

Board of Selectmen
14 May 2007
Minutes

6:00 p.m. - Chairman Brian Forst called the meeting to order. Present were Chairman Forst, Selectmen Don Guarino and Dave Clairmont, Administrative Assistant Tim Warren and Clerk Lois Dionne. Also present were Town Clerk Deb Cornett, Code Enforcement Officer Bob Flanders, HDC Chairman Perry Onion, HDC members, George Roberts, and Allen Everett, HDC Clerk Wendy Keane and Doreen Desmarais of Desmarais Construction.

Chairman Forst stated that everyone was here to discuss the outside of the vault, and felt the meeting should be moved outside so they could assess the situation, and try to remediate the problems. Tim Warren asked that when they were outside only one person would talk at a time because it would be difficult for the clerks to take notes otherwise. Brian asked that all communication be channeled through him.

George Roberts asked to frame why members of the Historic District were here. He explained that the Town Clerk and another person, possibly the contractor, had come to the HDC and gave a presentation for plans of the vault. He said it was to have been built so it would come through the ground at some point, but he couldn't remember what the elevation was to have been, but felt it was rather shallow. George said that subsequently the HDC was told it would be a different height. He said he was unsure why this was, but had heard it was because of an electrical conduit.

Brian Forst said that once the construction began, there was electrical conduit in place that couldn't be moved, so they had to make the vault higher. George stated that was when the Town had come back to the HDC, and the plan had been reviewed again. He said the HDC voted to wait for further construction until they got some design or suggestion as to how it would be finished off. He said it had been mentioned that there was going to be grass on the roof of the vault, and there were concerns about the construction of the vault itself, and the need for the staircase, and if it could be shortened up, because it was not on the design.

Bob Flanders pointed out that the elevation is the only possible elevation it could be. He said you have to consider the step going down into the vault; the ceiling has to be a certain height inside, and you have to be able to cut the doorway in the slab of the

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existing building. Bob said when all those factors had been taken into consideration; it is the only height it could be.

George Roberts said the height isn't the issue; the issue is how to reconstruct it or finish it off, because it is not appropriate for the style of the building.

The meeting was moved outside to discuss the problems and try to come up with a solution.

Bob Flanders stated that the whole system meets the codes.

George Roberts stated that the issue isn't code, but rather architectural compliance.

Brian Forst asked how of the two staircases on the back of the building, one was different from the other.

George Roberts replied it was the massiveness of the new staircase, along with the earth piled up against the wall, and added that we don't need a staircase there (down to the parking lot).

Deb Cornett said that would be in violation of the safety code.

George felt there could be a flat landing out the door onto the roof, and maybe two steps down to the ground.

Brian asked what design had originally been shown to the HDC.

Deb said it had shown a staircase to the parking lot.

Perry Onion said the concern is the size and height of the staircase.

George said he isn't sure the length of the staircase is the same as had been shown on the plan.

Brian asked if the issue was that it was not architecturally pleasing because of its height.

George said it was the massive bank on the side.

Brian stated that the job wasn't done yet.

George stated there is too much banking, and that the last time the Town had come to the HDC meeting they asked to put massive stones along the wall that had not been on the plan, and if there were to be a wall, it should be brick veneer.

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Brian F. pointed out that the wall at the church across the parking lot had the same stones for a wall.

George said that wall had been built before there was an HDC, and the HDC wouldn't have allowed it.

Perry Onion felt they should discuss the issues, which he said were landscaping around the vault, the shoddy workmanship, and what we need to do to come into compliance.

Brian stated that he is trying to see both sides of the issue so he can try to mediate.

Brian asked if before raising the elevation of the vault, the elevation of the ground had been at the bottom of the windows. Perry Onion stated that it had been slightly lower. George felt that even if it were a foot above the ground, the massive amount of banking is not needed. He said it should be excavated and shrubbery should be planted, and suggested that one section of the railing could be removed. George also suggested metal railing. Deb Cornett said they had been told, by the HDC, that they couldn't use metal railings because they wouldn't match the back stairs.

George R. also suggested that the exit should go to the side of the building, not down to the parking lot; then we wouldn't need that massive staircase. Tim Warren stated that in case of a fire, you wouldn't want people to have to walk by the side of the building. Bob F. stated that according to code, 60% of the people have to be able to exit a building the way they entered it due to familiarity. George stated that no one has ever used the door in question.

Brian wanted it clarified that the original design did not call for a walkway on the side of the building, and had shown steps going down the back, and the HDC had approved the plan. George Roberts agreed that was true. Brian stated that we are not going to change the design now, we need to landscape around it. Dave Clairmont tried to eye the slope of the grade to see what could be done to soften the area. George R. felt there was no reason for the elevation of the ground to be so high. Brian said if we bring the elevation down, more of the wall of the vault would be exposed.

