

TOWN OF ALLENSTOWN
Select Board
16 School Street
Allenstown, New Hampshire 03275

Minutes of Regular Meeting
December 3, 2012

Call to Order.

The Allenstown Select Board Meeting for December 3, 2012 was called to order by The Chair at 6:00p.m.

Roll Call.

Present on the Board: Jason Tardiff, Jeff Gryval, and Sandy McKenney.

Others Present.

Residents of Allenstown:

Others Present:

Other Public Officials: Larry Anderson, Sewer Commissioner/Trustee of Trust Funds/Budget Committee/Zoning Board of Adjustment; Ron Pelissier, Road Agent

Allenstown Staff: Chief Rob Martin, AFD; Deputy Chief Paul St. Germaine, AFD; Shaun Mulholland, APD; and Paul Apple, Town Administrator, Diane O'Callaghan, Welfare Director.

Citizens Comments: None.

Meeting with Chief Martin and Deputy Chief St. Germain regarding proposed warrant articles for Fire Department

Chief Martin distributed packages to the Board of the proposed Warrant Articles. He explained that they met with Mr. Apple a few weeks ago to discuss their options on a new engine and article proposes for the types of capital reverse projects. He stated that the fire truck has been on the table for many years which is why it is listed as their number one project.

Chief Martin stated that the estimated cost is about \$380,000 to \$400,000 which a lease purchase price for a 5 year lease, 7 year, or 10 years is \$79,000, 58,000, and 42,000 respectively. He explained that there is information of trading in Engine 2 which was purchased in 1982. Mrs. McKenney asked how much he would get for the trade in on that and if they would get more to

sell it outright. Chief Martin stated that they would probably get about \$1,000 and could probably get a little more if they sold it on their own. Deputy Chief St. Germain stated that Engine 2 is not what Engine 1 is and that the body is made by somebody else. He explained that the problem they would have to sell it themselves it may just be sitting there for a while and would be in the way.

Mr. Gryval asked about the discussion he heard at an Apparatus Committee about replacing two trucks. Chief Martin stated that that is still an open discussion as to whether they can live without two trucks. Mr. Gryval asked what two trucks they would get rid of. Deputy Chief St. Germain stated that they would get rid of both the American LaFrance vehicles.

The Chair asked for clarification of what an engine is and do they have a need for four. Chief Martin stated that an engine is a tank and a pump on it and that some say yes they need all four and some say no. He stated that they are all needed and that ISO has them insurance ratings based on the four. He explained that they are important for having the capability to put out fires in different areas of town.

Chief Martin stated that on wheels they have 4500 gallons of water. He explained that in those trucks they have one that is a 2000/minute, 1500/minute, and two 1250/minute pumpers. He stated that if they replace Engine 1 and Engine 2 with the new engine specification it's a 1,000/minute pumper. He also stated that one of the four engines is just sitting there for reserve usage. He stated that losing one truck and downsizing will save the town money. There was further discussion of how they have been taking less fire calls and how other towns have the same amount of equipment and don't use it all as well.

The Chair asked how giving up two engines will save the town money. Deputy Chief St. Germain explained that they have spread out the duties of all vehicles to save them as they are all older. He stated that in the long run, taking two older vehicles away and adding a newer one will help keep the fleet downsized and have adequate trucks.

Mrs. McKenney asked if Engine 3 is the one they use for most calls and if they all are basically the same truck. Deputy Chief St. Germain stated that they spread the usage over all the vehicles. Chief Martin stated that they all carry the same equipment but some have specific equipment as well. Deputy Chief St. Germain explained that Engine 3 has the largest pump and tank and has the capability of the foam systems. There was further discussion of which truck is taken out on what calls.

Mr. Gryval asked what the committee's recommendation for paying for the engine as he presented three different ways of paying for it. Deputy Chief St. Germain stated that the suggestion would be to do the five years. Mr. Gryval asked what the impact on taxes for the town would be at \$80,000. Mr. Apple stated that it would be about \$0.30 impact.

Chief Martin stated that the number two item is the Capital Reserve accounts. He stated that if the fire truck isn't supported, these are other two items that they would like to get some funding in. He stated that there is the Fire Equipment account which has \$700 in it right now and hasn't been funded since 2005. He also stated that they would like to put some funding in the Fire Safety Equipment account to get back in the flow of gear replacement. Deputy Chief St. Germain stated that there is \$2,017 in the Fire Safety Equipment. Chief Martin stated that they would also like to Second Floor Completion which falls in line with their CIP for 2015 and 2016.

The Chair stated that the purchase of the truck is the most important thing to the Fire Department and if the Board gives their blessing on this will they be able to politic this enough. Deputy Chief St. Germain stated that they will do their best to politic it but would love to have the help from the Board in an active way to show support for it. The Chair stated that if they do agree with this, they will do what they can to support it. Mr. Gryval stated that there is a better chance of being voted in if they have the support of the Board.

