

Selectmen's Meeting Minutes  
Monday, August 26, 2013

Present: Chairman Mike Darcy; Selectman Gallagher; Selectman Ebbighausen and Selectman Rideout; TA Collins. Selectman Morel was absent.

6:06 p.m. Chairman Mike Darcy called the meeting to order.

Selectmen reviewed the Manifest.

Selectman Gallagher made a motion to approve Manifest of August 12, 2013, Public and Non-Public Selectman Rideout second. Motion passes unanimously. Selectman Ebbighausen abstained.

Selectman Rideout made a motion to approve Manifest of August 19, 2013, Selectman Ebbighausen second. Motion passes unanimously.

Selectman Rideout made a motion to approve Manifest of August 26, 2013, minus item line 007996, Tammy Jean Akeley, changing the #4526 Manifest total to \$414,920.91, Selectman Ebbighausen second. Motion passes unanimously.

Selectman Ebbighausen made a motion to approve Tax Abatement for Patchwork Realty, LLC in the amount of \$1,299.00, for 4<sup>th</sup> quarter 2012, property located on 13 Main Street, Selectmen approved assessment of \$290,000 on August 12, 2013, Selectman Rideout second. Motion passes unanimously.

Selectman Ebbighausen made a motion to approve Tax Abatement for Justaplain Realty, LLC, in the amount of \$1,234.54 for 4<sup>th</sup> quarter 2012, property located on 6 Main Street, Selectmen approved assessment of \$250,000 on August 12, 2013, Selectman Rideout second. Motion passes unanimously.

Selectman Ebbighausen made a motion to sign a Cemetery Plot Deed for Barbara Fostyck, lot number 5N.E. ¼ section I in the Pine Grove Cemetery, Selectman Rideout second. Motion passes unanimously.

Selectman Ebbighausen made a motion for Chairman Darcy to sign an Open Container/Alcohol Permit for a Family Reunion at the Heritage Park Pavilion on July 27, 2014, 10:00am to 5:00pm, Selectman Rideout second. Motion passes unanimously.

Selectman Ebbighausen made a motion for Chairman Darcy to sign an Open Container/Alcohol Permit for a Family Reunion at the Heritage Park Pavilion on August 2, 2014, 10:00am to 5:00pm, Selectman Rideout second. Motion passes unanimously.

The Selectmen had a discussion regarding the payment arrangement made with Paula Trabucco. They ask the Water and Sewer Collections clerk to write Ms. Trabucco a letter regarding her payment arrangement.

TA Collins informed the Selectmen that William Sypek did pay his 2012 taxes. There was an error in 2012 though the assessment is \$200.00 less on the camper he did get taxed on. Although he paid his taxes, his request for a tax abatement on the interest was not in a timely manner, he did not pay the 1<sup>st</sup>-4<sup>th</sup> quarter until last week. Selectman Gallagher made a motion to deny Mr. Sypek's request for a tax abatement of the interest, Selectman Ebbighausen second. Motion passes unanimously.

TA Collins read a correspondence from Comcast regarding channel changes.

TA Collins received a request from Dotti Bevis and Angela Schill to obtain blue state bags to pick up trash on Route 63, to be left of the side of the road and have the Highway Department pick them up. TA Collins informed the Selectmen that the bag from the spring cleanup still have not been returned to the Town Hall. A letter to Lisa Bomba was sent regarding the return of the bags, at that time Dotti Bevis and Angela Schill come pick some up at the Town Hall.

Selectman Morel gave TA Collins a couple of items to go over with the board, due to her being absent. Selectman Morel attending a School Board meeting, along with Selectman Rideout and Selectman Ebbighausen. The Police Department made a presentation regarding the School Resource Officer program and are going through the grant process. The School Board Committee is the putting \$370,000.00 back into the General Fund.

Selectman Morel wanted the Selectmen's approval regarding the bridge petition discussed last week. Selectman Gallagher made a motion to move forward with the petition, Selectman Rideout second. Motion passes unanimously.

The Planning Board met last week and has set up a schedule for the master plan. A Public Hearing will be set up for next June to adopt. Selectman Rideout would like to see the HCHIDC to be present during this process.

