

Regular Meeting of the
Hillsborough County Board of Commissioners
August 19, 2009
Bouchard Building, Goffstown, NH
Minutes of the Public and Non- Public Session
(Not Official Until Approved by the Board and signed by the Clerk.)

Present: Comm. T. Pappas, Comm. C. Holden, Comm. M. Clemons, P. Coughlin, J. Hardy, C. Kirby, M. Montminy, E. Robinson, M. Rusch, G. Wenger, and L. Stonner.

Also present: Members of the public

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 9:03 a.m., followed by the Pledge to the Flag by P. Coughlin.

2. Administrative Business

Minutes

July 21, 2009

Motion: To accept the minutes of August 5, 2009 Board of Commissioner's meeting. By Comm. Clemons, second by Comm. Holden. Motion carried.

Approval of Payroll Registers

Motion: To approve the Payroll Register 8/6/09 in the amount of \$1,152,050.27, subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

Approval of Accounts Payable Registers

Motion: To approve the Accounts Payable Register dated 8/18/09 in the amount of \$4,140,402.15 subject to review and audit. By Comm. Holden, second by Comm. Clemons. Motion carried.

Sheriff's Extradition Vouchers

Motion: To approve the Sheriff's Department extradition voucher dated 7/8/09 in the amount of \$6.00, and the extradition voucher dated 7/9/09 in the amount of \$1,076.79, the extradition voucher dated 7/20/09 in the amount of \$1,121.33 for a total of \$2,204.12. By Comm. Clemons, second by Comm. Holden. Motion carried.

Comm. Holden noted that the County Attorney has previously approved the extraditions.

CIS Bid # 3-2010 – Cisco Smart Net Hardware Support

Mr. Wenger explained that this Bid was taken off the table at the last meeting, pending further information. He explained that this is a CIS bid for the Cisco Smart Net Hardware Support, which is the support for the County's telephone and data system hardware. He noted the original bid requests were sent with part numbers included; but the numbers used were only used by certain Cisco vendors. He explained that the

County has learned that there are equivalent part numbers that could be used in the bid request that would make it possible for more vendors to submit a bid; he noted that without the equivalent part numbers, not all vendors had the opportunity to bid within the required time. He requested that the Board reject all bids and allow CIS the opportunity to go back out to bid now that it has received equivalent part numbers and can give all vendors an equal opportunity to submit bids.

Motion: To reject all bids submitted for CIS Bid # 3-2010, and to allow the CIS Department to go back out to bid with the new information: By Comm. Holden, second by Comm. Clemons. Motion carried.

3. Public Comment on Agenda items

No one from the public indicated a desire to speak relative to the agenda.

4. Department of Corrections

Census

M. Montminy presented the DOC Census, noting that as of August 18th, the Census was 565, which included 515 men of whom 363 are being held pre-trial, and 152 have been sentenced. There were 50 women of whom 32 are being held pre-trial and 18 have been sentenced.

Comm. Clemons offered that with the newly appointed judges, the number of inmates may go down as the courts are able to handle cases in a timelier manner with a subsequent reduction in cost to the County. M. Montminy explained that the census varies daily and noted that the census as of today is 550.

Bid # FY10-07 – Physician Services

M. Montminy presented Bid # FY10-07 and explained that this bid is for physician services.

Motion: To approve Bid # FY10-07 for physician services at the Department of Corrections to Matthew Masewic, M.D. at the price of \$5,200 a month, noting that this is the lowest responsible bidder and it is for a one-year agreement. She noted that the cost for August is \$3,355 and the remaining months will be \$5,200. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Bid # FY 10-41 – Psychiatrist Services, three year contract

Motion: To approve Bid # FY10-41 for psychiatrist services, a three year contract at the Department of Corrections; the lowest responsible bidder is Manchester Mental Health, Manchester, NH at a price of \$125 per hour. By Comm. Clemons, second by Comm. Holden.

Comm. Clemons asked about the bidding process. M. Montminy explained that the legal notice was published, as required. Comm. Clemons asked if the costs were comparable to what the County has been paying. Ms. Montminy responded that the psychiatrist service is new, and that the physician service is higher. Comm. Clemons asked if perhaps these two bids should be re-advertised, or if they should be approved. Comm. Holden referred to the legal notice, noting that notice was given and asked if there was only one bidder who was interested in bidding for the physician's services, to which Ms. Montminy responded that there was another gentleman who was interested, but she believed that there was an issue with his New Hampshire license. There was discussion about the bid process, whether the person comes in for an interview, and whether the Superintendent judges the bidder's capability to work in the Corrections environment. Ms. Montminy responded that Dr. Masewic formerly worked at the Merrimack County

Department of Corrections, and he is currently a physician at the State Hospital in Concord. The Board was satisfied with the process and decided to vote.

