

**Board of Selectmen
27 August 2007
Minutes**

6:02 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 Police Chief Phil O'Brien, Road Agent Paul Perkins, Boy Scout Representatives, Mike Kaufman, Dave Walker and Rene Pincince, Contractors Rick Segalini of Busby Construction and Bill Nutter of Nutter Construction.

Bid Opening – Places Mill Road - RFP's had been sent out for the upgrading of Places Mill Road. We received three bids for the project.

Chairman Forst opened the three Bids for upgrading Places Mill Road. The bids were as follows:

Nutter Enterprises, Inc. Lump Sum Bid	\$208,256.
Robert L. Potter & Sons Lump Sum Bid	\$172,762.
Busby Construction Co., Inc. Lump Sum Bid	\$379, 795.

Of the three bids, only Busby Construction had given an itemized breakdown of the proposed work and materials.

After a brief discussion, it was agreed that the two low bidders would be asked to submit an itemized breakdown, so the bids could be fairly compared. The Selectmen will hold a work session on Wednesday, August 29th at 7:00 p.m. with Nutter Enterprises and Robert Potter, along with Boy Scout Representatives and Road Agent Paul Perkins to review the itemized bids before awarding the project.

Road Maintenance – Selectman Clairmont stated that Paul Perkins had done some drainage work on Currier Hill Road, and Dave thought it looked great. He said Paul has also done some widening of Canaan Road, which will help with the visibility, as well as

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make it easier to plow the road with a big truck. Dave said he had looked at the culvert project on Meadow Pond Extension (Gilmanton Road), and it looked fine. Dave stated that the grinding on middle Route has been completed, and the tree has been removed and silt barriers have been installed. He said he had marked a stone that is being forced to the surface by frost, and Paul is aware that it needs to be removed.

6:25 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Clairmont moved to Enter into Non-Public Session as per RSA 91-A:3, II(a) - Dismissal, promotion or setting compensation for public employees or the investigation of any charges against him, unless the employee affected has a right to a meeting or requests that the meeting be open, in which case the request shall be granted. Selectman Guarino seconded. Motion passed 3-0.

The Selectmen discussed a police department personnel issue with Chief O'Brien

6:41 p.m. – Out of Non-Public Session

Selectman Guarino moved to come Out of Non-Public Session. Selectman Clairmont seconded. Motion passed 3-0.

MOTION – Selectman Clairmont moved to seal the minutes of the meeting with Chief O'Brien. Selectman Guarino seconded. Motion passed 3-0.

Updating Old Town Hall – Chief O'Brien said they had been trying to get figures for what it would cost to renovate the old town hall to enlarge the police department, and asked if he needed to get three quotes for the cost of jacking up the building. Chairman Forst stated that, at this time, we are just trying to gather information so they could present ideas and an estimate for the job of renovating the current police station and fire station for the budget season. Phil said they have been discussing ways to use the current building, and asked if they want alternative plans. Chairman Forst felt any information that was concrete information for people to look at would be welcome. Brian asked Cindy Houghton, who had joined the meeting, for her input because she had been on the public safety building. Cindy said the struggle was the committee didn't have any money to get that information on comparative projects. Dave Clairmont explained to Cindy that the Selectmen had spoken with Chief Robbins and Chief O'Brien about renovating the fire station and making a good building in the Corners and expanding the town hall for the police station thus offering options to the voters, rather than just trying to go forth with a safety building. Cindy stated that we had money in a capital reserve account specifically for the purpose of a safety building, and asked if that money got lost. She was told that, if there were concrete plans, that money could be voted for that purpose. It was felt that if we could use that money and sell the property we now have for a safety building, plus a one-time appropriation, we might be able to get the project done without borrowing money. Cindy thought that was a good idea. Dave Clairmont stated that we need to know the space needs for each department. Brian asked that the departments also

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indicate the length of time the projects would provide for their needs because this can't be a temporary fix.

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

MOTION – Selectman Clairmont moved to accept the minutes of August 13, 2007 as amended. Selectman Guarino seconded. Motion passed 3-0.

