

**TOWN OF GILFORD**  
**BOARD OF SELECTMEN'S MEETING MINUTES**  
**June 20, 2018**  
**4:00 PM**  
**GILFORD TOWN HALL**

At 4:00 pm Chairman Benavides convened a public meeting of the Board of Selectmen in the 1<sup>st</sup> floor conference room of the Gilford Town Hall.

Board members in attendance were: Selectman Gus Benavides, Selectman Richard Grenier and Selectman Dale Channing Eddy.

Staff members in attendance were: Town Administrator Scott Dunn, DPW employees Mike Denver, Terry Clairmont and Kurt Mistler. Also in attendance were Town Attorney Eric Maher and AFSCME Field Representative Chris Kilmer.

G. Benavides recused himself from the Board and left the head table to sit in the audience.

R. Grenier stepped in to chair the meeting and opened the hearing to consider a step 3 grievance by the AFSCME union to prevent the Town from eliminating the 3 tier (POS) health insurance plan as of July 1, 2018.

C. Kilmer spoke on behalf of the union to say their interpretation of Article 15.1 was the 3 tier (POS) plan would remain in effect and that is what the Union told its membership at the time a vote was taken to ratify the collective bargaining agreement.

M. Denver spoke on behalf of the union in agreement with Mr. Kilmer's testimony and noted this change would affect 7 employees.

C. Kilmer then presented 2 settlement proposals as follows: (a) the Town would pay 100% of the premiums for the HMO plan in lieu of paying incentives to switch plans; or (b) the Town would pay double the incentives for employees to give up the 3 tier (POS) plan.

S. Dunn presented several exhibits to document the Town's proposals during the course of negotiations were consistently intended to eliminate the 3 tier (POS) plan as of July 1 and the union's awareness of this. He noted the CBA included incentives, a lump sum payment of \$142 to each employee based upon total savings to the Town from switching plans and he said the cost items presented to the voters were all based on the Town's intentions of not having the 3 tier (POS) plan available to employees as of July 1, 2018 as stated in the CBA. He then said the same language was used in the Teamsters CBA which was not being disputed as well as an AFSCME contract from 2011-2013 where a similar transition took place as of July 1, 2011. Lastly, he said the settlement proposals submitted by the Union would require the Town to spend money that was not appropriated by the voters as part of the CBA approval process.

G. Benavides testified that he was a member of the Town's negotiating team and he was of the opinion the parties mutually agreed to the elimination of the 3 tier (POS) plan as of July 1, 2018, and that is what the contract says.

C. Kilmer and M. Denver both spoke to say there was obviously a different interpretation between the parties about the language in the CBA and the intentions of the parties, but they would like to meet to negotiate a settlement in lieu of proceeding to arbitration in the event the Board of Selectmen voted to deny the grievance.

At 5:05pm R. Grenier declared the hearing closed and then recessed the meeting for the Board of Selectmen to confer with legal counsel.

The meeting was reconvened at 5:15pm at which time R. Grenier announced the Board of Selectmen will defer its deliberations on rendering a decision for 1 week to allow the two negotiating teams an opportunity to reach a settlement.

C. Kilmer said the Union would agree to waive the 20 day decision-making time frame set forth in the CBA to allow the settlement negotiation process to take place.

G. Benavides rejoined the Board and resumed the chairmanship the meeting.

The Board reviewed proposed amendments to the Personnel Policies.

It was the consensus of the Board (3-0) to delete a 2.5% supervisor pay policy.

It was the consensus of the Board (2-1) to cap comp and flex pay at 16 hours.

The Town Administrator noted the federal Affordable Care Act differentiated 30 day and 60 day notice requirements for health insurance changes. The Board requested that this be made clearer in the policies.

It was the consensus of the Board (3-0) to require drug and alcohol testing for any motor vehicle accident using a standard of reasonable suspicion and to delete reference to the policy not being applicable for minor fender benders.

It was the consensus of the Board (3-0) to require employees to obtain approval from the Selectmen for out-of-state travel instead of having the Town Administrator make those decisions.

It was the consensus of the Board (3-0) not to provide flex pay to salaried employees for working during storm closing events.

The Town Administrator was directed to make the changes noted and to re-submit those changes along with the other proposed amendments for the Board to consider at the next meeting on June 27.

The Board reviewed a request from the Patrick Wood Law Office on behalf of Colin and Mary Robertson for the Town to take ownership of the Dockham Shore Estates Sewer

System. It was the consensus of the Board (3-0) to refer this matter to attorney Walter Mitchell.

With no further business to come before the Board, R. Grenier made a motion to adjourn the meeting at 6:05pm; seconded by D. Eddy and passed with all in favor; (3-0).

Respectfully submitted,

  
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Scott J. Dunn, Town Administrator

Approved by the Board of Selectmen on the 27<sup>th</sup> day of June, 2018.

Attest:

  
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Selectman Dale Channing Eddy, Clerk