

APPROVED AUG 30 1999

**TOWN OF ANTRIM
BOARD OF SELECTMEN'S MEETING MINUTES
August 23, 1999**

6:00 p.m. MEETING CALLED TO ORDER – Chairman Tim Seeger called the meeting to order at 6:00 p.m.

PRESENT: Chairman Tim Seeger, Selectmen Denise Dargie and Eric Tenney and Town Administrator Kelley Collins

6:00 p.m. SELECTMEN WILL MEET WITH THE AIKEN HOUSE CDBG ARCHITECT AND COMMITTEE

Tom Weller, Architect, and Dave Penny and Ruth Zwirner, members of the Aiken Project Committee met with the Selectmen to review and discuss the final plan for the renovations to the Aiken House. Mr. Penny made the Board aware that this final plan meets with the approval of all members of the committee, as well as the grant administrator. Mr. Weller notes that we are pretty much on schedule, he will get started on the bid package right away. The bid package should be ready around November 15, bids should be received by December 15 and contract should be awarded in early January. The Selectmen unanimously agreed to approve the plan.

Mr. Penny noted that there are volunteers who are willing to go in and do some of the pre-demolition work. This will actually serve two purposes, the first is to help save some money and the second is to give the architect a chance to see what is under the floor and behind the finished walls. The Town Administrator suggested running this by our insurance carrier. Mr. Penny also suggested having a Town Highway truck parked at the Aiken House for gathering debris. This construction debris would have to be hauled into Peterborough for disposal. The Town Administrator suggested that this may tie up a Town truck for part of a Monday and it may be better to get prices on a construction dumpster. The Town Administrator will obtain some prices.

The Town Administrator reminded the Board that they had a request from Kristen Vance, of the Grapevine, to donate one of the refrigerators in the Aiken House to a needy family that has been without a refrigerator for several weeks. The Town Administrator asked Mr. Penny if all the appliances are slated to be scrapped. He answered that they are. There was some discussion about taking all the appliances, that are still in working order, and putting them at the A.R.T.S. center. We may get enough to purchase one new appliance. At least we would not have the expense of throwing them away.

6:30 p.m. MEET WITH MEMBERS OF THE AIKEN BARN TRUST AND LIBRARY TRUSTEES RE: POSSIBILITY OF LEASING PARKING FROM THE AIKEN BARN

Dave Penny from the Aiken Barn Trust, Ruth Zwirner, Connie Kirwin and Dana Welch, library trustees met with the Selectmen to discuss the Town leasing the parking lot at the Aiken Barn for \$1.00 per year. Some discussion took place regarding minimal work that

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needs to be done to create access to the driveway. This will provide parking, as well as an alternate means to leave the library during the Aiken House construction project. The Road Agent feels comfortable with some minor work and actually believes plowing will be easier with this flow of traffic. The Road Agent believes he has adequate material on hand and it should not take more than an afternoon to actually do the work. There may be some legal expense involved to draft the lease. After discussion took place regarding who will fund the work that needs to be done, Mr. Penny noted that the Barn Trust is only getting \$1 from the lease. The Town Administrator was under the impression that the Town Meeting was told that other than the \$350,000 community development block, this project would not cost the town any money. So the question is who funds this: the Town, the Barn Trust or the Grant?

Chairman Seeger made a motion to go ahead and lease the Aiken Barn Parking lot for one year. Denise Dargie seconded. VOTE: 3-0.

The question with regard to funding will be answered once we see the invoices.

7:15 p.m. MEET WITH RICHARD & LORANNE CAREY-BLOCK RE: TAXES DUE ON FORECLOSED PROPERTY THEY RECENTLY PURCHASED FROM THE BANK

Mr. Block gave a brief history of their involvement with the Hancock Estate's property. He noted that they bid on this at the foreclosure auction and they were out bid by the bank. They subsequently entered negotiations with the bank and purchased the property from them. Mr. Block also noted that the bank told them that they could probably negotiate the payment of the back taxes with the Town, but the Town would be more inclined to deal with them after they became the owners.

Mr. Block has done some research from the Town's assessment records and he believes they indicate that there is a 60 acre discrepancy in the assessment, with the Town over assessing 60 acres of current use land. In addition, there are letters in the file supporting the fact that Mr. Salera (Hancock Estates) believed that all the property was in current use. In 1992 when Mr. & Mrs. Block bought two of the subdivided lots Betty Shaw, a town employee wrote a letter stating that since the property was in current use it would stay in current use as long as it still qualified upon purchase by the blocks. The Town Administrator stated that there is no evidence that the individual subdivided lots were ever placed in current use. There is a copy of the current use application of 1980 when the large 144.9 acre tract was put in current use. The total taxes owed, to date, with interest and penalties in excess of \$18,000. On June 29, 1999 they were approximately \$16,800. Mrs. Block feels that this is immoral. She does not understand how the Selectmen can live with themselves. Mr. Block would like a figure from the Selectmen that makes sense so they can start out fresh—something that is fair to both the Blocks and the Town. The Board suggested that the Blocks need to prove this land was ever in current use—there do not appear to be any town records supporting this. The Selectmen also explained that even if an error was made they cannot go back and give an abatement on prior years. The owner does have some responsibility from year-to-year to make sure their assessment/taxes are accurate. Mr. Block noted that Mr. Salera wrote a letter in

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1996 stating he was paying his taxes under protest because he believed the subdivided lots were in current use. There is no written response from the Town.

