

APPROVED

**Board of Selectmen
11 January 2010
Minutes**

5:15 pm - Chairman Rachel Hatch called the meeting to order. Present were Chairman Hatch, Selectmen Betty Ann Abbott and Don Guarino, Town Administrator Tim Warren and Clerk Lois Dionne. Also present were Police Chief Phil O'Brien and Fire Chief KG Lockwood.

The Selectmen discussed the fact that the site plan for the proposed safety building was to be done by surveyor Paul Darbyshire rather than to be included with the bids. They also discussed suggestions and questions that had been received from bidders about the RFP.

5:30 pm – Paul Darbyshire joined the meeting and presented the Selectmen with a draft of the site plan. The plan was carefully reviewed. Questions, concerns and suggestions about the site plan were made so that Mr. Darbyshire would have the information he needs to present the plan to the Planning Board for their approval at their meeting on Thursday.

After Mr. Darbyshire left the meeting, the Selectmen continued discussion on issues relating to the safety building.

Chief Lockwood said he had not received word yet on the status of our grant request for the building.

Selectman Abbott said, at the suggestion of John Funk, she had spoken with two local banks about bonding; they are both very interested in talking with us. Selectman Abbott stated that the reason for speaking with local banks who bond projects like this, and keep it in house, is that they offer much more flexibility than the municipal bond bank, there is much less paperwork, and they sometimes offer better rates. The rate Selectman Abbott had received from the municipal bond bank was 2.62% for ten years, and 3.56 % for 20 years.

Selectman Abbott noted that she had gotten clarification from Town Counsel, and if we proposed a ten-year bond, if the residents want to change it to a different period of time, they could do that at town meeting. There was more discussion on the bonding process.

Bids for the safety building are due into the Selectmen's office before noon on January 21, 2010. The Selectmen will open the bids at noon on January 21, 2010. They will hold a work session on Friday, January 22, 2010 to review the bids. The Selectmen will also

meet at 5:00 pm on Monday, January 25th for another work session before their regular meeting.

7:00 pm –Public Input

Sawtooth Road – John Bernard stated that he had been in several months ago with a request to upgrade a portion of Sawtooth Road in order to get a building permit. He said he had attended a site walk with the planning board, Board of Selectmen and members of the conservation commission in October. Someone was to have gotten back to him, but he has not heard anything. Tim said he has not heard anything back from the planning board, who were supposed to give their recommendations after the site walk. Don said the planning board had discussed it at their meeting, but he couldn't remember what their recommendation had been. Tim was asked to have the planning board clerk email a copy of the meeting minutes to Mr. Bernard. Don was asked to bring the issue up at the planning board meeting on Thursday.

7:10 pm – Break**7:15 pm – Back in Session****FYIs & Other Business**

Powder House Lane – Chief O'Brien said he had spoken with Mark Morrill from Division Three of DOT regarding a mirror on Powder House Lane. He said Mark told him that DOT would like to be involved. Chief O'Brien stated that Mr. Morrill had asked that the Selectmen write a letter telling him that we would like a mirror there because of a possible house being built up there. He said Mr. Morrill would like to get his driveway division involved, have them review the situation, help us put up a pole and probably put up the mirror.

JAKS Development – Tim said Jim Hutchins from JAKS Development Corp had called today requesting that the remainder of the funds for engineering costs for Edwards Drive be returned to him now that the road has been completed. There was a brief discussion about the road. Tim felt that Paul Perkins had inspected and approved the road.

MOTION – Selectman Abbott moved to release the balance of the money in the escrow account for JAKS Development Corp for engineering consulting fees for Edwards Road to JAKS Development after verification from the Road Agent that the Road is completed to his satisfaction. Selectman Guarino seconded the motion. Motion passed 3-0.