TA Collins informed the Selectmen she will be out of the office Thursday, August 29, 2013 and September 3, 2013.

TA Collins informed the Purchase and Sales Agreement Addendum has been executed by both parties for the property located at 12 Main Street. The agreement between Penny Bell and Andrew Shapiro for the boundary is in the process of being reviewed by the parties and executed. Dave Mann is finalizing the boundary description. We are hoping to close on the property September 15, 2013. The Selectmen discussed persons interested in items located in 8 Main Street building. The Historical Society is interested in obtaining the beams and the hoist. TA Collins will contact Penny Bell regarding Catamount being allowed in the building located at 12 Main Street to get started on assessing the asbestos.

TA Collins is preparing budget packages and capital improvement packages to be distributed this week and continuing to work on the proposal for longevity pay and gathering information regarding on-call pay.

On September 16, 2013, the third Monday of the month, there will be a non-public (workshop) held to discuss employee review.

Yard Sale Ordinance will be put on the Selectmen's list to discuss as well.

Selectman Ebbighausen had a Recreation Meeting, and the Selectmen were thanked for the additional week approval for the Summer Camp Program. They had 20 children participate in the extended program and they will be working on trying to calendar it in for next year's budget.

Chairman Darcy mentioned the Service Credit Union will be having their grand opening on Wednesday, August 28, 2013.

TA Collins mentioned that she and Selectman Gallagher are meeting with CDFA regarding the Oak Hill Project.

Chairman Darcy mentioned meeting with DCIDC this past week regarding Economic Feasible Development.

6:35 p.m. Selectman Ebbighausen made a motion to go into Non-Public meeting, per RSA RSA 91, A; 3-II (a), Personnel, Selectman Rideout second.

Vote was as follows:

Chairman Darcy – I; Vice Chairman Rideout – I; Selectman Ebbighausen – I, Selectman Gallagher – I; 4-0. Motion passed.

7:55 p.m. Selectman Ebbighausen made a motion to come out of Non-Public Meeting, Selectman Rideout second. Motion passes unanimously.

Selectman Ebbighausen made a motion to seal the Non-Public Meeting Minutes, Selectman Rideout second. Motion passes unanimously.

John Smith came before the Selectmen regarding the Hinsdale Historical Society applying for a grant for renovations for the Hannamarsh Art and Music room and is asking for the Selectmen's support. Selectman Gallagher made a motion for TA Collins to prepare a letter of support for said grant for the Selectmen's signatures, Selectman Rideout second. Motion passes unanimously.

Chairman Darcy opened the floor to the public for comments.

A member of the public mention riding on the Town bus for the first time and would like to see locations posted where the bus picks up, for it was unsure where to wait for the bus at the Main Street parking lot location.

Selectman Ebbighausen mentioned the Alumni Committee wanted to thank the Selectmen for waving the fee.

Selectman Rideout seeing good changes coming to Town.

7:00 p.m. Tammy-Jean Akeley, regarding Tax collection and Town Clerk.

7:10 p.m. Tammy-Jean Akeley had not shown, so Chairman Darcy began the discussion.

Chairman Darcy explained to the members of the board and to the public how the discussion would progress. Chairman Darcy would go over the agenda items and concerns, Selectmen would discuss items and concerns and then the floor would be open to the public for comments and questions.

#### **Tax Collection**

1. Follow up on Meeting of March 25, 2013:

- a. Location of the Tax Collector's Office and internal controls per discussion – tax collector office to stay in current location and funds to be locked in tax collector safe.

Discussion: This is not being done and potentially monies of the tax collection and town clerk monies could be mixed together. The Selectmen are uncertain how the finances are being maintained and this is a concern. Tax Collection hours – Discussion was to keep hours the same. Tax Collector was open 13 hours to the public.

Discussion: Tax Collector open 2 hours to the public. The town is receiving complaints. Phone calls are not being promptly returned. Residents and Businesses are waiting in some many cases days and weeks before receiving response. Disruptive to town staff and taking time away from their workload. Making it a hostile environment because staff is taking the repercussions of angry citizens and phone calls from the public in general. The agreement between the Selectmen and Tammy-Jean Akeley was the salary of the Tax Collector was based on being open to the Public 13 hours, as it was prior to her term.

