



Town of Piermont

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TOWN OF PIERMONT BOARD OF SELECTMEN WORK SESSION MINUTES FOR THURSDAY, JUNE 2, 2016 AT THE OLD CHURCH BUILDING, PIERMONT

Present: Chairman, Randy Subject; Vice Chairman, Colin Stubbings; Selectwoman, Terri Mertz.

Others Present: Bernadette Ratel (Town Clerk), Bernie Martin (Emergency Management Director), Ceil Stubbings (Tax Collector), Gary Herbert (Police Chief), Suzanne Woodard, Tim Cole, Greg Stelzner, Kelly Sackheim, Helena Saarion.

Chairman Subject called the meeting to order at 6:03 PM.

Subject stated that the agenda for today consisted of just the Board's outstanding log but he was going to jump ahead on that list to the website update plan. The board held a meeting yesterday with elected and appointed officials and Town employees. The purpose of this meeting was for everybody to air their feelings and concerns regarding the town's website and of communication with the departments. There was to be no decisions made at that meeting. Subject said that it was true that they should have not have attended the meeting as it had not been properly noticed but regardless the meeting was held. Subject further stated that the NHMA had been contacted and advised the Board on the position. The situation would not happen again in the future without proper notice and that it was a genuine mistake.

Chairman Subject then read the draft minutes, prepared by Town Clerk, Bernadette Ratel, of that meeting including listing the attendees, that it was a non-noticed, non-public meeting and had been arranged at the request of the Board of Selectmen to Town Clerk, Bernadette Ratel at their last Work Session and that it was to discuss with the Town's officials and employees the Town's website and any other questions or concerns that they might have. The draft minutes show that Selectwoman Mertz commented on it being an official public meeting and that the other selectmen should leave immediately and that if they did not she would be advising the State's Attorney General and the Secretary of State's Office, she then left that meeting. The minutes show that Chairman Subject stated the meeting was being held to help the Town run smoother. George Mertz made numerous comments against the remaining Board of Selectmen members and the Town Clerk. Chairman Subject asked Mr. Mertz to leave several times as he was not a department head or Town employee and that Mr. Mertz had refused each time. Police Chief Hebert was asked by Chairman Subject to escort Mr. Mertz from the meeting. The suggestions and recommendations from those that attended the meeting were included in that meeting's minutes and were read. Subject concluded reading these minutes with a request of what action the Board believed we should take. Selectman Stubbings said the Board needed to discuss the issues before making any decisions.

Police Chief Hebert asked as a point of order if the statement that the minutes were being recorded had been made. Subject thanked Chief Hebert for reminding the board of this point and made the announcement.

Selectman Stubbings stated his notes from that meeting were similar to what the draft minutes showed. Selectwoman Mertz said she had handed the other selectmen a sheet of George Mertz's responses to the draft minutes that she had received about an hour and half ago but she could not discuss anything that happened yesterday.

Selectwoman Mertz then read George Mertz's responses to the Town Clerk's draft minutes. Mertz had noted that the meeting did not start until 4.42 pm when Colin Stubbings arrived. Mertz added that Selectwoman Mertz commented that it was an official public meeting – Selectwoman Mertz stated that was not correct and said she asked if it was a public meeting - if it was not, the Board could not be there as a quorum and at least two of the board members had to leave immediately, and if it was, then it was not properly noticed and therefore could not be attended by a quorum of the Selectboard members. She then informed, she did so by not making threatening comments, that if they did not leave in accordance of RSA 91 she would call the Attorney General and the Secretary of State in the morning to inform them of an illegal meeting that had taken place. Selectwoman Mertz then left, not abruptly. Mertz (George) wrote that the items stated by Chairman Subject were not on the agenda nor was it the subject of the meeting. He stated he was there to answer any questions the others could not answer. Mertz further stated that Selectman Stubbings attacked him asking what possible questions could he not answer himself. Mertz added that a heated discussion ensued and that Selectman Stubbings verbally attacked him again regarding something that happened four years ago and had nothing to do with the subject at hand. Mertz states that no comments were made about the Town Clerk and that it was a complete fabrication and that it is on a recording. According to Mertz, Chairman Subject did not ask him to leave but ordered it, and further stated that he did not have the authority as he did not initiate the meeting. Under the suggestions on the Town Clerk's draft minutes where it stated that Bernie (Marvin) shared his thoughts on the picture removal, Mertz had wrote that the Selectboard had directed all employee pictures be placed on the website, not the Web Master, and that direction was never rescinded at a publically called meeting. Selectwoman Mertz restated that the Board had requested those pictures be put there. Mertz (George) claimed the Selectboard and not individuals controls the website. He stated that every department had always been able to regulate their page and that every page he has reworked has been done in full cooperation with the appropriate person(s). He goes on to further state that if they did not avail themselves of that opportunity or communicate their wishes that is not his fault. He noted that a website policy had been distributed for review but that only one selectman had commented on it. Mertz states that there is no reason for the removal of the Web Master as he has done only as directed by vote of the Board and that it is a personal agenda against him for things not under his control. He states that communication was open between the Board and the Departments and always had been.