Pay-Per Throw - Public Hearing – Tim asked when the Selectmen wanted to hold the public hearing to discuss pay-as-you throw. Selectman Abbott said she had asked Town

Counsel if they could present the creation of a special funding account for the pay-per-throw program on the ballot, or if it had to be presented at town meeting. She said she had received an email informing her that it had to be at town meeting, but she was also told that the Selectmen could not institute any kind of a recycling program on their own, as they had thought. She said according to RSA 149 M:17 II, it says the “Town” could make bylaws and ordinances. Betty Ann said she was informed that this means it is a town meeting decision. It is only when the RSA states that the “Governing Body” could make the laws, that the Selectmen can make the laws. Tim had a copy of RSA 149 M:17 II, which stated that the “town” could make the decision, so it has to be a town meeting vote.

There was a brief discussion of the RSA, and how that would affect the recycling issue. There will be a public hearing at the Selectmen’s meeting on Monday, February 22, 2010 at 8:00 pm to discuss setting up a special revenue fund for pay-per-throw. This will follow the public hearing for the bond hearing set for 7:00 pm the same evening.

We will need to have a warrant article to set up the special revenue fund for pay-per-throw, and a warrant article to initiate the pay-per-throw program.

There was a brief discussion of warrant articles.

MOLD – We had received three bids to take care of the mold problem in the basement at the Academy Building. One bid did not include replacing the sheet rock after the mold removal. The contractor felt it would be less expensive if we could get a local contractor to replace the sheet rock. Tim was asked to get prices from local contractors to replace the sheet rock.

Tim informed the Selectmen that he had received prices from two contractors to replace the sheet rock. The Selectmen considered the idea of having the bidders hire the contractor to replace the sheet rock as sub-contractors. There was considerable discussion of the bids for the mold removal, and the bids to replace the sheetrock. One item of discussion was the thickness of the sheet rock that was to be used. One bidder proposed to use two different thicknesses of sheet rock. A decision was made on the contractor for the mold removal, but it was decided that Selectman Guarino would speak with one of the contractors to get a price to use just one thickness of sheet rock before a decision is made regarding the sheet rock.

MOTION – Selectman Abbott moved to accept the bid of Envirovantage to do the mold remediation in the basement area of the Academy Building. Selectman Guarino seconded. Motion passed 3-0.

Security Glass for Offices in Academy Building – Tim informed the Selectmen that he had gotten a couple of prices from J R Stockwell for security glass to be installed in both the Town Clerk/Tax Collector’s Office and the Selectmen’s Office. He said there have

been many discussions with the staff and J R as to how it should be done; there have been a couple of different ideas as to how it should be done. Tim described the ideas to the Selectmen. A fairly lengthy discussion followed about safety measures in general, and the affect these ideas would have on our ability to serve the residents. Another suggestion was also offered. Tim will get a price for the new suggestion. There issue will be discussed further when Tim gets the additional price. Selectman Abbott asked if we had to do this. Tim said we don't have to, but when the Department of Labor comes out for inspections, they are pushing for towns to do something.

Storage Shed – Recycling Center – Selectman Abbott asked if Justin Leavitt had gotten an estimate to erect a storage shed at the recycling center so it could be included in his budget request. Tim said he had gotten an estimate of about \$47,000, which is about half of the \$80,000 that had been anticipated.

Culvert – Rocky Pond – Selectman Abbott asked if Tim had spoken with anyone about the culvert situation on Rocky Pond. He said he had, and DES looked at it and plans to help them with the situation, but it would have to wait until spring. Tim said he has to notify Mr. O'Hare.

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

MOTION – Selectman Abbott moved to accept the minutes of January 4, 2010. Selectman Guarino seconded. Motion passed 3-0.

8:42 pm - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Abbott 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 personnel issue.

8:47 pm – Out of Non-Public Session

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

8:48 pm - Enter into Non-Public Session as per RSA 91-A:3, II(c)

Selectman Abbott 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.

01-11-10 BOS

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The Selectmen discussed a ZBA/Planning Board Case.

8:58 pm – Out of Non-Public Session

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

8:59 pm - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Abbott 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 personnel issue.

9:15 pm – Out of Non-Public Session

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

9:16 pm – MOTION – Selectman Abbott moved to adjourn the meeting.

Respectfully submitted,

Lois Dionne
Recording Clerk