## 2. Follow-up on Deposits:

- a. All deposits of \$1,500.00 must be made within one day. A deposit is considered, in accordance to the Treasurer's delegation and the RSA, in a sealed bag and given to appropriate party to be locked in the safe.
- b. All reports must accompany the copy of the deposit voucher provided to the treasurer and finance. A copy of the deposit slip must be given to the treasurer and finance.

Discussion: On July 15, 2013, the Town Treasurer updated his Delegation of Deposit Authority which states that whenever receipts total \$1,500.00 or more, a deposit must be made within one day. A deposit is considered, in accordance with the Treasurer's Delegation, when the funds are placed in the sealed deposit bag and given to the appropriate party and then place in the locked safe until the deposits are picked up. The Selectmen have a fiduciary responsibility over all monies. TA Collins received an email from Tammy-Jean Akeley regarding Maria Shaw, Deputy Tax Collector, indicating that Maria Shaw would be opening the Tax Office additional hours. The hours would be Monday, 5-7pm and Wednesday and Thursday, 1-4pm. This has not gone into effect to date and it was not specified when it would be going into effect. The Selectmen asked TA Collins to draft Tammy-Jean Akeley a letter expressing their concerns and ask for a response as to her plan of action to the concerns.

Chairman Darcy opened the floor to the public for discussion. It was asked what the requirements were to becoming the Tax Collector. The response was an individual is on the ballot and elected by the citizens of Hinsdale and then bonded. The Town of Hinsdale's Policy and Agreement with the Tax Collector is to allot 13 hours to be open to the public, which is what the salary is budgeted for. The RSA states a Tax Collector has to be open for a minimum of 2 hours per month.

There will be Warrant Articles drafted to be more precise as to the hours open to the public and salary for better control.

The Selectmen's main concern is the deposits being made in a timely manner, the funds being secured in the Tax Collector's Office and the Tax Collector and the Treasurer having an understanding of the balances.

### **Town Clerk**

1. The Selectmen wanted to discuss with the Town Clerk the progress of the deputy, but there is no need for discussion, as the Deputy Town Clerk has resigned as of today.
2. Time off (since March the office has been closed 10 times – 9 times in the last 4 months). We are getting complaints about the office being closed and about phone calls not being returned. It is disruptive to staff and taking time away from their workload. It is also making it a hostile environment because staff is taking the repercussions as stated earlier.

Discussion: The RSA states a Town Clerk has to be open for a minimum of 1 hour per week. Hinsdale's Town Clerk's salary is based on a 32 hour work week. The purpose of the Town Clerk having a Deputy is to fill in when the Town Clerk is unable to make it into the office, i.e. training, workshops, vacation or illness. It has been frustrating to the public the time the Town Clerks office has been closed with no prior notice given. It even took two attempts for the Town to register the Fire Truck. The Town Clerk is an elected position that the Selectmen have an agreement with, which in not being followed through with. There will also be a Warrant Article drafted to address hours the Town Clerk is open to the public and salary.

3. Follow up on Deposits as stated above.

Discussion: Deposit issues are the same as addressed above with the Tax Collector.

4. Foul language in the presence of citizens. We received a written complaint from Mrs. Julie Ouimette that as she was leaving she overheard the town clerk say to her "she can kiss my (you know what)". Mrs. Ouimette reopened the door that was not quite shut and loudly said "I heard that" and then the Town Clerk said, "Good I'm Glad". We were also informed that the Town Clerk used the "F" word several times in front of an employee in anger and there were clients in the foyer that could overhear.

Discussion: The Town Clerk is an elected official and like the employees of the Town, is a face of our community. Profanity should be refrained from use at all times.

5. There is a \$2.50 agent fee that does not appear on Motor Vehicle registration. The City of Keene clearly puts the fee under the Municipal portion of the bill along with the \$1.00 clerk fee.  
Discussion: The \$2.50 agent fee should appear on the registration for transparency to the citizens.

