

Selectman's Minutes  
August 28, 2017

The Selectmen's meeting for Monday, August 28, 2017 started at 6:30 pm. Present were Selectman Ayer, Selectman Bailey, Selectman Hatch, Selectman Knapp, Chairman O'Brien, Administrator Scruton and Clerk Goodell.

Chairman O'Brien welcomed everyone and led in the Pledge of Allegiance.

Chairman O'Brien opened the public hearing to discuss the acceptance of a grant from Community Mutual Aid, of which we are a member, and authorize the expending of funds of \$220,000 for the mutual aid vehicle. Chairman Peter Royce inquired as to whether the money was funds we already had or if we would be anticipating them. Administrator Scruton explained we would expend the funds and would be reimbursed. Selectmen Bailey motioned to accept the grant and expend the funds for purchase of the vehicle. Ayer seconded. Motion unanimous passed. Public hearing closed.

Chairman O'Brien opened the public hearing to discuss NHDOT funds of \$185,620.25, for highway maintenance. Chairman Peter Royce inquired as to whether these are designated funds or if this amount should be put into a subaccount. Administrator Scruton explains that these funds can only be used for new highway projects and cannot be used to offset existing projects. Peter Cook has been sending highway department vehicles in for inspections/repairs and feels that due to the declining condition of some of these vehicles, if the funds are not used for road improvements, they should be used to replace these vehicles. Selectman Knapp would like a prioritized list of replacement schedules based on annualized expenses for vehicles to better understand how the money should be expended.

Chairman Peter Royce explained that he knew the highway money was coming in, but was not informed on how to allocate the funds. He felt that communication gaps need to be addressed. Chairman O'Brien explained that the state's letter as to how the funds could be used came after the disbursement of funds. Chairman O'Brien moved to accept and expend the funds. Selectman Ayer seconded. Motion unanimously passes. Public hearing closed.

Chairman O'Brien opened the public hearing to discuss the parking ordinance for Goodwill conservation property & SATWASR. The conservation committee would like the police to enforce "No Parking from Dusk to Dawn." Police Chief Robert Williams discussed the matter with the town's lawyer. If the Board of Selectmen vote to pass the ordinance, the signs can then be legally enforce. Chief Williams further explained that the conservation committee has ordered the signs but they are not yet in place. Selectman Knapp inquires as to whether permits will be disbursed for campers. Chief Williams would like the permits to be disbursed by

the Conservation Committee, due to the committee needing to be informed of campers. Selectman Hatch inquired as to how many trips a night the police would be making to patrol the area. Chief Williams explained that he would use his best judgment to decide on how to most effectively patrol the area.

Selectman Ayer moved to pass the parking ordinance and for permits to be given by the conservation committee and for it to notify Chief Williams of permits. Chairman O'Brien seconded. Motion unanimously passed. Public hearing closed.

#### APPOINTMENTS:

6:47-Advisory Budget Committee: Chairman Peter Royce & Dale Sylvia

Chairman Peter Royce inquired as to which specific revenues were increased by roughly \$130,000 for 2017. Administrator Scruton explained that Motor Vehicles increased by \$118,000 as well as smaller line items across many departments.

Dale Sylvia inquired as to whether the board considered any recommendations the ABC proposed for the next year. Administrator Scruton explained that the salary projections will be built into budgets (1% COLA and 1.75% step as a place holder). Administrator Scruton also explained that when the department heads present their budgets for next year, ABC will be present. Chairman O'Brien also noted that the Board is trying to open up discussions and keep the ABC involved as much as possible.

Chairman Peter Royce inquired about \$17,000 that was paid to SNR for the demolition of the previous town hall, and whether it was taken from the incident report. Administrator Scruton explained that it was encumbered from a previous year. Due to pending litigation, the auditors allowed funds to be carried over.

Chairman Peter Royce inquired as to why the General Government Buildings-Operating Supplies account was showing a negative figure. Administrator Scruton explained that the negative number was taken from 2016 year end in the Munismart software but was addressed. The correction did not carry forward on the chart. He will be taking a look at the file.