The Chair asked the members of the Board what they thought of the proposed warrant articles. Mrs. McKenney stated that she is not in favor of number three. The Chair stated that he is in favor of number one but that he doesn't think that they will get the votes. Mr. Gryval stated that he is fine with making a decision tonight of rather or not to support them as they have been discussing these things for a while and that he is in favor of supporting the Fire Department.

Mrs. McKenney expressed concern that she thinks that the Fire Department does need some things but that she doesn't think the voters are going to pass it. She stated that the residents will be concerned with their tax rates increasing because of the purchase. The Chair stated that if this goes through and they end up getting a new truck it will last for 40 or 50 years. He asked what the other towns do for rotating their trucks. Deputy Chief St. Germain stated that the larger towns do five to seven years when rotating out their vehicles. He also explained that they rotate them out in house and the truck becomes a reserve.

The Chair stated that if they drop the two engines, the taxpayers will see that you are downsizing. He also stated that if they already have the vehicle and its costing minimum money to keep it then it's a good back up but if they don't need the backup we could save some money. The Chair stated that they could get a lot more for the truck if they scrapped it then if they traded it in with the \$1000 value. Deputy Chief St. Germain stated that he can look into that number more and get an accurate number. Mr. Gryval stated that they need to make sure they are clear what they are going to do when they present it to the Budget Committee and the residents.

Mr. Gryval asked if a warrant article like this is a majority or a two-thirds vote. Mr. Apple stated that it's a two-thirds majority because it's a lease purchase.

Deputy Chief St. Germain asked Mrs. McKenney what it was that kept her from supporting the warrant article. Mrs. McKenney explained that she is concerned that the number is too high and that she thinks that they have too big of a fleet. She asked them how they can justify having the same size fleet as the larger towns. Chief Martin stated that a few years ago they tried the same thing with a smaller fleet and it still didn't pass. Mrs. McKenney also stated that she knows that there are people who won't vote for the Fire or Police Department no matter what it is.

Deputy Chief St. Germain explained that people don't know what the different apparatuses do and why they have as many as they do. He further expressed his concern for the Board's help with getting this passed. The Chair asked what the increase would be on the truck three or four years from now. Deputy Chief St. Germain stated that it would go up 5% every year for the cost of the trucks. The Chair recommended that they proceed with item number and try to get a truck.

Initial Discussion on Year End Spending

Mr. Apple stated that there are three proposed year-end projects and the materials are provided electronically and in their packages. Mr. Apple stated that there are three estimates from last year for developing the website. He recommended that they go with Virtual Town Hall as they have done numerous websites for towns in the area. He also stated that they have a process where they create a new website and would be working with the Economic Development Committee. He proposed to the Board that they authorize a year end purchase of \$4,000 for the purpose of developing a website.

Mr. Apple stated that the second project is the purchase of a boiler as the current one has a serious crack in it. He explained that there are two quotes in their materials for the boiler and has a third one coming in. He stated that they need to make a decision for the boiler by the 10th because they don't have the money for one next year.

Mr. Apple stated that the third project is a joint project of the Emergency Management Department involving tablets but he is not sure they have the numbers for them yet. Chief Mulholland stated that he continues to negotiate the cost for those and that the costs will be encumbered. He stated that the deadline for getting those numbers is next Monday.

Mr. Apple stated that he is looking for guidance from the Board if they should wait to discuss all three items next week or do some now. The Chair stated that they have been discussing the website for a while and asked the Board's thought for the website. Mrs. McKenney stated that she hasn't reread the quotes for the website. Mr. Apple restated what the quotes were and why he recommended the company he did.

Mr. Gryval stated that if they decide to do this, people will be able to go to the website and see what the town has to offer. He asked if they are looking at a town wide website or a town hall

website. Mr. Apple stated that they are looking into a town wide website and that was the agreement by all of the department heads as long as they have access to do what they need to do. Mr. Apple stated that it will take ten to twelve weeks to develop the site. Mr. Gryval asked about the cost of the training. Mr. Apple stated that part of the cost is for them coming in and training the department heads. There was discussion of having a town wide website and the benefits of having one.

Mr. Gryval asked where the \$2,000 annual maintenance fee come from because they did not budget for it. Mr. Apple stated that for this year it should come from the surplus and then put it in the budget for next year. The Board determined to go ahead with the website design.

Motion. Mr. Gryval made a motion to enter into an agreement with Virtual Town & Schools in the amount of \$4,000 for a new site design for the town wide website. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-No. The Chair declared the Motion passed.

The Chair suggested that they wait on the boiler until Monday in hopes that they get the third quote and if not they will make a decision with the two quotes they have.

Mr. Gryval asked about an assessment that was done a while back that explained what it took to run the town hall and how many BTUs it took. Mr. Apple stated that it was an energy audit but that he wasn't sure if they determined how many BTUs. He stated that he will forward that audit to them to review.

Review and Sign Petitions for Utility Poles

Mr. Apple stated that those are reproduced in their materials and that they are straight forward forms. He explained that there are three copies that need to be signed. Mr. Gryval stated that it looks like they are moving them back and putting in some new ones. Mr. Pelissier stated that he does not know why they are moving the pole. Mr. Gryval stated that he would like to make sure that the Road Agent is okay with it before they sign it. The Board determined to have the Road Agent find out why they are moving the pole and clarify that it is okay to move it.