George felt we need to get someone to come in who could help plan the landscape, and suggest how to soften the area. Don Guarino said George had spoken with the architect who had worked on the building when we redid the building, and he was willing to work on a landscaping design plan for us free of charge.

Bob stated that the rubber membrane on the top of the vault is exposed and needs to have something covering it to protect it. He also stated that the air conditioning in the Selectmen's side of the building had to be disconnected when this work has been going on, and we couldn't wait months for this situation to be settled to have air conditioning in

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the building. George replied that the air conditioning could be hooked up temporarily, and it wouldn't take months for the job to be done.

George reiterated his concern about the mess and the quality of the workmanship because this is a million dollar building, a national landmark and a historic building. The ugly armature on the building is because the contractors didn't know what they were doing.

Brian stated that the vault was built to the original design, and felt people are working to correct what George feels is shoddy workmanship. He said nobody wants something that is not architecturally pleasing, but the project isn't completed and will not look like it does when it is done.

George said people struggled and got appropriations to restore the building and keep it as close as possible to its original state. He felt we should get an expert to tell us how to dress the area, so it doesn't look ugly. George said the HDC wasn't informed the elevation would be higher until after the fact, and no plan had been given them for landscaping. George said the architect he wanted to have draw up a plan was the original landscape architect who has a great love for the building, and would work gratis.

Deb Cornett said the plan had been to loam over the top of the vault and plant grass, and then slope the area. Perry Onion asked what was wrong with asking the person to draw up a plan. Brian said there was nothing wrong with asking, but he doesn't see us changing the steps.

Perry stated that George was speaking for himself, and his comments were not an HDC decision. He felt things need to be buttoned up. Tim W. stated that additional changes at this point would cost more money.

Perry stated that the HDC was concerned with the brick veneer on the wall on the parking lot side, and the lousy workmanship. He said the wall is not plumb, and we need to go back to the contractor.

Don Guarino felt everything is hypothetical, and we should see what the landscape architect comes up with. He felt we should take advantage of the offer of working with an architect to come up with a landscape design since he has offered to do it free of charge.

George said he has had many complaints about how ugly the building looks. He said the plan shows no elevation, and the Town should have been told to get an engineer at the beginning.

Perry said when we first went before the HDC we had no plans, and then had substandard plans, and the HDC should have turned them down.

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There was a discussion about what should be used to cover the rubber membrane, as we have to be careful because it has to be something that will not penetrate the membrane. It was also mentioned that water comes off the roof on the inside corner, and that would have to be dealt with. George Roberts stated there should be a roof gutter and a light over the door. Deb pointed out that the building does not have gutters and the vault had been sloped to allow for runoff. She also noted that a light is the Town's responsibility, not the contractors.

The back wall was looked at, and Perry pointed out that it was not plumb. It was pointed out that the stair risers are splitting, and the handrails are shaky. George also stated that he doesn't understand why the posts are wrapped. Bob said that is done to protect them from splitting. Bob said he had not yet inspected the railings.

Another concern of the HDC was the doors didn't open completely. Bob said the doors open flush to both rails, and people could walk through the full width of the door. Perry said one door was fine, but the seam of one door was behind the railing, and he was afraid this would weaken the railing with continuous opening. Bob said that could be fixed with just a minor adjustment.

Brian stated that we should get the architectural engineer to give his opinion with the understanding that it is only a suggestion.

6:50 p.m. – The meeting moved back inside.

Brian stated that we had a representative here from the contractor (Doreen Desmarais), and she understands the work needs to be straightened out; the work was not done to a standard she is happy with, so that will be worked on. He asked George if he had the name of the architect he had referred to. Brian said if we were to use the architect's input, he would like to expedite it. Brian said he would like to see a plan within a couple of weeks, and would like to have the work done before the 4th of July.

Bob asked what the air conditioning unit was going to be placed on, because of concern about penetrating the membrane on the top of the vault. There was discussion of stone being placed on the top, and if the stone should be embedded in concrete to prevent icicles that might come off the roof in the winter from moving the stones and allowing the icicle to penetrate the membrane.

It was agreed that Perry Onion would contact the architect tomorrow, and Perry stated that when the Selectmen receive a plan the HDC would like to meet with the Selectmen to review the plan. Brian said the Selectmen want to work things out, but not change the current plan, and still make it aesthetically pleasing.