Chairman Peter Royce is concerned with the percentage of the overtime budget for the Police Department. Administrator Scruton explained that it is due to the vacancy and turnover issues. Chairman Peter Royce encourages that \$25,000 should be budgeted for the Emergency Road Repair and Winter Maintenance Capital Reserve. The ABC felt that roughly \$200,000 would be enough.

Chairman Peter Royce noted that the Cemetery Maintenance account is over roughly \$2,700. Administrator Scruton explained that they are waiting to see where the cemetery budget is by year end to potentially pull those funds from the capital reserve to cover storm damage.

Chairman Peter Royce noted that the Police-Equipment and Vehicle Maintenance account was budgeted for \$18,000 but has spent over \$22,000. Chairman O'Brien explained that the computers that were purchased and installed in the police vehicles are being covered by an

\$8,000 grant that has not yet been received by the town. There was also discussion between Chief Williams, Chairman Royce and Administrator Scruton as to where the revenue goes that is collected from police details for cruisers. This will be further discussed in the town offices. Chairman Peter Royce inquired about the Highway-Winter-Contracts account being \$7,173 over budget. Administrator Scruton asked if this would be covered by incident fund or if there was room in the highway budget. Administrator Scruton will touch base with Peter Cook. Chairman Peter Royce noted that the Highway-bridges/Rails/Culverts account is \$6,900 over budget, and is inquiring if this will be covered under capital reserve. Administrator Scruton noted that some of that could be coming from the Orchard Hill Road rail project. Selectman Knapp noted that it could have been encumbered from last year due to work completion projection being in 2016. Administrator Scruton will check information to look at figures. Chairman Peter Royce noted that Fire/Rescue-PT Hourly is over budget by roughly \$19,000. Selectman Knapp explained that they thought there was more staffing when the budget was done last year. Administrator Scruton noted that perhaps it should be coming out of the ambulance revolving fund for hourly. Chairman Royce feels that it is not being accounted for properly.

The next ABC appointment will be during the Oct 9<sup>th</sup> meeting. Committee and Board would like to regularly look at where budgets and expenditures are and make sure all questions are addressed.

Dale Sylvia inquired if there were any suggestions that the Board would like to convey on ABC's involvement in meetings. Chairman O'Brien feels that department heads should be notified concerning topics of conversation. Dale Sylvia also noted that he would like to possibly have public meeting outside of the Selectmen's meetings.

7: 30pm-Griffin Hotz came before the Board to discuss his cemetery restoration project that he presented about a month ago. Griffin obtained the permissions that the Board requested from the abutting land owners to the four cemeteries he will be restoring. Based off of the state guidelines, he did not need to notify descendants. He did run an advertisement in Foster's to state he would be restoring the Sunnyside, Brock Robinson, James Robinson, and Waterhouse cemeteries and that any person with an objection would need to come forward by August 27<sup>th</sup>. He received no objections. Chairman Casey motioned to let Griffin move forward with his cemetery restoration project. Selectman Ayer second. The motion unanimously passed. It was requested by the Board that Griffin forward all information to the Cemetery Trustee Rick Walker.

REVIEW OF MINUTES: August 14, 2017- postpone until next meeting.

STAFF REPORT: Administrator Scruton

Payroll manifest dated 8/20/2017, vendor manifest dated 8/23/2017 and employment agreement for Robert Williams needed to be signed.

The Library Board of Trustees would like the Board of Selectmen to attend a meeting on 9/26/2017 at 6pm at the Library concerning an update on the history of the efforts to create a new library, current plans and the need to obtain Selectmen consideration and approval of several ongoing issues. The Selectmen will respond individually.

Fire Chief Rick Walker would like to enter into a mutual aid agreement with Dover regarding ambulance provisions. Selectman Hatch moved to authorize signing of the agreement with Dover. Seconded by Selectman Ayer. Motion unanimously passed.

The State is going to try to update the software for Motor Vehicles state wide again. It is scheduled for 10/6-10/10. It will only affect the town clerk on 10/10, so the Clerk's office will be closed. We will plan to open at regular hours on that Wednesday, but will plan accordingly if system is not ready.