Meeting with Diane O'Callaghan regarding Welfare Guidelines Revisions

Mr. Apple stated that the guidelines are in their materials with the changes the Board asked for indicated. Mr. Gryval asked Ms. O'Callaghan if this copy is the same as what she sent that morning. Ms. O'Callaghan stated that it is with the things the Board agreed to incorporate in them.

Mrs. McKenney stated that last time they were looking at this; they were talking about number two on the list changing to five years old or younger. Ms. O'Callaghan explained that the reason for not making that change is because TANF (Temporary Aids and Needs Family thru DHHS) changed their requirements for work search from people with five year old children to people with one year children. She stated that they can get away with that because they provide child care for 20 hours a week. She explained that part of getting money from TANF is that you look for a job, volunteering, or working at least 20 hours a week and they will provide child care which she didn't think that the Town wanted to do that.

Ms. O'Callaghan explained that she did also include in there that the person who has sole custody and is able to prove that they have no extended family to help with child care then the Town could help.

The Board discussed the need for a Public Hearing for the change in the Welfare Guidelines. Mr. Apple stated that he can schedule it for the 10th in which they would not have as much notice time or they have a little of time on the 17th for it. The Board determined to have the Public Hearing on December 17, 2012.

The Chair asked Ms. O'Callaghan about food vouchers not to be used for alcohol, tobacco, and pet foods. He stated that there is a big argument right now for people using EBT Cards and that the State is not doing anything with that. He asked her if the Town can legally do anything with that. Ms. O'Callaghan stated that they can legally do it and that there are clear exclusions on the EBT Cards.

The Chair asked Ms. O'Callaghan about the section fourteen recovery and if they have ever gone back after anybody to recover anything they have done. Ms. O'Callaghan stated that they have with the real estate ladies. She stated that the way she wrote that section is new. She explained that law is very vague and states that they only need to repay us when they can do so without financial hardship. She suggested that she could send letters out reminding people that they owe us.

The Chair asked if they could have these people volunteer. Ms. O'Callaghan stated that they could do that if the Board wants to. She expressed that they tried to do that in the past and there was concern of the people getting her. She stated that she spoke to the Welfare Director in Vermont who said that it's not really a problem and that it has worked as a deterrent because people don't want to have to do the work to get the money. The Board asked Ms. O'Callaghan to look into that.

Purchase Orders, Abatements, Other Business

The Chair asked if there were any Purchase Orders, Abatements, or other matters. Mr. Apple stated that there are none.

Committee and Project Updates

Planning Board

The Chair stated that the Planning Board has a meeting next week. He stated that Mr. Dunagan has dropped off his payment to Town Hall but that he hasn't petitioned the Board yet so they are waiting on that.

Budget Committee

Mr. Gryval stated that the Budget Committee hasn't met and they are meeting this week. He stated that the School Board is doing a presentation this week. He stated that one of the things that will be in their budget is funding for School Resource Officer and if that is the direction they go in it will take an agreement between the Town and the School to do that. He stated that they would use the same officer for both schools and would be for 32 weeks per year.

SVRTA

Mrs. McKenney stated that she is still waiting to hear back about that.

Old Allenstown Meetinghouse

Mr. Gryval stated that there is nothing new to report.

Tri-Town Ambulance

Mrs. McKenney stated that there is a meeting this Thursday. Mr. Apple stated that the Joint Board also has a meeting on Thursday.

Record Retention Committee

Mrs. McKenney stated that she spoke to Mrs. Rogers and she couldn't do it this week because of the beginning of the month. She stated that she told Mrs. Rogers to let her know when she can schedule to do a meeting.

Safe Routes to School

Mr. Apple stated that contract documents and plans were submitted to the State. He stated that they are still on schedule to go out to bid but that he wouldn't hold their breath. He stated that he went to the second day of training for Project Administrator. He explained that both he and Mr. Pelissier are certified for that.

Economic Development Committee

Mr. Apple stated that he has not had a chance to schedule a meeting yet.

Town Hall Renovations

Mr. Apple reminded everyone that the Town Clerk window will be closed on Thursday for the renovations with the rest of the Town Hall open.

Manifests

Mr. Apple stated that they do not have a manifest because they did not have a check run the week of Thanksgiving.

Minutes

Mr. Apple stated that he would like to publicly apologize to Mrs. Hetu for sending an email asking her where the minutes were because she was on her honeymoon and that she had notified him of that and he had forgotten.

Spending Reports

Mr. Apple stated that the Spending Reports are in their materials and that they are at 15% with two or three payrolls left. Mrs. McKenney asked what the \$3000 for the Election Supplies was for. Mr. Apple stated that he will look into that and let her know.

Proposed 2013 Holiday Schedule

Mr. Apple stated that the proposed 2013 Holiday Schedule is included in their materials and that he needs their approval for that. Mrs. McKenney stated that this year the staff wanted a few extra days off and they used their vacation days. She asked if the staff could determine what days those would be so that they could include those as well.