Chairman Subject stated that he held with the original minutes that had been submitted by the Town Clerk and felt that this had gone far too far and that there was a remedy for this that was viable, would not cost the Town and he believed that it should be taken. Selectman Stubbings said that he would dispute some things but that it would be pointless getting into petty arguments over and over again. He stated that when Mertz was appointed Web Master he had a number of reservations and that they did stem back some four years and related to Mertz insistence to control the website back then and at the meeting it was a response, not an attack, as had been stated. Selectman Stubbings stated he had a couple of questions in reply to Mertz's comments against the suggestion of each department being able to regulate their page. Selectman Stubbings asked Chairman Subject if he had approved the changes to the Board of Selectmen's webpage and Subject replied he had not, Stubbings stated he had not. He asked Selectwoman Mertz if she had approved the changes, the reply was if he had any questions with regards to the webpage he needed to ask the Web Master. Stubbings re-asked the question and was again told he needed to ask the Web Master. Selectwoman Mertz further stated that she could not discuss anything that came out of the meeting that was held the day before. Stubbings stated that it was like a "no comment" to the question and was told that it was actually a "fifth amendment". Selectman Stubbings asked if George Mertz was at the meeting and Selectwoman Mertz stated he was not invited. Stubbings answered that it was a public meeting so anyone can attend. Stubbings then asked Bernadette Ratel if she had approved the changes to the Town Clerk's webpage and the reply was that she did not. Stubbings then asked the Tax Collector regarding changes made to her page including the incorrect telephone number and the reply was she had not. Stubbings stated that it seemed that at least three had disagreed with the response made by the Web Master to

the Town Clerk's minutes of the meeting and that even though he had other comments against the responses it was clear of the direction it was going. Suzanne Woodard made the remark from the public area that maybe the Town should go back to not having a website as it did before. Woodard further stated that they were now getting some information that they were not getting before. Stubbings asked if this had only just happened. She said it would seem that we could work together to establish something. Stubbings replied, that was the idea of last night's meeting and it went well after some had left the meeting. Woodard said that it was then back to the good old boys. Helena Saarion said how could the Board discuss the meeting from the prior night when the meeting should not have taken place. Stubbings stated that meeting was not noticed properly but that it could still have taken place. Saarion said then it should take place again. Chairman Subjeck said the suggestions would still be the same. Stubbings stated he had contacted the NHMA with regards to the meeting and they had replied that the Board would have no problem acting upon the suggestions that came from that meeting. The NHMA had said we could re-hold the meeting but that there would probably be confrontation again and the outcome would be the same. Saarion asked what the main issue was for the meeting, was it the pictures and Stubbings read out the agenda that had been received. Woodard stated that if people did not want their pictures on the site then that should be accepted. This was disputed by others because the public should know who they are. Woodard suggested that an ID badge could be used. Stubbings said that was one of the suggestions that had come from the meeting. He further stated that it was him that had started the pictures of employees and officials on the website exactly for the reason mentioned and hence why he had stated he had somewhat of a unique insight in to the matter. Stubbings also stated the paragraph that he had included on the Welcome page about how the Town needed to be thankful and respectful for the volunteers, officials and staff that help the town considerably and that he believes we should honor their wishes in regards to the issue of their pictures. Chairman Subjeck read some information he had received from the NHMA where it stated that the Selectboard should have a meaningful discussion with those that work in the Town. Subjeck then asked if Selectwoman Mertz had any more comments and the reply was that she could not talk about the meeting. Subjeck asked Stubbings if he had further comment and the reply was that he did not other than he thought it was a good idea for the Selectboard to have regular meetings with the department heads except it is now known that these need to be noticed. He stated that there was a number of issues on the Outstanding Items Log that need to be dealt with. Selectwoman Mertz stated that it was this notice that was the basis of her comment at yesterday's meeting and that ignorance of the law is no excuse. Stubbings stated it was a mistake and that Selectwoman Mertz was at liberty to phone whoever she liked on the issue. Selectwoman Mertz stated that Stubbings had accused her of being rude and disrespectful when she made the statement of the illegal meeting and that Selectman Stubbings was being disrespectful again to her in his tone at this meeting. Selectman Stubbings stated he was just speaking normally and therefore he did not think that was disrespectful. Selectwoman Mertz stated when he said anyone under the sun he was being disrespectful. Stubbings apologized if Selectwoman Mertz found that disrespectful. He reemphasized the need for a quarterly department head meeting. Chairman Subjeck made the motion of those that wish to have their pictures removed then that should be allowed. Selectman Stubbings seconded the motion. Motion passed 3-0. Chairman Subjeck made a motion that each department should be able to regulate their page. Selectwoman Mertz asked how exactly was that going to happen. Police Chief Hebert said that as a point of order we needed to second this motion before going in to discussion. Selectman Stubbings seconded the motion. Discussion was held on the subject. Subjeck made the motion that passed 3-0.

Subjeck made the motion that the present Web Master be relieved. Stubbings seconded the motion. Discussion was held on this subject. Motion passed 2-1. Subjeck made the motion that the Selectmen have quarterly meetings with the Department Heads, Stubbings seconded the motion. Motion passed 3-0. Subjeck motioned that we have ID cards, seconded by Stubbings. Discussion was held. Motion passed 3-0.

Selectwoman Mertz read out an email she had received from Mike DiPietro regarding making a motion that the Board will tell all secretaries of Piermont Boards and Commissions to submit their draft minutes to be sent to the Web Master for posting on the website in a timely manner. This will be on the agenda for the Board Meeting on June 15, 2016.

The Board then went through the Outstanding Items Log updating where needed, making changes and adding items.

Chairman Subjeck stated the emails between Selectboard members could not continue as per advice from our Town Attorney and NHMA. Subjeck handed a proposed procedure to both Selectman Stubbings and Selectwoman Mertz. Selectwoman Mertz said she did not have time to read the document so the Board could discuss and consider it because she said she wanted to read it at her leisure.

Chairman Subjeck made the motion to end the meeting, Selectwoman Mertz seconded the motion. Motion passed 3-0.

Meeting adjourned 8:18pm