Total Net Valuation for assessment increased \$76,625,813 or 8.3%.

#### OLD BUSINESS

Fire Chief Rick Walker feels that the bid for the 2017 Ford and the 2018 Dodge for a new pick-up truck are very similar but feels that Dodge is the best choice. This would reverse the vote from last meeting approving the Ford. Selectman Ayer moved to purchase the 2018 Dodge. Selectman Bailey seconded. Motion passes unanimously.

Highway Garage floor bids were opened by Selectman Hatch. Chairman O'Brien and Selectman Ayer recused themselves due to submitting bids. Three bids were received. Groen Construction Inc. submitted a lump sum of \$66,201 with an alternate of a propane fired boiler for radiant heating of \$16,325. D.E. Ayer Industrial Service Inc. submitted a lump sum of \$52,498.22 with an optional boiler at \$13,500. K-COB Plumbing and Heating, LLC submitted a bid for the boiler and radiant heat flooring as a subcontractor of D.E. Ayer. The Selectmen will review at the next meeting.

Labor Attorney RFP will be discussed in non-public.

Selectman Bailey inquired about emails between Administrator Scruton and the Board. Administrator Scruton said that they will be discussed in non-public.

Selectman Knapp inquired about the Transfer Station Switch. Peter Cook stated that the electrician should be going to the TS on Wednesday the 30<sup>th</sup>. Administrator Scruton noted that

the transfer station study should be ready to review by next Selectmen's meeting.

The Waste Management contract expires at the end of this year. Selectman Ayer inquired as to if the town is looking into any other companies. Administrator Scruton explained that a community close to ours went out to bid and he is currently looking over what they were offered that will be compared with information in our WM contract.

Selectman Bailey inquired about an email between Administrator Scruton and the Board concerning the Public Works flaggers and the money charged, as well as vehicle maintenance and replacement, which Selectman Knapp had inquired about at an early time. Peter Cook explained the flaggers on Tolend Road and Hansonville Road were for the town work. The vehicle inquiry was addressed early when discussing the NHDOT funds. Peter Cook will make a full list of vehicle available after all Public Works vehicles have been inspected and/or repaired.

### SELECTMEN'S REPORT

Selectman Ayer inquired about the conservation of the Hart/Moroukian land. Administrator Scruton explained they decided to preserve the property another way.

Selectman Bailey thanked Tara and Amy from the Recreation Department for hosting the volunteer cookout. The Library is hosting "Just Desserts" program on 11/4 at 4-6pm. Boston Bruins mascot visit went well and was enjoyed. Chamber of Commerce Community Expo is taking place 9/3.

Selectman Hatch attended the Recreation meeting last Monday. She reported that they are working on their budget, but need to discuss revolving report, before their budget is presented to the Board of Selectmen.

Selectman Knapp reported that the Police Department's first PC patrol unit in car. The ongoing cost of these new units will be much lower for the town. He would like a projector for the next Selectmen's meeting to allow all in attendance to see the information they are discussing. He would also like someone in addition to Administrator Scruton to be trained on using the camera so that it can be used for other meetings and will run smoothly in his absence. The technology committee is discussing the idea of a different plan to record and show meetings and videos as well. He inquired if anyone had reach out to the gentleman from Turbocam concerning lean management for police and fire. Administrator Scruton will inquire.

Chairman O'Brien was informed that the yellow jacket hornets have been exterminated from the playground. There was also a charity softball tournament at the BYA in memory of Jenna Pellegrini.