7:00 – Public Input

Currier Hill Road – Israel Willard stated that the ditching that had been done on Currier Hill Road created a liability because the ditches are deep, and there is no guardrail.

Gale Road – Israel Willard stated that he had read the letter to Attorney Wood where the Selectmen volunteered \$4,000 for the upgrade of Gale Road. He said, to the best of his knowledge, in order to spend money on that road, it has to be put to the voters, as he didn't think the Selectmen had the authority to spend money on a Class VI road. Brian stated that the Selectmen would look into it. Mr. Willard said the letter indicated that if logging were to take place in the town forest, the Town would be obligated to spend \$4,000; it wasn't going to be expended until the logging operation took place. Mr. Willard stated that in most logging operations, it is the responsibility of the logger to keep the road in the same condition as when they went in, and he, as a taxpayer, doesn't feel the Town should be spending his money to maintain a road for a logger. Brian replied that had come about because a proposal had come to the Town to log the property on that road, and the logger had indicated that there would need to be about that dollar figure worth of improvement to the road to log the property. Israel stated that is the logger's responsibility, not that of the Town. Chairman Forst stated that the Selectmen would look into it to be sure they didn't do something they shouldn't.

Website – Cindy Houghton asked for an update on the Town website. Tim said he and Deb Cornett were meeting tomorrow with a gentleman to discuss starting the website new. He said the gentleman would get it started, and then the Town would take it over. Time said they would be discussing what, if anything, that would cost. Cindy emphasized that it had been four months that the website has been down, and felt it was unresponsive. Tim stated that there was a glitch in the "front page" software, and it wouldn't allow you to get into the site. There was discussion that it had been a volunteer effort, then it was taken over by the Town, and now we are looking to pay someone. Tim said we are discussing it, but not looking to pay someone; we are looking to see what it would cost. Mr. Willard felt that sounded like paying someone. Tim said we have had our tech person working on it for the last four months, trying to figure out the problems, and he had called Microsoft and other companies, but no one has been able to figure out what is happening.

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There was more discussion about getting volunteers. Cindy stated that sometimes it is best to start over, but in the meantime we shouldn't have a website sitting out there with outdated information.

Smith Meeting House - George Roberts stated that the First Congregational Society had cut brush and small trees on Governors Road at the entrance to the Meeting House. He said they would like to continue clearing up to the property line of the church. He said they would stump everything they take out, and would like to repair the stonewall. George said the wood belongs to the society, but they would be willing to give it to anyone who wants to burn it.

There was a brief discussion on the clearing, and that the Selectmen should notify the neighbors of their intention in order to get comment from them before making a decision. George said he would send a letter to the Selectmen notifying them of their intentions.

Morrills – Letter – Mary Ann Morrill stated that her attorney had written a letter to the Selectmen on August 13th, and she asked if the Selectmen had responded to the letter yet, and if not, did they intend to do so. Tim Warren handed the letter to Chairman Forst, who noted that he was just being handed the letter. Mrs. Morrill stated that she didn't expect an answer tonight. Chairman Forst said the Selectmen would discuss the letter. Mary Ann stated that our meetings are not on the Public Access Television any more. She knew that the last meeting had been taped, but it hasn't been shown. Tim said it is being delivered. It hadn't been delivered before this, because the tape had to be viewed to make sure the camera had been shut off during a non-public session.

Building Committee – Israel Willard asked if a new building committee was going to be formed for the fire and police stations. Brian stated that right now they are working with the fire and police chiefs to find out what they need, then would go from there. Israel stated that if there were a committee, he would like to be on it. Dave Clairmont asked Israel if he would also be willing to help if it was decided on reconstruction or renovation of the current buildings. Mr. Willard indicated that he would.

Law Lecture Series – Tim informed the Selectmen that there would be a Municipal Law Lecture series in September. The series include Land Use Law Update, Uncommon Ground – Working together to achieve conservation and development goals, and Legal Issues for Land Use Board Members. Tim said he would make sure Wendy had a copy of this information for all ZBA members.