The motion carried to approve the bid for psychiatrist services.

Bid # FY 10-66 – Spork Kits

There was discussion relative to rescinding Bid # FY 10-66 for Spork Kits approved at the Board's July 21st meeting.

Motion: To rescind Bid # FY 10-66 for Spork Kits, 1,250 cases. By Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Pappas informed the Board that there is a new bid for its consideration for Spork Kits.

Motion: To approve Bid # FY 10-66-A for 1,250 cases Spork Kits to be awarded to Central Paper, Manchester, NH, at the unit price of \$13.75/case for a total expense of \$17,187.50, noting that it is the lowest responsible bidder. By Comm. Clemons, second by Comm. Holden. Motion carried.

5. Nursing Home

Census

Comm. Pappas noted that Mr. Moorehead is on vacation this week and the Nursing Home Census is included in the Commissioner's meeting packet.

6. Old/New Business

Nursing Home Chemical Workers Contract

Mr. Wenger informed the Board that he has the Nursing Home Chemical Worker's Contract for the Board's execution; he noted that with the execution of this contract, the County will have all three contracts completed and signed, and he will be forwarding the originals to C. Kirby.

Comm. Clemons noted that he had observed paving being done at the Nursing Home, and observed that the Nursing Home is taking advantage of the warm weather to complete the paving project at the facility, which is good.

Mr. Wenger asked the Board to sign the annual Residential Nursing Home Health Care license application, which he distributed, and which was signed.

Comm. Pappas recognized Register Coughlin who noted that she did not have any business to bring to the table at this meeting.

M. Rusch reported that the Executive Committee will not meet in August.

Annual County Government Awards

Comm. Pappas informed those present of the August 28 deadline for the annual County Government Awards, and encouraged everyone to give this consideration.

Temple Street update

Ms. Robinson indicated that there are changes that have increased the cost, but there were anticipated. Ms. Robinson distributed photos of the roof project, which identified issues, including:

- water collection in a low area on the higher roof
- old skylights with rotting frames
- large skylight where water leaked
- the metal cornice that is part of the historic look of the building
- significant rot on the lower roof

Comm. Clemons inquired about details and noted the importance of protecting the records at the Registry of Deeds as the work progresses. Ms. Robinson went on to explain that much of the work is done early in the morning or on Saturdays; the unfinished work is covered with a canvas until the workmen return. She explained that the roof project should be completed, with the exception of the cornice, before the hurricane rains arrive, which are expected later in the week. Ms. Robinson noted that there had been an odor issue with the County Attorney's office, and that it came from the old roofing material being pulled up; however, the odor went away when that project was completed. Mr. Wenger noted that he will be signing off on the second change order. Ms. Robinson noted that there are three changes orders currently and there will be another relating to the cornice.

Mr. Wenger spoke relative to the status of the EEOP project, and mentioned that it will be addressed at the Department Head meeting on August 25th.

Mr. Wenger informed the Board that the plans are nearly complete for the Attorney's Office space at Chestnut Street, further noting that the Architect still needs to resolve issues for the Sheriff's Department space.

Mr. Wenger noted that with respect to available space in Nashua, he has had telephone conversations with Sue Ann Johnson and will be speaking with her again shortly.

Comm. Holden informed the Board that she read in a newspaper that the State will be applying for approximately 17 million dollars from recovery funds for the Chestnut Street asbestos project, and wondered if this might reduce the County's rent expense. It was decided that that subject should be considered in discussion at a later date.

Franklin Pierce Work Study Contract

Comm. Pappas explained that the Board has before it a contract for the Franklin Pierce Work Study program. Mr. Wenger explained that this program provides Franklin Pierce law students to work with the County Attorney's office, and asked the Board to approve renewal of the contract.

Motion: To authorize the Chair to sign the Franklin Pierce Work Study contract on behalf of the Board. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Holden informed the Board that she had information about possible land acquisition and shared the article which reads: "The Town of Goffstown has applied for a grant under the American Recovery and Reinvestment Act to assist with the building of a new Fire Station in Goffstown. During the design process, the architects identified a parcel owned by the County as a central location for this new Fire Station. If the Town of Goffstown is fortunate enough to be awarded this grant, an approval at Town Meeting would be needed to

approve the required match. The Town would need approximately 3 acres for this new station.” If the County looks favorably upon this request for land, then please advise us of your process and timeline to effectuate such a conveyance. Comm. Holden noted that she will attend the Selectmen’s meeting on August 24th to question them about it, and suggested that the Board take this issue under advisement. Comm. Clemons noted that this could be discussed at the Charrette, and Comm. Holden agreed that the Charrette is exactly where it should be discussed.