The Selectmen will have the Town Administrator do research on the discrepancy in acreage but the Blocks will need to research the current use issue, probably by contacting the Registry of Deeds, to see if there is a current use lien or release of lien filed on the subdivided lots.

GENERAL BUSINESS

• **Review and discuss obtaining additional equipment from former employee Ken Fales**

The Fire Chiefs have made the Town Administrator aware that there appears to be some equipment still outstanding from Mr. Fales. Specifically, we are looking for a badge, wiring harness for a radio, and a magnetic base antenna. Selectman Tenney suggested sending Police Chief Brown to Mr. Fales' home to retrieve the equipment. The Town Administrator notes that we should write Mr. Fales a letter confirming the action taken at the August 19, 1999 hearing anyway and couldn't we just ask him to return the equipment in that letter? The Selectman agreed that a letter would be appropriate.

• **Review and discuss status of Y2K contingency plans for A.R.T.S.**

The Town Administrator discussed Y2K issues at the Antrim Recycling and Transfer Station. Most other departments have completed their testing and surveys and are ready to start contingency planning. Since Selectman Tenney is the liaison to A.R.T.S. he asked the Town Administrator for the template letter to be sent to vendors. She will put this in his box tomorrow.

The Board discussed the staffing issue at A.R.T.S. for Labor Day. Selectman Tenney noted that the Town Administrator has not run the employment ad. The Town Administrator was under the impression that we were going to check with Mr. Lang first and see if he wanted a person. Selectman Tenney disagreed, the ad should have run. The Town Administrator pulled the minutes of that meeting and it clearly states that we were to check with Mr. Lang prior to preparing an ad. The Board discussed options for Labor Day coverage and decided that Mr. Lang could hire his wife back for just this weekend, ask Tim Lang if he would be willing, ask John Sizemore from the Highway Department (at A.R.T.S. rate of pay not highway) or see if Peter Beblowski, who is certified to work at a solid waste facility, would be willing to help us out. Selectman Tenney doesn't feel that the John Sizemore would be willing to do it for less than his highway wage rate. Selectman Dargie pointed out that we did not give Tim Lang his Town Hall rate so we cannot do it for highway. The Town Administrator will draft an employment ad for a fill-in person, for the Board's review. Bill Lang will be given all the applications for his review.

• **Review, discuss and sign request for extension on filing MS1 with Department of Revenue Administration**

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The Town Administrator would like a little extra time, just in case. She is attending a seminar on Wednesday, August 25, 1999 regarding changes in the MS1 that were made to accommodate the stated education funding bill. The Selectman agreed to request an extension for filing the MS1 from September 1 to September 15.

- **Review and discuss abatement on Egelstrom property.**

The Town Administrator reminded the Selectmen that the Egelstrom’s approached the Town last year to give them their property since they were unable and unwilling to pay the taxes. There were a couple errors in the first deed their attorney prepared and the Selectmen did finally accept the land by the end of 1998. The Egelstrom’s did not pay either first or second issue tax bills for 1998 and the Town now owns the property. The Town Administrator suggests abating the 1998 taxes (approximately \$550). The Board of Selectmen voted unanimously to abate the 1998 on the former Egelstrom property.

- **Review and discuss the process for making inquiries to Town Attorney**

The Town Administrator has been troubled by the procedure for contacting the Town’s Attorney. It was made clear to her over the duration of her employment that the decision to get legal assistance (at \$125/hour) is primarily a Board decision. Last week the Chairman had asked the Town Administrator to gather additional information on a personnel issue. One of the Selectmen opted to call the Attorney regarding two issues. The Town Administrator was unaware of the selectman’s call and therefore asked some of the same questions.

Both Selectman Dargie and Selectman Seeger feel strongly that the decision to call the Attorney should be a Board decision (except in extreme cases). If each Selectman and the Town Administrator all called the Attorney over the same issue our legal fees our cost could be exorbitant. Selectman Tenney brought up the fact that this points out a big mistake, the Town Administrator, made on the Warrant for the reconvened June 9, 1999 Town Meeting.

The Town Administrator asked what mistake was made on the warrant and why has Selectman Tenney waited more than two months to discuss this. Selectman Tenney clearly instructed the Town Administrator that he wanted the \$35,000 placed in a Capital Reserve (Trust Fund). The Town Administrator remembers this and reminded the Board that both Attorney Mayer and Joan Girard from the Department of Revenue Administration stated we **COULD NOT** set that up this year because it had not been properly warned. The Town Administrator also did a memo to this effect that was placed in the Board’s “read” file for at least a week.

