years in Litchfield. Officer Lang was then joined by her children for the pinning ceremony.

Chief French thanked the entire staff for their efforts in the past year with the rules constantly changing, being short staffed, the department never stopped responding the calls and managed very well. He stated he is proud to be their Chief.

Selectman Flynn stated that police department would not have the improved benefits and pay had the Board not supported the Chief and credited the Chief for taking initiative and asking for it on their behalf. Selectman Flynn stated the police department has the best Chief in the State of New Hampshire.

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ITEM 7: TOP DOG CONTEST

Kim Johnson, Town Clerk Tax Collector and Debbie Aucoin, Deputy Tax Collector drew the winning tag for the top dog contest.

The winner is tag 204. (Name should be included here)

ITEM 8: HENNIKER YOUTH THEATRE CAMP- TOM DUNN

Tom Dunn & Deborah spoke at length about the transition period and celebrating the 21st year of Henniker Youth Theatre Camp. There was discussion with the Board regarding the rental fee of the band stand and Tom Dunn's request to waive the fee. Selectman Flynn did not the camp to have access to the Community Center or bathrooms within and stated the camp will need to rent a porta pottie.

The Board struggled with the request to waive the fee as the band stand and community center are in high demand for numerous groups, activities, & events. Henniker residents can rent the band stand or community center for \$25 for 4-hour increment. For non-residents the rate is \$100 for 4-hour increment.

Chair Blomback moved to authorize use of the band stand for 3 weeks to the Henniker Youth Theatre Camp at a charge of \$250 per week, not including use of the Community Center, and shutting down by 3pm on Thursday for the farmer's market. Selectman Flynn seconded. Motion carried 4-1 (Osgood).

ITEM 9: RSA 79E APPLICATION

The first application for RSA79E comes from Marc McMurphy for 19 Rush Road. Marc McMurphy stated he had purchased as a 2 family and thru variances and exceptions granted through the Planning Board and Zoning Board Authority is in the process of making it a 3 family. By becoming a 3 family a sprinkler system will be added to the property, in addition they plan to introduce energy alternatives to the property as much as possible and move away from oil.

Marc McMurphy stated that he is trying to plan for what people want in downtown housing and what the modern renter expects. At this time, he is unable to estimate the exact cost but see it exceeding the \$75,000 minimum threshold.

Selectman Osgood asked about the special variances and exceptions. Marc McMurphy stated that 75% of the properties downtown do not meet current zoning regulations, thus variances and exceptions were needed from the Planning Board and Zoning Board to proceed. Additionally, because Rush Road is a State-owned Road he also worked with the State. He asked if the Board required more information. Vice Chair Hooper stated the Board will schedule a public hearing for the next meeting to deliberate the application and see if it meets the criteria for public benefit. The public will be able to comment at that time.

ITEM 10: 1ST READING – NOISE ORDINANCE

Attorney Doreen Connor, representing the Patrick and Melanie Connor, presented the Noise Ordinance that was drafted with Police Chief Matthew French. Attorney Connor stated the

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purpose was to amend and address track noise that is polluting and making homes of the residents on Temple Road unlivable.

The noise ordinance only addresses vehicle use on private property, not public ways. The ordinance will also be amended to exclude noise from lawn mowers and other landscaping or snow removal equipment. Businesses are exempt from the noise ordinances on the books. The new Noise Ordinance will impose a fine on the property owner, not the rider causing the noise.

Selectman Osgood stated that people have the right to not have noise poison their home, have a right to privacy, and a comfortable place in their homes. If not the Town owes them something.

Selectman Parker moved to advance to a second reading. Selectman Flynn seconded. Motion carried 5-0.

ITEM 11: POLICE DEPARTMENT MDT PURCHASE

Police Chief Matthew French stated he would like to purchase a new laptop for the newest cruiser from the expendable trust. The current laptop would be installed in the Chief's cruiser.

Vice Chair Hooper moved to authorize the purchase an MDT for the Police Department. Selectman Parker seconded. Motion carried 5-0.

Chief French stated he is redoing the grant from Fish & Game for ATV details and requested updated permission from the Board to pursue the grant.

Vice Chair Hooper moved to authorize Police Chief French to sign the Fish and Game grant application and the Board of Selectmen approves of the grant. Selectman Flynn seconded. Motion carried 5-0.

Chief French stated he provided the Financial Director with a check last week from evidence that had been auctioned off. Joe Devine stated the Homeland Security Grant was approved for the Communication Tower on Craney Hill.

ITEM 12: TRANSFER STATION – MSW SOLID WASTE RFP

Joe Devine explained the difference between single stream and how the Transfer Station currently operates. With single stream the town will lose the revenue generated from cans, plastic, cardboard. Joe Devine recommended Norton for the contract.

Selectman Parker moved to award the bid to Norton for a 5-year contract and to authorize the Town Administrator to sign all the paperwork. Vice Chair Hooper seconded. Motion carried 5-0.