Mrs. McKenney also asked the Road Agent to go through his schedule about which days they will be picking up around the holidays and include that in the town report as well. Mr. Gryval stated that if they are going to have a Town Hall Schedule that they need to adequately explain to them that they are not paying employees for extra holidays. Mr. Apple stated that they don't have any reason to know that at this point but that they can look into that.

Other Business

Mr. Apple explained that in their materials is some information for them. He stated that there is a list of payroll dates for next year that were handed out to the staff. Mr. Apple stated that he reproduced Mr. Smith's memo in respect to vacation time on the method of calculation.

Mrs. McKenney stated that she was at a meeting with Chief Mulholland and Jane Hubbard and they discussed that fact that they need to start looking for an EMD Manager because Chief Mulholland will not always be here. She stated that she thinks it is something they need to address. The Chair stated that that is why they have two deputy EMDs. Chief Mulholland explained that there is a training coming up that they need to send somebody to.

Mr. Gryval asked what the meeting with Jane Hubbard was about today. Mrs. McKenney stated that the meeting was about the three year plan for training for Emergency Management. Chief Mulholland explained that he has to write another grant and they need to include a three year

plan. He stated that the Board should have copy of the plan to review before their next meeting on January 24th. He stated that the training is in Maryland and is for two weeks. He stated that h already has it planned to have someone attend the training. Mrs. McKenney suggested that they send Chief Martin as well if they can. There was further discussion of who they want to send and how many people to send. The Board determined to check with Chief Martin to see if he would be available to go to the training.

Mrs. McKenney stated that they got a memo from Parks and Recs Commission. She stated that she is fine with Beth Houllis being Chair but that she is concerned with the budget. She stated that Parks and Recs say they were not notified and that his budget was different. Mr. Apple stated that he was notified and they have not had any contact from anyone on that commission. Mrs. McKenney stated that they are also saying that the budget he sent them is not the budget they approved. Mr. Gryval stated that they didn't change the budget and they approved what was sent.

Mrs. McKenney asked Mr. Apple about the investigation and that there was going to be changes on that. Mr. Apple stated that gave them the proposed change and they have set it up for a public hearing for December 17th. He stated that they have not changed anything at this point.

Mrs. McKenney asked if they have heard anything about a Joint Board Member. Mr. Apple stated that they haven't gotten anything and that he would ask the Board for help on that.

Mr. Pelissier stated that he had gotten some costs on the concrete blocks to rebuild the salt shed they had previously discussed. He stated that they wouldn't be able to do it this year but that it would cost about \$2,100. He explained that they also will have to do walls, trusses and roof which will be about \$3,800 in addition to complete the shed. He stated that this will triple what they can currently hold.

Mr. Gryval asked where the \$3,800 would come from next year. Mr. Pelissier stated that they may have to wait until the end of the year to do it. He stated that it is something that his guys and the prisoners can build and the costs are all materials. The Chair explained that the cost of the blocks went from \$20 to \$50 per block which is why it may be good to get the blocks now. There was discussion the best way to pay for them using this year's funds.

Mrs. McKenney asked about 4751 Ferry Street and if they found out anything more than that. Mr. Apple stated that he had not and that there is no card on file. The Chair asked Mrs. McKenney what her big interest in this property was. Mrs. McKenney stated that the owner had asked her about it and that she had told him that she brought it up. The Chair stated that the Board has nothing to do with that. Mrs. McKenney expressed concern of it coming back to them. There was discussion of how the owner should proceed with situation. Mr. Gryval stated that the

Town Administrator should not have anything to do with this unless something is requested in writing. He stated that they should stay out of this and make sure things are done correctly.

Meet with Ms. O'Callaghan to discuss Letter of Referral received from the Board

Motion. Mr. Gryval made a motion to go into non-public session under RSA 91A at 7:50pm. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Motion. Mr. Gryval made a motion to go back into public session at 7:53pm. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Mr. Gryval informed Ms. O'Callaghan that he will be leading this part of the meeting. He confirmed with Ms. O'Callaghan that she waived her right to proceed in non-public. Ms. O'Callaghan agreed. Mr. Gryval said that Chief Mulholland will be here since this is not a non-public session. He stated that she received a letter from the Board a couple of weeks ago with some allegations in it and asked for an extension. Ms. O'Callaghan stated that she appreciates that the Board gave her a little extra time to come to terms with it. Mr. Gryval asked Ms. O'Callaghan if she had any questions for the Board before they began. Ms. O'Callaghan stated that she does not have any questions.

Mr. Gryval stated that the best way to proceed from here is to take each one of the findings at a time as she has an answer written to each of them.

Thursday, October 25, 2012 Instructed by email to determine the availability of their staff.

Ms. O'Callaghan stated that she did call four people that would still be available to come in and left them a voicemail on that date. The Chair asked for a list from Ms. O'Callaghan of the staff.

Friday, October Did not answer the work phone and mailbox was full.

Ms. O'Callaghan stated that she does not have questions but is trying to give them a better picture of the facts. Mr. Apple asked that for matters of procedure if they could clarify if there is a disagreement between the Emergency Management Director and the Welfare Director that a phone call was made and the mailbox was full.