- **Review and discuss Attorney Mayer’s recommendation that we file an “Intent to Excavate” from the landfill**

The Town Administrator needs to know from the Board how they feel about filing and “Intent of Excavate” from the landfill in Bennington. Apparently, even though we have 40% ownership, since the excavation does not lie within our Town bounds, we have to

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file and “Intent”. There is a \$100 filing fee payable to the State of New Hampshire. The Board of Selectmen signed an intent to excavate.

• **Review and discuss the mowing of the Bennington landfill.**

The Selectmen reviewed the memo from Bill Reid in Bennington regarding mowing the landfill. The Town Administrator reminded the Board that we had budgeted to mow last year for the same amount and when the work was actually done the vendor refused payment and our check was returned. It is necessary, for erosion purposes to keep grass growing on the slopes of the closed landfill. Mowing assists in maintaining the health of the grass. The Board approved funding for mowing the landfill.

• **Review and discuss cancellation of August 30, 1999 meeting.**

The Board of Selectmen had originally cancelled the meeting for August 30 but the Town Administrator suggested holding this meeting since the following week is the Labor Day holiday. The Board agreed to hold the meeting on August 30, 1999.

• **Review, discuss and approve payment of training for Code Enforcement Officer**

The Selectmen reviewed the Code Enforcement Officer’s request for training and approved the training.

The Selectmen signed the following items:

Letter of response to letter of complaint from Mrs. Caswell, Notice of Intent to cut –
Brissette, PA-43 questionnaire from Department of Revenue Administration

8:55 – 9: 04 p.m. Non-Public Session to discuss a delinquent tax matter

Chairman Seeger made a motion to go into Non-Public Session under RSA 91-A:3, II –c a matter which could adversely affect a person other than a member of the body or agency. Selectman Dargie seconded. Roll Call Vote: Chairman Seeger – yes; Selectman Tenney – yes; Selectmen Dargie – yes.

The Selectmen reviewed a letter from a taxpayer regarding delinquent taxes. **There was no decision made.**

Selectman Dargie made a motion to leave Non-Public Session at 9:04 p.m. Chairman Seeger seconded.

9:12 – 9:25 p.m. Non-Public Session to discuss a letter, from a citizen, regarding an employee of the Town

Chairman Seeger made a motion to go into Non-Public Session under RSA 91-A:3, II –a to discuss a personnel matter. Selectman Dargie seconded. Roll Call Vote: Chairman Seeger – yes; Selectman Dargie – yes; Selectman Tenney – yes.

There are several pieces of this letter that are and should be discussed during public session but there are also a couple of accusations made against an employee. The accusation portion of the letter is Non-Public. There was some discussion on whether

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this letter even requires a response. The Town Administrator asked the Board to let her draft a response because the employee listed in the letter is not the one that prepared most of the documents cited in the same letter and the requests for public information need to be addressed anyway.

Decision: The Board of Selectmen voted unanimously to allow the Town Administrator to prepare a response, for their signatures.

Selectman Dargie made a motion to leave Non-Public Session at 9:25 p.m. Selectman Tenney seconded. Roll Call Vote: Chairman Seeger – yes; Selectman Tenney – yes; Selectman Dargie – yes.

9:25 – 9:45 p.m. Non-Public Session to review and discuss Sherry Miller’s annual performance evaluation

Chairman Seeger made a motion to go into Non-Public Session under RSA 91-A:3, II – a to discuss a personnel matter. Selectman Dargie seconded. Roll Call Vote: Chairman Seeger – yes; Selectman Dargie – yes; Selectman Tenney – yes.

The Board reviewed, in detail, the written evaluation of Sherry Miller, landuse secretary, as submitted by the Town Administrator. After discussion, Chairman Seeger made a motion to increase Mrs. Miller’s wages from \$10.04 to \$10.64/hour. This increase will be retroactive back to her anniversary date of August 6, 1999. Selectman Dargie seconded. Vote: 3-0.

Selectman Dargie made a motion to leave Non-Public Session at 9:45 p.m. Chairman Seeger seconded. Roll Call Vote: Chairman Seeger – yes; Selectman Tenney – yes; Selectman Dargie – yes.

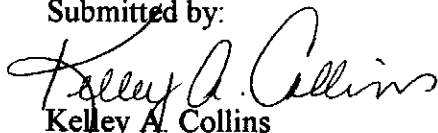
Town Hall repairs

Chairman Seeger asked Selectman Tenney if he has had any luck in obtaining a date that they plan to do the voted repairs on Town Hall. Selectman Tenney did discuss this briefly with Bruce Cuddihy but did not get a definite answer. Chairman Seeger would like the Town Administrator to prepare a memo, on their behalf, asking for a timetable.

Adjournment

There being no further business to come before the Board the meeting was adjourned at 9:45 p.m.

Submitted by:


Kelley A. Collins
Town Administrator

/kac