6. Municipal Agent Fee:
  - a. RSA 261:74-d, clearly states, the \$2.50 agent fee shall be retained by the municipality if the registration agent receiving the fee is on salary to the municipality. The past practice of the town clerks, prior to 2001, has been to deposit the fee in which either a voucher was submitted for reimbursement or it was include in the budget as a salary to

be paid. This practice needs to stop and the fee needs to be paid to the municipality in accordance to RSA 261:74-d.

Discussion: An investigation was performed as to the \$2.50 agent fee, which does not show on the registration receipt, but is being paid when vehicles are registered. The \$1.00 state fee does appear, along with the Town and State portion of a registration. The \$2.50 agent fee, which is being collected, has been going to the Town Clerk, along with the \$1.00 state fee. Per RSA 261:74-d, the agent fee is to go to the Town if the agent is paid by a salary by the Town. The Town Clerk has been receiving both a salary and the agent fee, which is ceasing as of today. The Selectmen would like to see that \$2.50 appear on the registration, as agent fees, so citizens have a correct receipt for the amount they are actually paying. The agent fees will be coming to the Town as of today to offset the salary paid to the Town Clerk and will be looking into possibly restitution for the prior agent fees received.

The Selectmen's main concerns are customer service, the Tax Collector and Town Clerk needs to be treated like two different positions and timely deposits. When the Town Clerk's office is closed it falls onto the Town's staff to say "I am sorry, I cannot help". At times, the Town's staff has had no prior notice of the Town Clerk closing.

The Selectmen would like to apologize to the Town staff for having to deal with upset citizens and complaints. The Town's staff would like to give good customer service and has help at times, even when it is not their responsibility, in regards to Town Taxes. The Selectmen would like any complaints in writing to be presented to them. The Selectmen asked TA Collins to draft Tammy-Jean Akeley a letter expressing their concerns and ask for a response as to her plan of action to the concerns, with a two week response time.

Selectman Gallagher made a motion for TA Collins to draft two letters to Tammy-Jean Akeley, one for Tax Collector the other for Town Clerk, expressing the Selectmen's concerns and asking for a response as to her place of action, the two letters to be signed by Chairman Darcy, Selectman Ebbighausen second. Motion passes unanimously.

Selectman Rideout made a motion for TA Collins to contact DRA for an audit to be performed due to the Deputy Town Clerk's resignation, Selectman Gallagher second. Motion passes unanimously.

Chairman Darcy opened the floor to the public for discussion.

A member of the public expressed her concern in regards to her taxes. She received a letter from the Tax Collector regarding a possible lien on her property. She had always paid her taxes and was unable to get a resolution as to why this letter was sent. TA Collins did some research and went over her tax bill with her. TA Collins suggested to abate the \$71.52 interest for the 2<sup>nd</sup> quarter and no lien will be pending on her property.

7:48 p.m. Chairman Darcy suggested a break until 8:00 p.m. and the Selectmen will resume business at that time.

8:00 p.m. Selectmen resumed regular session.

Selectmen reviewed changes to job description for the Hinsdale Police Department.

Office Manager: The Selectmen would like to see the date on the job description as to the last update. TA Collins can reformat, as the previous job descriptions were approved.

It was asked if the Office Manager works directly under the Police Chief. The Office Manager receives assignments from the Police Chief or the Chief's designee.

Patrol Officer: Discussion: Patrol Officer needing re-certification.

Corporal: Discussion: The Hinsdale Police Department only has one slot available for this position.

Sargent: Discussion of the chain of command was brought up as follows:

Patrol Officer to Corporal

Corporal to Sargent

Sargent to Lieutenant

Lieutenant to Police Chief

Lieutenant/Court Liason: Discussion: Office Manager help with court cases, Lieutenant gives paperwork directly to Office Manager for preparation.

Police Chief: No discussion: Was just recently updated.

Selectman Rideout made a motion to approve the above mention job description, with the change of re-formatting and adding the date of last update to the description, Selectman Gallagher second. Motion passes unanimously.

8:15 p.m. Selectman Rideout made a motion to adjourn, Selectman Gallagher second. Motion passes unanimously.

Respectfully Submitted,  
Alicia A. Marshall  
Secretary