Town Report Dedication – Tim had a letter from Dave Russell requesting that the 2007 Town Report be dedicated to Rolland “Bud” “Hawky” Hawkins, who died in June of this year. There was a brief report of his life, and a picture. The Selectmen discussed the request, and it was stated that we are usually hunting around trying to find someone to dedicate the report to when it comes time to dedicate the report. They will keep the request for when the time comes to dedicate the report.

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Morrills Attorney's Letter – Israel Willard stated that he thought the letter that had been sent from the Morrills attorney should be read into the minutes. Chairman Forst stated that the letter was sent to the Selectmen, but had not been submitted during public input. He said Mrs. Morrill had asked if the Selectmen had received the letter, and Tim had taken it out of the folder and handed it to Brian. He said the letter had been handed to him during public session, but had not been presented to be read into any records. Mr. Willard wanted to go on record that he felt it should be read into the minutes.

Thank You – Tim had a letter from Community Action Programs thanking the Town for their appropriation of \$4132, and for supporting their program.

Christmas Tree – Israel Willard stated that he had noticed that last Christmas the Recycling Center had lighted Christmas trees. He said that when Phyllis Buchanan had been Selectman, she used to put a lighted tree outside the Academy Building at no cost to the Town. Israel asked if there was some way to form a committee to have a tree outside the Academy Building. He said he would be willing to be on the committee to get the tree. The Selectmen felt it was a good idea, and would get back to Israel.

7:30 p.m. – Break

7:33 p.m. – Back in Session

Conservation Commission Update – Conservation Chair Nanci Mitchell, Brenda Sens and Paula Hatem were in to update the Selectmen on the Conservation Commission.

Road Maintenance – Nanci stated that in the Selectmen's minutes of July 16th, Doug Isleib had been in to discuss the maintenance of Pine Circle, and the Selectmen had referred the question of paying the maintenance fee to the Conservation Commission for land they were considering purchasing on Pine Circle, and that the Selectmen would support the Conservation Commission's decision as to whether they should pay a maintenance fee. Nanci said that they had discussed it at their last meeting. She stated that the Town owns one lot, and holds a conservation easement on an abutting lot, and it is the plan to buy the other half interest from the forest society. These lots are on Pine Circle. She said Doug Isleib had asked the Town to pay maintenance fees, and the request had been passed onto the Conservation Commission. Nanci stated that the Commission feels strongly that they don't need access to those lots, and have no need for the road to be maintained to access those lots, and they haven't entered into a contract with anyone to maintain the road for that purpose, therefore, they see no reason to pay that fee. Nanci added that there had been a question of whether it could come from the conservation fund. She said the purpose of the conservation fund is for evaluating, acquiring, and/or managing conservation land, conservation easements and trail easements. Nanci said they felt that taxpayers shouldn't pay for the maintenance of a private road for property they have no need to access. Nanci said they own conservation

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land on other private roads, but don't pay any maintenance fees. Nanci felt the person who wants these fees could go to the budget committee or do a petition article.

Chairman Forst wanted to explain why the Selectmen wanted the decision to come from the Conservation Commission. He said the Town had never paid maintenance fees for a private road, but it had been pointed out that this was a newly acquired lot through a purchase, where all the other lots are ones that had been taken by tax deed. It was felt the process was different where the property was purchased, and it was acquired through the Conservation Commission, so they wanted the Conservation Commission to make the decision, and the Selectmen would back their decision. Nanci said their decision is not to pay the fees. Brian said the information would be relayed.

Well Covers – Nanci stated that they had talked for years about the uncovered wells in the Town Forest. She said the Selectmen's minutes indicated that it was the Conservation Commission's responsibility to get them covered. She said she had talked with Ella Jo Regan about the cover; Ella Jo had said the Selectmen had said they should be wooden covers weighted down with rocks. Nanci said she had spoken with Tim Warren, and he had spoken with the Fire Chief to see if, when the students came back, they would be willing to help them get the covers in there.

There was considerable discussion about the covers, the size, and how difficult it would be to be able to get them to the wells. During the course of discussion, it was stated that some concrete companies make concrete covers, and it was felt the cost would be comparable with what it would cost to make the wooden ones. Dave felt he might have one concrete cover behind his shop, and if he does, the Conservation Commission could have it. The Conservation commission will check into it, and if they can get the covers, Brian said he would be willing to use his machine to get the covers to the wells.