Deb Cornett addressed the members of the HDC and stated that at the last HDC meeting, HDC members had met outside with the contractor to discuss the vault, and Deb had

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asked Wendy (HDC Clerk) to see a copy of the minutes, and was told that there weren't any because she, Wendy, hadn't been out there. Perry said they hadn't started the meeting officially. Deb stated that all the board members were out there discussing things, and she (Deb) had contacted LGC (Local Government Center) to ask and was told that constitutes a meeting. Perry stated that when the members had come inside he had given Wendy a summation of the discussion to be included in the minutes, and they had all agreed that the summation was what had happened. Deb said they need to be careful because what they had done outside had constituted a meeting, and hadn't been posted. Perry conceded that perhaps the way it was done would have denied anyone who might have wanted to have input to do so. Deb stated that the contractor felt he had been attacked by members of the HDC, and was more than happy to leave and won't be coming back. She didn't feel that had been handled well. Perry replied that Deb didn't know because she hadn't been there. Deb agreed but asked why the contractor hadn't been asked to come back to the meeting. Perry said he had been asked, but he had said he didn't need to.

Deb asked if they had any more questions for Doreen Desmarais. There were no more questions, so Doreen left the meeting.

7:00 Public Input – There was no one present for public input.

7:01 p.m. - Enter into non-public session as per RSA 91-A:3, II(c)

Selectman Clairmont moved to Enter into non-public session as per RSA 91-A:3, II(c) - Matters which, if discussed in public, would likely affect adversely the reputation of any person unless such person requests an open meeting; however, this cannot be used to protect a person who is a member of your Board, Committee or Subcommittee. Selectman Guarino seconded. Motion passed 3-0.

The Selectmen, Deb Cornett and HDC members discussed an HDC issue.

7:10 p.m. - Out of non-public session

Selectman Guarino moved to come Out of non-public session. Selectman Clairmont seconded. Motion passed 3-0.

7:12 p.m. - Enter into non-public session as per RSA 91-A:3, II(c)

Selectman Guarino moved to Enter into non-public session as per RSA 91-A:3, II(c) - Matters which, if discussed in public, would likely affect adversely the reputation of any person unless such person requests an open meeting; however, this cannot be used to protect a person who is a member of your Board, Committee or Subcommittee. Selectman Clairmont seconded. Motion passed 3-0.

Deb presented the Selectmen with the deeds for the properties to be taken for non-payment of taxes for their signature. The Selectmen reviewed and signed the deeds.

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7:30 p.m. – Out of non-public session

Selectman Guarino moved to come Out of non-public session. Selectman Clairmont seconded. Motion passed.

Deb Cornett had a copy of a contract for a MAAP Program for the Selectmen's signature. She said a contract had been signed last year, but the program hadn't gotten up. Deb said this allows on-line registration, and also allows the Town to offer better service to residents in that they could register higher tonnage vehicles and also issue vanity plates.

Chairman Forst signed the contract.

7:38 p.m. – Recess

7:38 p.m. – Back in Session

7:44 p.m. - Enter into non-public session as per RSA 91-A:3, II(c)

Selectman Guarino moved to Enter into non-public session as per RSA 91-A:3, II(c) - Matters which, if discussed in public, would likely affect adversely the reputation of any person unless such person requests an open meeting; however, this cannot be used to protect a person who is a member of your Board, Committee or Subcommittee. Selectman Clairmont seconded. Motion passed 3-0.

The Selectmen discussed a code enforcement issue with Bob Flanders.

7:50 p.m. – Out of non-public session

Selectman Guarino moved to come Out of non-public session. Selectman Clairmont seconded. Motion passed 3-0.

7:57 p.m. – Enter into non-public session as per RSA 91-A:3, II(c)

Selectman Guarino moved to Enter into non-public session as per RSA 91-A:3, II(c) - Matters which, if discussed in public, would likely affect adversely the reputation of any person unless such person requests an open meeting; however, this cannot be used to protect a person who is a member of your Board, Committee or Subcommittee. Selectman Clairmont seconded. Motion passed 3-0.

The Selectmen discussed fire department issues with Fire Chief Robbins.

9:45 p.m. – Out of non-public session

Selectman Guarino moved to come Out of non-public session. Selectman Clairmont seconded. Motion passed 3-0.

FYI's and Other Business

Approval of Minutes – The Selectmen reviewed the minutes of last week's meeting.

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MOTION – Selectman Guarino moved to accept the minutes of May 7, 2007 as written. Selectman Clairmont seconded. Motion passed 3-0.

New Forester – Tim said Nanci Mitchell had asked him to inform the Selectmen that the Conservation Commission had spoken with foresters to replace Brenda Brown. He said the Commission would like to have Ron Klenarczyk; he had been the second choice when they hired Brenda. Tim said Mr. Klenarczyk had agreed to work with the commission. They are going to do a walk of the Thompson Town forest on Friday, May 18th at 2:00 p.m. to discuss the skid roads, and change some of the trees that were marked.