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ITEM 13: WASTEWATER TREATMENT COLLECTION SYSTEM MAINTENANCE, 2021 CLEAN AND CCTV INSPECTION

Selectman Flynn moved to award to Vortex Services and authorized the Town Administrator to sign all the paperwork. Selectman Parker seconded. Motion carried 5-0.

ITEM 14: HIRING OF ZACHARY DODGE

Selectman Flynn moved to hire Zachary Dodge fulltime at the transfer station effective June 1, 2021, and set position as labor grade 15 step 1. Vice Chair Hooper seconded. Motion carried 5-0.

ITEM 15: 2ND READING – ETHICS

Selectman Flynn requested to postpone until the next meeting as he is not comfortable voting at this time. Vice Chair Hooper agrees given it was not publicly available and in the best interest at this moment to postpone until the next meeting.

Vice Chair Hooper moved to post pone until the next meeting so that the policy may be distributed to the Board to fully review as well as the public. Selectman Osgood seconded. Motion carried 5-0.

ITEM 16: 2ND READING – CHAPTER 25 – BUILDING FEES

Completed.

ITEM 17: 2ND READING – MERIT SYSTEM

Joe Devine reviewed the proposed merit system with the current step system. Vice Chair Hooper voiced her concerns over employees receiving a wage increase when there have been documented issues of performance. Joe Devine explained it's a scale of 0-4 and that if there are areas that need improvement, they would not receive the full merit. Vice Chair Hoper again stated step increases should not be given out just for showing up. Chair Blomback stated the Board tasked Joe with coming up with a better system and this is the first draft.

Jerry Gilbert, speaking as Chair of the Water Commission stated the Water Commission was blind sided and unaware of new increase which will impact the Water Budget. It was determined Water Commissioner Chair Gilbert was referring to longevity pay that the Board approved at 75% proposed funding.

Vice Chair Hooper reiterated her concerns regarding quality of work and that meeting the bare minimum of an employee's job description should not qualify for a raise. Chair Blomback stated it is impossible to every single employee to excel in every single aspect and continually be firing on all 6 cylinders. Chair Blomback stated some employees maybe content with a 1% merit raise instead of 4% and the employee has the right to leave that money on the table. Chair Blomback stated this is a great first step Joe presented. Vice Chair Hooper stated her concern about Board not being directly involved in raises and approval of raises.

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Selectman Osgood stated everyone is different and no one is perfect in addition to the fact it is already hard to find personnel today and this proposed merit system is a great place to start. Selectman Parker agreed with Selectman Osgood and stated it should be worked with as is since it can be amended next month, next year, but the Board needs to see how it works or if it works.

Vice Chair Hooper stated she would like to see all the reviews done at the same time Selectman Parker stated there is no reason for the Board to be involved in all the individual employee reviews because if the Board was all the staff would quit. Vice Chair Hooper stated Selectman Parker was being too emotional and that the Board needs to see why employees are given an increase. Selectman Osgood stated in agreement with Selectman Parker, that reviews and raises of every single employee is not the Board's job, it is the Town Administrator's job.

Jennifer McCourt agreed with Vice Chair Hooper than unless the employee has an overall satisfactory, they should not be getting the raise but cautioned about disgruntled employees when it is known who is and who is not getting raises.

Bill Marko stated he has given 100's of performance reviews and there is no employee who hits on all cylinders. He also agreed with Chair Blomback that employees can choose to leave money on the table. He stated the performance review is a tool to improve performance and threatening a perfect score or nothing system is going to be tough to implement and keep staff motivated.

Vice Chair Hooper stated it happens in every organization and in the past employees have had poor performance and still received a wage increase. Bill Marko suggested an evaluation period to see what happens.

Jerry Gilbert stated he sees merit increase as more productive and motivational than step increases and would prefer the town switch to the merit system over the step system. He also agreed with Selectman Parker regarding reviews not being the Board's job.

Marc McMurphy stated he finds it helpful to do quarterly reviews with employees to narrow down accountability. He also stated the labor market is very tight right now and that losing an employee will cost more hiring someone at a higher rate in addition to training them.

Steve Carson stated the merit system works great in construction and also advised on documented reviews quarterly

Selectman Parker moved to waive the 3rd reading and adopt the policy change as presented. Selectman Flynn seconded. Motion carried 5-0.

ITEM 18: ACCEPTANCE OF BOARD OF SELECTMEN MINUTES MAY 4, 2021

Selectman Osgood moved to approve the minutes as amended. Vice Chair Hooper seconded. Motion carried 5-0.

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ITEM 19: APRIL DEPARTMENT REPORTS

Department reports are contained within the public meeting packet.