Cogswell Mountain Trail – Nanci stated that the trail to the Cogswell Mountain Conservation Easement was through someone's driveway, so they had laid out a trail behind the year-round library. She said the trail goes through wetlands, so they had gotten their wetlands permit, and have had a workday. She said the next step is to build wooden culverts and sides.

Natural Resource Inventory – Nanci stated that a couple of years ago, the Conservation Commission had done a Natural Resource Inventory and we have maps that were done at the time. She noted that Brian was the only one of the Selectmen who had seen the maps, and felt that because the Selectmen have been discussing steep slopes and other issues, the maps might be of use to them.

Nanci reviewed some of the maps with the Selectmen. One maps show conservation lands, who owns the lands, if there is an easement on the land, and whether there is public access to the land. The map is 2005, but Nanci said would be updated in January 2008 because we have more conservation land. Tim Warren stated that the map shows areas

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where the public could access if they want to. He wanted it known that that information is available here (Academy Building), so the public could come in here to see areas where they could go hiking, etc.

One map shows wetlands, surface water, watersheds, lakes, etc.

One map shows aquifers, contamination and well sites.

One map shows topography, which denotes elevations and steep slopes.

One map shows constraints to development; road right-of ways, surface waters etc.

Another map is a Co-Occurrence Map that shows natural resource values. She said the natural resources are given value points. The greater point value the land has, the more value the land has in not being developed. She felt this map could help to determine what lands should be allowed to be developed.

8:06 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 discussed a code enforcement issue with Code Enforcement Officer Bob Flanders.

8:58 p.m. - Out of Non-Public Session

Selectman Guarino moved to come Out of Non-Public Session. Selectman Clairmont seconded. Motion passed 3-0.

8:59 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 the Code Enforcement Officer..

9:17 p.m. - Out of Non-Public Session

Selectman Guarino moved to come Out of Non-Public Session. Selectman Clairmont seconded. Motion passed 3-0.

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Bids – Places Mill Road – The Selectmen brought Bob Flanders up to date on the bids that had been opened earlier this evening for the upgrade of Places Mill Road, and asked that he be present at the workshop on Wednesday evening to discuss the bids.

9:30 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Guarino moved to Enter into Non-Public Session as per RSA 91-A:3, II(a) - Dismissal, promotion or setting compensation for public employees or the investigation of any charges against him, unless the employee affected has a right to a meeting or requests that the meeting be open, in which case the request shall be granted. Selectman Clairmont seconded. Motion passed 3-0.

The Selectmen discussed highway department personnel issues.

9:32 p.m. – Out of Non-Public Session

Selectman Guarino moved to come Out of Non-Public Session. Selectman Clairmont seconded. Motion passed 3-0.

9:33 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 an enforcement issue.

9:37 p.m. – Out of Non-Public Session

Selectman Guarino moved to come Out of Non-Public Session. Selectman Clairmont seconded. Motion passed 3-0.

9:38 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.

9:52 p.m. – Out of Non-Public Session

Selectman Guarino moved to come Out of Non-Public Session. Selectman Clairmont seconded. Motion passed 3-0.

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FYIs & other Business

Plourdes Way – Linda Hamilton, of Plourdes Way has made several requests to the Selectmen to have the name of her road changed from Plourdes Way. Tim said Ms. Hamilton had come in with an envelope for Don and said she had spoken with Don, and hoped that he could convince at least one of the other two selectmen to agree to the name change. Tim said Ms. Hamilton said she had talked with Mrs. Plourde, and she (Mrs. Plourde) doesn't understand why it was called Plourdes Way, and she has talked with her neighbors who have no problem with the name being changed. Don read the note from Ms. Hamilton, in which she indicated the Plourdes would have liked to have had the name Plourdes Way in 2000, and when the Plourdes were looking at a map of Rocky Pond, they had wondered how Ms. Hamilton had their name. She said the Plourdes understand Ms. Hamilton's dilemma, and would like to see the name changed to Stony Point.