Ms. O'Callaghan explained that she was not working on that day and that she didn't have the work phone on her at the time of the call and does not know if it rang. She stated that she

received a phone call on her personal phone from Mrs. McKenney stating that Chief Mulholland wanted to talk to her and she called Chief Mulholland right away. She stated that the allegation that she is not returning calls is incorrect because as soon as she learned that he had called, she returned his call.

Ms. O'Callaghan explained the conversation that she and Chief Mulholland had. She stated that Chief Mulholland asked who she was going to get food for the shelter and that she responded that she would do so with welfare vouchers. She also stated that she realized that they are sharing shelter with other communities and asked Chief Mulholland where the shelter was going to be. She stated that Chief Mulholland's response was that it wouldn't be very many people and they could stay in a hotel. She recommended that they use the shelter because it would be more cost effective but that she would do whatever he wanted her to do.

Mr. Gryval asked Ms. O'Callaghan what kind of cell phone is the town issued phone. Ms. O'Callaghan showed him that it is a Motorola flip phone. Mr. Gryval asked Ms. O'Callaghan about checking her messages regularly. Ms. O'Callaghan explained that she does not answer when she's on her day off. Mr. Gryval asked what she uses her town issued phone for if she doesn't answer it when she's not here and how does the phone benefit the town if she does not check it. Ms. O'Callaghan stated that she does check it and that she hadn't had a chance to check it at the time. She explained that she has told everyone that her personal phone is the one that is always on her and the one to reach her on when she's out of the office.

Mrs. McKenney asked her if she wanted a town issued phone or just use her personal phone. Ms. O'Callaghan stated that this is not an issue of wanting a town phone but an issue of timing. The Chair stated that to Mrs. McKenney's point, they have had other town employees use their personal phones and they are reimbursed by the town for the use of the phone. Mrs. McKenney asked her if she would like to do that. Ms. O'Callaghan stated that she would like to do that.

Mr. Gryval stated that he has an issue with her not checking her phone. Ms. O'Callaghan stated that she answered the phone when Mrs. McKenney called and called Chief Mulholland when she was told he wanted to speak with her. She also stated that she even called Mrs. McKenney back to say that she had called Chief Mulholland. The Chair stated that when the storm started they all knew ahead of time that something was going on and in his opinion that would have been a reason for her to put that phone in her pocket book. He stated that by her not having the town phone with her, she was saying that it's just the Town.

Ms. O'Callaghan explained that is not what she was saying and that at no point in time would she want to ignore a call for help. She stated that she is trying to balance a lot of responsibilities. She also stated that the reference is to multiples call that Chief Mulholland tried to call her and that it was the only call.

Mr. Apple asked Chief Mulholland if he recalled the time that he first tried to contact Mrs. O'Callaghan. Chief Mulholland stated that he could not remember the exact time but that it was in the morning on October 26, 2012. Mr. Apple stated that he received a call from Chief Mulholland indicating that he had not been able to reach Ms. O'Callaghan and then called Ms. O'Callaghan himself and was not able to get hold of her. He stated that he also asked Mrs. McKenney to call her and that was sometime in the afternoon. Mr. Apple asked Chief Mulholland if he was able to leave a message on the town phone. Chief Mulholland stated that he was not able to leave a message because the voicemail was full.

Ms. O'Callaghan asked Chief Mulholland why he did not call her personal cell phone. Chief Mulholland stated that he called her on the phone that he had in the system which is why he contacted Mr. Apple for assistance in contacting her. Ms. O'Callaghan stated that she did not deliberately not answer the phone call and that it was one phone call from Chief Mulholland. Mr. Gryval stated that there was more than one call that was missed. He asked Chief Mulholland if he started trying to call her in the morning and Mr. Apple if he called in the afternoon. Mr. Apple and Chief Mulholland both stated that that was correct. Mr. Gryval clarified that they are trying to find out what happened so that they can make sure it doesn't happen again.

Mr. Gryval stated that they should be very clear about the fact that the EMD and the Town Administrator had difficulty getting in touch with Ms. O'Callaghan and were unable to get in touch with her on Friday, October 26th. Mr. Apple stated that there is a disagreement about what the facts mean because calls were made and she wasn't there to get the call.

Stated that Ms. O'Callaghan would participate in a conference call

Mr. Apple stated that he wanted to make sure that there was a basic disagreement that there was a statement made that she would participate and then there was another issue or doesn't she contradict that she ever stated that she would participate in the conference call. Ms. O'Callaghan stated that she did state that she would participate in the conference call.

Mr. Gryval asked Ms. O'Callaghan why she did not participate in the conference call. Ms. O'Callaghan stated that she was not able to participate in the conference call because she was on a mountain and had no reception. She stated that she had called Mrs. McKenney on the mountain to test that she would have service to take the conference call. She explained that when she went to call in there was no service.

Mrs. McKenney stated that Ms. O'Callaghan called her to test the line to make sure she would be able to get through. She also stated that she mentioned the phone call from Ms. O'Callaghan at the meeting. Ms. O'Callaghan stated that when she got back to the car, she called Chief Mulholland and told him what happened which was not mentioned in these allegations.