ITEM 20: TOWN ADMINISTRATOR'S REPORT

- COVID-19 Update: As of May 27, 2021, we have ZERO active cases. We have had zero new cases in the past fourteen days, a total of 244 cumulative cases (4.9% of the population), and 7,006 tests have been conducted for residents of Henniker.
- Concert Committee: I have been in discussion with the Concert Committee about the 2021 season. As we continue to see increases in vaccination rates and the State continues to allow more activities. I recommend we inform the Concert Committee they do not need to place fencing around the park or mark out 6ft. squares.
- NEC Update: During my regular updates from New England College, I was asked to pass on that New England College requires COVID-19 vaccination for all students, faculty, and staff. The College has held vaccination clinics on campus and plans more in the future but made this announcement to give all community members time to get their shots before the fall semester begins in mid-August.
- Road Signs Around Town: The Highway Superintendent is in the process of updating speed limit signs around town. The signs will read as follows:
Town of Henniker
SPEED LIMIT 25
All Dirt Roads Unless Otherwise Posted
Per Order Henniker Board of Selectman
- Credit Cards at Town Hall: The Town Clerk/Tax Collector's office now accepts credit card payments. If you would like to utilize your credit card in person, you may pay for Taxes, Vehicle Registration, Vital Records, and Dog Licenses. You can also use your credit card online from our website; you may do so for Vehicle Registration, Vital Records, and Dog Licenses. Please be advised the vendor charges a 2.79% fee and a \$1.50 minimum to use a credit card.
- Vacation/Sick Time on Checks: I have spoken with Russ about this. Russ did reach out to the payroll company on 05/25/21. Russ states he is struggling to incorporate the vacation, sick and compensatory time and review the content for accuracy before uploading the data to the payroll service and still hit the ACH deadlines. The algebra portions of the sick policy are also a system snag right now. ($x - 520 = y/2$ = sick time payout) X is the variable for the amount of time the employee has, 520 is the cap, and y is the overage which relieves the sick time and payout 50% of the overage. I plan on working with Russ over the next two weeks to figure the best solution.

The Selectmen meeting scheduled for June 15th has been moved to June 22nd

ITEM 21: SELECTMEN REPORTS

Selectman Parker stated the road contractors have had issues sourcing material. Joe Devine stated pipe was dropped off today. Selectman Parker stated for the record he seriously objects

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to the Planning Board's letter to the Zoning Board telling them how to do their job as it was unacceptable and repulsive.

Selectman Flynn stated the Safety Committee sent a memo out to members to schedule a meeting and although he had a hard time attending Athletic Committee meetings, he still receives copies of the minutes.

Vice Chair Hooper stated the letter sent to the Zoning Board by the Planning Board was requesting the standards be fairly and consistently applied moving forward since there was a no documentation or rational on why the variance was granted. She stated it was seen in the live stream and recorded in the minutes that the criteria questions were not asked of the application that prompted the cordial letter. She stated the email response received back from the ZBA and Selectman's Representative Parker was over the top and did not address the request.

Selectman Parker stated he stands by the Zoning Board's Chair's response to the letter and adds to it stated if Vice Chair Hooper has something to say about how the Zoning Board works then she should volunteer for the Zoning Board and join that Board, but otherwise the Planning Board can keep their nose out of the Zoning Board and the process they use. Vice Chair Hooper stated that after the emails went back and forth, she did have a chance to speak to ZBA Chair Connor by phone and at the next ZBA meeting Chair Connor will be bring up the topic to have a discussion about the 5 questions and how they can make sure that everything is standardly put forth for each applicant, treating them all the same. Selectman Parker asked if Chairman Hooper is saying that the Zoning Board is not treating all applicants fairly. Vice Chair Hooper advised that it is documented that the Chair of the Zoning Board asked to go through the 5 criteria and the Town Planner stated the Board does not always go through the criteria when determining an application.

Chair Blomback had no report.

Selectman Osgood is meeting with the Conservation Commission tomorrow night.

Joe Devine stated the Economic Development Committee will present to the Board regarding the intersection of Route 127 and potential economic development.

PUBLIC COMMENT #2

Jerry Gilbert, representing the Water Commission, stated the Commissioners are holding an emergency meeting tomorrow night to discuss carrying pipe further around Circle Street and trying to be proactive with NEC's discussion to expand the athletics facility. Currently there is a 4inch pipe present and while the road is dug up the Commission will discuss upgrading to a 10inch pipe to the new pavement line for when NEC is ready to expand and will need a greater water supply. The meeting will take place at 5pm at the Water Department Office on Davison Road.

Bill Marko, speaking as the Vice Chair of the Henniker Planning Board, stated that the Planning Board is well aware that the Zoning Board does not report to the Planning Board. The Planning

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Board was not trying to tell the ZBA how to do their business, but fairly respectfully requested that they follow the RSA outlined. Mr. Marko advised that no Board, Committee, Commission, elected or appointed person is beyond reproach and criticism and did not understand the heavy response back.

Heidi Aucoin stated as a Planning Board Member and resident, it is the principle of procedure and transparency and making the public understand how the conclusion was reached and fear of favoritism since the applicant also is a resident and not all applicants before the Zoning Board are residents.

Steve Carson wished to speak on the noise ordinance and Chair Blomback would not hear it. Steve will return to speak at the next meeting.

Vice Chait Hooper moved to adjourn. Selectman Flynn seconded. Motion carried 5-0.

Meeting adjourned at 8:30.