There was considerable discussion during which the Selectmen were concerned that if they changed the name for Ms. Hamilton, that anyone who doesn't like their street name would be coming in requesting that it be changed. After careful consideration, the Selectmen agreed that the name of Ms. Hamilton's street could be changed, but any costs associated with the name change such as paying to have the map changed, the cost for notifying the utility companies, the cost of the street sign, etc. would be incurred by Ms. Hamilton. Ms. Hamilton would also have to submit a couple of names to the Town because the name would have to be approved by 911. Tim felt the estimated cost would be around \$300.

Accounting Software – Tim had licensing and maintenance agreements to sign for the new accounting software for the office. He said it would cost \$5,000 to get started, and the total cost for the package is \$17,000. Tim said we have some funds toward the software. He said the \$5,000 would get us the software to get up and running before we have to switch at the first of the year. Tim explained the advantages of the software to the Selectmen. He said the cost of the package includes future upgrades. Tim said to update the current software would cost \$28,000. Tim added that the current hardware on the town computers has been updated to accept the system. There was a discussion about the software, and including the balance of the amount in next year's budget. It was stated that we are still on the DOS system, which is very outdated. Tim will sign the agreement for the Board.

Class VI Road Committee Worksheet – Selectman Clairmont distributed copies of a Worksheet the Class VI Road Committee had drafted for criteria to consider when making decisions regarding building on Cass VI roads. Dave said the questions on the worksheet were questions they had asked about the roads when they were walking them. Dave said he had complained at one meeting that there were only about four things on the list that pertain to roads; the rest was about the environment, and he felt that was out of balance. He said it had been suggested, at the last Class VI Road Committee meeting,

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that he bring a copy to the Selectmen and for their review, and they could add, delete, change or reword some of the things. The Selectmen briefly reviewed the worksheet, but Dave asked the other Selectmen to review it and then give him their opinion.

Letter – Roy Sanborn – Selectman Clairmont asked if a letter had been sent to Roy Sanborn expressing an interest in arranging a meeting with Roy and Doug Kaplain. Tim replied that the letter had been sent.

Patch Kit – Sand/Salt Shed – Selectman Clairmont asked what had been found out concerning a patch kit for the salt/sand shed. Tim informed him that we had sent a certified letter to the company.

Silt Fence & Hay Bales – Old Salt/Sand Shed – Selectman Clairmont asked if a letter had been sent to Four Corners Landscaping concerning the removal of the erosion control from the old salt/sand shed site on Currier Hill Road. Tim replied that we had sent them a letter, but haven't heard back from them.

Road Bond – Greeley Farm Road – Dave asked if a letter had been sent to Keith Anastasy regarding the bond on Greeley Farm Road. Tim replied that it had been sent.

Allison Lake – Cat Alley – Selectman Clairmont stated that Allison Lake had buried a little bit more of the pipe that she put in, but it still wasn't done right. He said he had asked Tim to check with Town Counsel to see if we could do the project and bill her. Tim said that Town Counsel said the only thing we could do is do the work, with her permission, and try to get her to sign a promissory note to pay us back. Tim said the realtor is aware of the situation, and how deep the pipe has to be buried. He said the realtor would notify anyone who looks at it about the problem, and also the HDC regulations that need to be adhered to. There was a brief discussion in which it was stated that even if the work is done when it is supposed to be, it isn't done correctly. It was decided a letter should be sent to Allison's attorney informing him of the matter.

Application to Build on Class VI Roads – At the last meeting, Selectman Clairmont had presented a draft of questions he felt should be on an application to request to build on a Class VI road. He asked if the others had a chance to review the draft. They indicated they hadn't, so Dave again requested that they do so for the next meeting.

Truck Rates – Selectman Clairmont stated that it is time to start reviewing the truck rates for trucks we hire for the purpose of snow removal. He said he would try to get the rates the State pays. Tim asked Dave to let him know when he would have the information, so Paul Perkins could be at the meeting.

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**10:39 p.m. – MOTION – Selectman Guarino moved to adjourn the meeting.
Selectman Clairmont seconded. Motion passed 3-0.**

Respectfully submitted,

Lois Dionne
Recording Clerk