Ms. O'Callaghan explained that she was keeping an eye on the storm and that she came back home on Saturday afternoon. She stated that on Sunday, it was a beautiful day and so she decided to go on a hike knowing that she could call into the conference call.

Mr. Gryval asked her about being on a hike while all of the department heads were preparing for the hurricane that was coming. Ms. O'Callaghan stated that she was already prepared and had everything she needed. Mr. Gryval asked how the EMD would know what she had if she didn't report it back to him. The Chair asked how many people had confirmed that they could help come Sunday. Ms. O'Callaghan stated that she knew she had four volunteers but they hadn't confirmed they were available.

The Chair stated that she didn't have any volunteers two days before the storm and hiking in the woods, she should have known she wouldn't have service. Ms. O'Callaghan stated that she didn't know she wouldn't have service because when she tested it she was already on the mountain and it was fine. She also stated that she did call Chief Mulholland as soon as she could.

The Chair stated that Ms. O'Callaghan stated that Mrs. McKenney was the only one she could get hold of. Ms. O'Callaghan stated that she was told never to contact the Board. The Chair stated that she called Mrs. McKenney. Ms. O'Callaghan stated that she opened the door which is why she called her.

Mr. Gryval stated that as far as the conference call she didn't participate and asked what time she called Chief Mulholland. Ms. O'Callaghan stated that she was not able to and that she doesn't know what time she called him.

Monday October 29, 2012 Responded that she did not have any volunteers

Ms. O'Callaghan explained that they had their staff meeting and was asked how many volunteers she has. She stated that she responded that at this point she did not have any volunteers. She stated that she also explained to everyone at the meeting that she could open the shelter and handle between five to ten people until they started getting the volunteers. She stated that she knew that they would be able to open the shelter and whom she could get help from. Ms. O'Callaghan stated that after the meeting she had messages and spoke to her volunteers and was able to confirm that she had four volunteers.

Mr. Gryval asked her if Monday was the first time she attempted to contact the volunteers after Thursday. She stated that she didn't call them over the weekend because she was out of town. Mr. Gryval asked her about her opening the shelter by herself and that would have been a good idea. Ms. O'Callaghan stated that that would not have been a good idea and that is not what she would choose to do. She explained the difficulty in getting volunteers to commit long-term and that she has put out new requests.

Mr. Apple asked Chief Mulholland about the statements that Ms. O'Callaghan made at the staff meeting and if he recalled Ms. O'Callaghan stating that she could open the shelter by herself and if she indicated if she had any volunteers at the time. He also asked Chief Mulholland what his response was to her statements. Chief Mulholland stated that she did say she could open the shelter by herself and that she had indicated that she didn't have any volunteers. He also stated that he responded to her statements that she was not ready to open the shelter.

Mr. Gryval asked Ms. O'Callaghan if she has ever had any training on opening a shelter by herself. Ms. O'Callaghan stated that it's not optimal but that they could easily put five or ten people in there with just herself. Mr. Gryval stated that part of the Emergency Management that they do is to not let it come together at the last moment. Ms. O'Callaghan stated that she has been having meetings and never left anything to the last minute.

Mr. Gryval asked Ms. O'Callaghan asked if she understands how the regional sheltering works. Ms. O'Callaghan stated that she thinks she has an understanding and that the volunteers come from other towns. She stated that she remembers the tabletop exercise and that it sounded like there were a lot of volunteers. Mr. Gryval asked if she ever followed up and asked what those resources were and where they could be deployed. Ms. O'Callaghan stated that she had not.

Tuesday, October 30, 2012 No mention that Ms. O'Callaghan called Chief Mulholland on her way to her other job at 7:30am

Ms. O'Callaghan stated that she wanted to note that this was not included in the allegations. She stated that she initiated a call that morning to see if Chief Mulholland wanted to come in and if anything had happened overnight. She stated that if she had been needed she would have been there.

Mr. Gryval asked Ms. O'Callaghan looking back at what happened over the course of those several days, would she go hiking again. Ms. O'Callaghan responded that if she had known she wouldn't have cell phone service then she wouldn't have gone.

Mr. Gryval stated that there were things in the findings that were mailed to her that were not included in this letter from the Board and would like to go over this. Mr. Gryval asked if there was a reason why she did not meet the request by the Town Administrator to provide a list of any shelter volunteers. Ms. O'Callaghan stated that he asked for a list of who was on the committee but that she was not aware that he wanted a list of volunteers. Mr. Apple read the part where he asked for a list of any committee members and also any volunteers. Ms. O'Callaghan apologized for not seeing that and stated that she would get him that this week.

Ms. O'Callaghan suggested that Ms. Welch might be a good co-manager as she is in town, has a laptop, and is on the clock. She stated that if anyone is unhappy with herself, then she is happy to support her if that's what they want. Mr. Gryval asked if she had ever discussed with Ms. Welch

working with her. Ms. O'Callaghan stated that she has spoken with Ms. Welch but that she hasn't expressed interest in doing so.