Comm. Holden referred to a letter from Rep. Pilotte requesting that the Board review its policy of paying clergy for services at the Nursing Home, noting this has been discussed many times in the past. The Board offered that this is not a new issue; Rep. Shaw requested that the Board reconsider its policy of paying for religious services. Comm. Clemons noted that Mr. Moorehead has approached the Diocese several times relative to providing services at no charge without success. He went on to say that US military pays its clergy, and noted that in his opinion, it is not a violation of church and state because of the precedent set in the military. The Board acknowledged that this issue has been raised several times, and that perhaps the Executive Committee does not have the full history of the issue. Mr. Wenger suggested that perhaps a memo or letter citing the things Mr. Moorehead has done over the years could be put together and forwarded to the Executive Committee. Mr. Wenger remarked that the Board might also wish to consider if it is still committed to providing clergy services for the residents at the Nursing Home, and if it wished to do so, even if it is at a cost. He offered that the Board may wish to reiterate that it is committed, and offer an explanation of the steps that have been taken in the past. The Board agreed that it could gather the information and respond prior to the Executive Committee’s September meeting.

Comm. Holden noted that the Rails to Trails group will be meeting soon and will be going before the Goffstown Board of Selectmen the following Monday; she will be attending the meeting to offer support for the Rails to Trails Grant Application.”

Comm. Holden informed the Board that the Design Charrette Committee met the previous Monday. She distributed a list of the County daily, weekly, and monthly newspapers that would be contacted with information about the Charrette, and asked the other Commissioners if they were aware of any other newspapers that should be included. There was discussion relative to the Department Heads’ input; Mr. Wenger noted that it is his expectation that a meeting will be scheduled specifically for gathering input from the Department Heads relative to the Charrette. Comm. Holden informed the Board that the Design Charrette will be held on Friday, October 2nd, and Saturday, October 3rd. She referred to the Agenda and noted that the County stakeholders are scheduled to meet on Friday from 1:00 to 3:00 p.m. with the Charrette Team; on Saturday morning the Charrette Team will meet with community and regional stakeholders; on Saturday afternoon the Charrette Team will do its work, and Saturday evening there will be a dinner and presentation to the stakeholders. She noted that there is a great group of people on the team and the design is coming together nicely. Comm. Holden explained that the Design Team is working on an introduction for the team that will include all the County statistics; the Marketing Team is developing its plan; and the Facilities Team is working on the how the people can best be accommodated. She indicated that she will send out the two-page Agenda and Objectives for the Charrette Team. Mr. Wenger noted that there will also be a public Agenda, which will be posted.

Comm. Holden updated the Board on the condition of former Comm. R. Charbonneau, who was involved in an automobile accident several months ago. Comm. Holden has the contact information.

Sheriff Hardy expressed his profound thanks on behalf of himself and his family to the Board for re-arranging its meeting schedule to allow County staff and officials to attend his mother’s funeral service. He expressed his appreciation for those who attended the funeral and for the lovely flowers.

Comm. Clemons informed the Board that at the last meeting, he reported that the Mental Health grant was rejected, noting that he got his information from the Nashua Telegraph; however, he has since learned that

the grant has not been decided, and will not be decided until September, so the County is still in the running for that Federal Grant.

Mr. Wenger informed the Board that a grievance was received in his absence last week; it was received on August 10th. He noted that he has not had the opportunity to speak with the Superintendent relative to the grievance yet, so he is not aware of the status of the grievance; however, his concern is that by contract, the County has to address this issue within 20 days of receipt, which will be before the Board's next meeting. He noted that he would like to reserve a date, with the understanding that he has to discover if this matter is ripe. The Board agreed to tentatively set aside the morning of Friday, August 28th, and Mr. Wenger will get back to them. He noted that currently, there is one grievance scheduled for the next Board meeting as well as a second one scheduled for the meeting on September 16th. He noted that he will attempt to consolidate those. He added that it is his understanding that there are more grievances coming.

Comm. Clemons inquired about the Right to Know law and the status of C. Kirby's action. She responded that she has passed the question along and it has been referred to the Attorney General's Committee on the Right to Know law. The Board agreed that it will wait for their response.

7. Public Comments

There were no members of the public who wished to comment.

8. Adjourn

There was no further business for consideration; the Chair entertained a motion to adjourn.

Motion: To adjourn the Board meeting. By Comm. Clemons, second by Comm. Holden. Motion carried.

The meeting adjourned at 9:57 a.m.

(SIGNED 9/2/2009)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date