### NEW BUSINESS

Hard Rock Development LLC Development Agreement- Arleigh Green and James Watkins presented an update on the project. They are behind schedule due to the lack of available engineers to hire. Initially they had concerns with the surrounding wetlands, but after further surveying, they were pleased with the results. They are currently working with Liberty to incorporate the commercial entrances with the new road. The DOT is discouraging any more than two curb cuts. It has been proposed that any land Liberty gives to the town will be replaced with the same amount of property in the lot behind their current lot. Selectman Bailey is concerned with the infringement on the wetlands. Greene explained that more precise surveying will take place within the next 4-6 weeks and then land will be flagged properly. There is concern with the intersection of New Town Plains Road already being dangerous. Marcia Gasses voiced her concern as well. She will be assisting with the plans as they progress and any guidance that Green or Watkins may need. Selectman Ayer motioned to move forward with conceptual plan and supporting the "land swap" with Liberty, Chairman O'Brien second. Motion unanimously passed.

#### PUBLIC COMMENT

Ron St. Jean of the Ayers Lake Association inquired if the Board has made a decision on the "boat launch." Chairman O'Brien asked the Board what their thoughts were. Selectman Bailey said he would like to leave it the way it is. Selectman Ayer had no comment. Selectman Hatch thought the one sided parking on the road was working fine and sees no problem with the way it is. Selectman Knapp sees no issue with the way it is. Swain's Lake Association has little concern for the milfoil issue on their lake. Chairman O'Brien feels that it is fine the way it is as well.

Selectman Ayer would like "on-going business" to be clarified more clearly in the future. Chairman O'Brien moved to leave "boat launch" as is until a problem arises. Selectman Bailey seconded.

Ron St. Jean noted that once there is a problem, "it is too late." If milfoil occurs, it will be extremely expensive to eradicate. The Association is looking for assistance.

Matt Towne quoted from Amy Smagula's letter concerning milfoil and how invasive it can be to water bodies, and the problems it can specifically cause. He wants action taken now, so that this will not turn into a case of eradicating.

Marcia Allison is the head trustee for Camp Fireside who noted her confusion as to why no one from the town or the Board reached out to or notified Camp Fireside, whom has a deed to the land under the water. Camp Fireside previously took steps to block areas in the past with boulders and plants. The town told them to remove them or they would take legal actions. Camp Fireside agrees with the association. Camp Fireside is seeking the right to exclude. They want the "boat launch" area closed off. They most likely will no longer be giving permits for

boat access. Fireside will take legal actions if the town persists in stating the land as their own, although they do not want it to come to that.

Peter McElroy is a resident of Ayers Lake. He feels that if the milfoil increases, property tax will decrease, leading to less money for the town, which he feels is an incentive for the town to help.

Sam Boduch inquires as to what the town has to gain from the Hard Rock Development Project, besides tax income from potential future businesses. Chairman O'Brien explains the town receives a percentage per yard of ledge from the site. Administrator Scruton explained that the town will share the sale of the lots after the expenses are deducted. There are no lumber sales to be gained. The plans and agreement are located on the town website.

Administrator Scruton noted that there was a motion on the table concerning Ayers Lake "boat launch." Selectman Knapp noted that he reached out to Amy Smagula but she was on vacation. He will touch base with Swains Lake Association. Selectman Bailey removed his second. Chairman O'Brien removes motion.

Selectman O'Brien moved and Selectman Bailey seconded to enter nonpublic session for Personnel and Reputation RSA 91-A:3ii (a,c). Dan Ayer-aye, George Bailey-aye, Dawn Hatch-aye, Andy Knapp-aye, Casey O'Brien-aye. Approved 5-0.

Chairman O'Brien moved, Selectman Hatch seconded to exit nonpublic session at 9:40 PM. Roll call Dan Ayer-aye, George Bailey-aye, Dawn Hatch-aye, Andy Knapp-aye, Casey O'Brien-aye. Approved 5-0.

In open session:

Selectman Knapp moved, Chairman O'Brien seconded to seal the minutes indefinitely to avoid adversely affecting the reputation of a person not a member of the Board. Roll Call Dan Ayer-aye, George Bailey-aye, Dawn Hatch-aye, Andy Knapp-aye, and Casey O'Brien-aye. Approved 5-0.

It was announced that the town had selected Wadleigh, Starr & Peters, P.L.L.C. to handle legal work related to labor issues, including contract negotiation.

Selectman Knapp moved, Selectman O'Brien seconded to adjourn at 9:43 PM. Passed 5-0.