The Chair asked Ms. O'Callaghan why they did not get the answers back on the date that they asked for a response by. Ms. O'Callaghan stated that she did not see that. Mr. Apple asked if she saw in the order granting continuance that it was subject to a series of conditions. Ms. O'Callaghan stated that she did not and that she wanted to express that she has had a difficult time dealing with this because she has been feeling attacked.

Mr. Apple stated that there are two conditions he wanted to bring to the Board's attention. He stated that the first is that future requests from the date of the order were to be filed in writing with the Town Administrator and that while this was going on, because they have to sit in judgment, that she not makes any direct contact with the Board or any member of the Board until the matter is resolved. Mr. Apple expressed concern that this was not followed because Ms. O'Callaghan had sent an email today to them. Ms. O'Callaghan stated that she sent them the email so that they would have a copy and knew that they wouldn't have time to digest it.

Mr. Gryval stated that he had a question that was unrelated to this. He asked Ms. O'Callaghan when she is unable to make it into work or is unable to attend a meeting that she is supposed to, why she talks to the girls and not speak to Mr. Apple directly. Ms. O'Callaghan stated that Mr. Apple is not always responsive because he is very busy whereas Mrs. Baird is the secretary and it would be more effective to go to Mrs. Baird since she is the one who tells people when she would be in the office.

Mr. Apple stated that he has nothing further with respect to the findings. He stated that he has a short presentation the basis for the discipline. He stated that the basis for the discipline is not that Ms. O'Callaghan refuses to take calls or that she purposely acted not to ignore calls. He stated that the basis for referral is that she should have her phone with her and she should be available to return calls and she should be participating in these preparatory conferences. He stated that in writing the notice of referral they should not hear him suggesting that she did some purposeful act in that she tried to say screw you to the Town.

Mr. Apple stated that the basis for the discipline is that it is negligent to not have your cell phone with you and available when they are preparing for a hurricane. He stated that it's negligent to say that you are going to participate and then not. He stated that it is negligent to not call volunteers on Friday, Saturday or Sunday and only call them on Monday. He stated that it's a standard of care that they should all observe when they have an emergency and that it is the important point.

Mr. Apple stated that by failing to do particular things the unintended consequence, should have known better but didn't, someone could have been hurt. He stated that their inability to open the shelter was one of those consequences and that he doesn't think it should be overlooked. He

stated that the inability for the EMD to open the shelter if he needed to was inadvertently impacted and that he doesn't think they should overlook that. He stated that they all had families to take care of in preparation for the hurricane and they all made themselves while they were taking care of their families. He stated that that is why they have the process that they have is so that no one gets hurt.

Mrs. McKenney stated that she thinks that Ms. O'Callaghan has explained her reasons why she didn't do this. She stated that they all have their moments where they don't follow through, granted this is an important thing. She stated that she would have liked to see Ms. O'Callaghan make the conference call. She stated that she would like to see this goes forward and that she thinks Ms. O'Callaghan understands the things they have concerns with. She stated that they should retain Ms. O'Callaghan has done a good job and needs to get more volunteers.

Mr. Gryval asked if she knows why volunteers stopped coming. Ms. O'Callaghan stated that she doesn't know but that those four people were the core group and that they had donated their time and done training. Mr. Gryval stated that they need to know what they can count on and rely on and that they need to be able to rely on the people that are heading up their different tasks during an emergency. The Chair stated that if they have someone walk in last minute to volunteer, they are not covered by the Town's insurance which is part of the reason why they need to know who the volunteers are. Ms. O'Callaghan explained ways that she could look for volunteers and continue to do so.

The Chair stated that it's the fact that there were no volunteers and they needed to know there were no volunteers. He stated that they would have thought she would have called the volunteers more than once. He stated that everyone made them available and that she could have been making phone calls since she couldn't be in town. Ms. O'Callaghan stated that she tries to balance all of the demands responsibly and that she thinks she did. She stated that if they needed to open the shelter she would have been able to.

Mr. Gryval stated that he has some grave concerns about the way this happened. He stated that there seems to be a trend here and that they have had trouble communicating with Mrs. O'Callaghan. Mr. Apple stated that it was about a year ago but that he didn't reference that in his notice of referral because they didn't take action. Mr. Gryval stated that for a person who has a responsible position it happens often. He stated that he personally believes that going hiking while everybody is preparing for a storm when one has such an important role without getting in contact with her volunteers was negligent.

Mr. Gryval stated that he could understand she was busy in Springfield but that she came home on Saturday. Ms. O'Callaghan she had tested the phone and was sure she was going to be available. He stated that it seems as though in preparing for this emergency, everything she was

trained to do, it didn't happen. Ms. O'Callaghan stated that that emergency wasn't happening on that Sunday and that it was a conference.

Mr. Gryval stated that in none of their training have they ever waited for the storm to hit to begin preparing. Ms. O'Callaghan stated that she was prepared to open the shelter. Mr. Gryval stated that she wasn't because at the department meeting she didn't have any volunteers. Ms. O'Callaghan stated that she did not have any volunteers when she had been asked and that there was no emergency at that point in time.