Payables – Tim informed the Selectmen that there was a very large amount of payables this week. He said all the capital reserve funds had been transferred to the trustee of trust funds, and we paid the tax liens to the tax collector, he had made the last payment on the SRF loan to the State for the closing of the landfill, and had made a payment for the fire truck lease. Tim said the amount for the taxes would be deposited back into the account. He said Deb is looking to send the tax bills out by the end of next week.

NRRA – Open House – Tim said the Selectmen had been invited to an open house NRRA (Northeast Resource Recovery Assoc.) would be holding in Epsom on May 23rd. He said they would be saying good-bye to Liz Bedard who has resigned from NRRA.

Bids – Shellcamp Culvert – Tim reported that three people had picked up information to bid on the job of replacing the culvert in Shellcamp, but only one person had shown up at the site walk on Saturday. There was a brief discussion as to whether we could accept bids from the ones who hadn't shown up, because they wouldn't know exactly what the job entailed. It was stated that the information noted the site walk, but hadn't said it was mandatory. Bids for the job are to be opened Thursday, May 17th at 6:00 p.m.

Fire truck Refurbishment – Dave asked if the Fire Department had received the third quote for refurbishing the fire truck. Tim replied that he had not heard from Chief Robbins.

Thank You Letters – Dave asked about the letters that were to be sent to applicants for the positions on the various boards. Tim replied that the letters had been sent.

Filming Meetings – Dave said the Planning Board had agreed to have their meetings filmed. Tim said Stan Bean was concerned about having the budget meetings filmed. He said Stan was concerned about the cost of the tapes, and if a meeting were to be filmed, he felt the people speaking should be able to be seen on camera.

Site Walk – Middle Route – Selectman Clairmont asked if the Board should schedule a visit to inspect Middle Route to see how the work that was completed in 2006 was

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holding up, and if there are any areas that need attention. The Selectmen felt it would be a good idea, and they should try to fit it in with the final site walk on Places Mill Road.

Class VI Roads – Dave stated that at the last Class VI Road Committee meeting John Funk had commented that he was glad the road walks were nearly completed, so we could get down to establishing a policy. Dave reminded the Selectmen that according to State law, Class VI roads are the responsibility of the Board of Selectmen, and that should be kept in mind. He said we shouldn't let any of the other boards formulate the policy. He felt it was a good idea to get input and opinions from all the boards, but not lose sight that ultimately it is the responsibility of the Board of Selectmen to establish a policy. Dave said a schedule has been set up to walk the rest of the roads.

Selectmen – Summer Schedule – Tim asked if the Selectmen planned to adhere to the summer schedule of meeting every other week. Brian stated that it is the plan to start meeting every other week after the meeting of June 4th.

Crystal Ridge Project – Kurt Rague – Dave stated that to the best of his knowledge Kurt Rague had not gotten a break down of the charges by Hoyle Tanner for their services. He said that as far as the Planning Board knows, Hoyle Tanner has never gone out to the site, and it appears the \$2,500 is just to review the road plan. He said Lynne Brunelle has had no luck trying to get information, and doesn't get to talk to the same person twice. Dave said Nancy Girard had stressed that it had been the Board of Selectmen's decision to hire Hoyle Tanner, and it should be the responsibility of the Selectmen to write to Hoyle Tanner and insist on an itemized bill for the charges. He said a copy should go to the Selectmen, the Planning Board and Kurt Rague. Dave C. said Dave Russell had mentioned that when he had been on the Board of Selectmen, they had hired Hoyle Tanner, and had been very dissatisfied with them.

Tim said we had gone with Hoyle Tanner because we had hired them for the River Road Bridge, and had good luck with them. He said also two of their engineers live in town. Dave stated that even though their engineers live in town, we still have to go through the bureaucracy of their business, and that is what they have to deal with.

Dave stated that we have to get a clear explanation of their bill.

Board Members – Dave questioned if it was a good idea to have a husband and wife serve on the same board. He felt that doesn't make a good balance on a board. Tim said there is only one board where we have a husband and wife on the same board, and he is a full member, but she is an alternate. Dave asked if that should be extended to a husband and wife being on different boards.

There was a brief discussion, and it was decided that it could possibly cause a problem with a husband and wife serving on the same board, and perhaps they should avoid

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appointing a husband and wife to the same board in the future. It wasn't felt a husband and wife serving on different boards should be a concern.

10:18 p.m. – MOTION – Selectman Clairmont moved to adjourn the meeting. Selectman Guarino seconded. Motion passed 3-0.

Respectfully submitted,

Lois Dionne
Recording Clerk