The Chair asked when she considers it an emergency. Ms. O'Callaghan stated that she considers it an emergency when she needs to open the shelter and she has four volunteers behind her. The Chair stated that in this particular case they couldn't count on any of them and that this is all in preparation. He stated that it doesn't seem in this case that she was ready for any of this. He asked Ms. O'Callaghan acceptable that for three days she didn't try calling volunteers. Ms. O'Callaghan stated that she wishes she was able to call them but she wasn't because she didn't have their phone numbers. She stated that she will get them the list of volunteers and make sure their phone numbers are in her phones.

Mr. Gryval asked if there is anything else that they don't know that she would like them to know. Ms. O'Callaghan stated that they need more volunteers and that when she puts out a request to do a booth to try to get more volunteers. The Chair stated that it is not that she couldn't get volunteers but it's how she handled things.

Ms. O'Callaghan asked what she did wrong and if the number one issue was that she didn't call the volunteers over the weekend. The Chair stated that they have been going through this with all the questions they had all along. He stated that it's her lack of actions in this situation. Mr. Gryval stated that it's all of the things that they sent her the letter about and that it's not that anything was more important than anything else. He stated that the bottom line is that they were not prepared for this emergency. Ms. O'Callaghan stated that she is prepared and that all she needed was confirmation from her four volunteers.

Chief Mulholland stated that they have a new shelter trailer and asked Ms. O'Callaghan how many times she has been in there to see the equipment they have and inventory it. Ms. O'Callaghan stated that he told her he was going to inventory it and that she has not been in it. She also stated that Chief Mulholland had given her a list of what is in there. Chief Mulholland stated that she doesn't know what's in there because she has never been there to see it. He stated that it concerns him that she has never been down there and that they were supposed to buy some things that weren't purchased so she couldn't know what was there.

Ms. O'Callaghan stated she did training of how to set up cots and blankets that she doesn't need to go look at something she already knew was there. She stated that she understands that Chief Mulholland thinks this shows a lack of interest or concerns but that it shows a confidence in her

that she knows what to do. Mr. Gryval stated that he didn't know she hadn't visited the trailer but that she knows what is expected of her when they are changing their emergency categories. He stated that one of the colors is checking inventory and making sure it's ready to go.

Mr. Apple stated that there are four options under the policy. He stated that they can dismiss the notice of referral which means they don't do anything, they can issue a verbal warning, they can issue a written warning or they can move to dismiss Mrs. O'Callaghan. He stated that he thinks the next step to determine what, if anything, they need to do. The Chair stated that they need to discuss it amongst themselves to determine what they should do. The Board determined to have a non-public session and try to make a decision tonight.

Motion. Mr. Gryval made a motion to go into non-public under RSA 92A Section 3 IIa at 9:13pm. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Motion. Mr. Gryval made a motion to go back into public session at 9:50pm. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Motion. Mr. Gryval made a motion to seal the previous non-public session minutes. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Mr. Gryval informed Ms. O'Callaghan that the Board had determined to issue her a written warning for what happened during hurricane Sandy. He stated that they are going to issue her a performance improvement plan to help her improve the aspects of her job that they think are inefficient at the time. He also stated that they are going to appoint Mrs. McKenney as ex-officio for her committee so that she can work with her to bring that committee back to where it once was.

Motion. Mr. Gryval made a motion to issue Diane O'Callaghan a written warning for her actions during Hurricane Sandy. Mr. Tardiff seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-No. The Chair declared the Motion passed.

Motion. Mr. Gryval made a motion to impose the Performance Improvement Plan on Diane O'Callaghan because of the actions of the event of Hurricane Sandy. Mr. Tardiff seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-No. The Chair declared the Motion passed.

Motion. Mr. Gryval made a motion to appoint Sandy McKenney as ex-officio to the Shelter Committee. Mr. Tardiff seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Mr. Gryval asked Ms. O'Callaghan if she had any questions regarding their decisions. Ms. O'Callaghan asked if their dissatisfaction was with the actions of what happened during Hurricane Sandy and not her performance overall. Mr. Gryval stated that as a whole he thinks she does a very good job but that certain aspects of her job, the Shelter Coordinator, has been deficient. He stated that he was disappointed in how she handled it and that he understands taking care of her uncle but that he doesn't think that hiking is an extenuating circumstance. Ms. O'Callaghan stated that she can accept his decision and thoughts.




Motion. Mr. Gryval moved to adjourn. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

The Chair adjourned the meeting at 10:00pm.

TOWN OF ALLENSTOWN
SELECT BOARD
MEETING MINUTES
December 3, 2012

Signature Page

Original Approval:	
 JASON TARDIFF	1-14-13 DATE
 JEFFREY GRYVAL	1-14-13 DATE
 SANDRA MCKENNEY	01-14-13 DATE

Amendment Approvals:		
Amendment Description:	Approval:	Date:
	JASON TARDIFF	DATE
	JEFFREY GRYVAL	DATE
	SANDRA MCKENNEY	DATE