

**SELECTMEN'S MEETING MINUTES**  
**June 9, 2009**

Attendance: Chairman Clifton Camp, Craig Evans and Ernie Brown  
Staff: Ed Nason CEO, Pam Frazer Assessor Clerk, Dick Peckham Moderator, Doug Vanderpool Forest Fire Warden, Janet Murfey Planning Board Chair, Marilou MacLean Treasurer & Jennifer Sonricker Admin. Assistant  
Public in attendance: 5  
Reporter: Heather Terragni

The meeting was called to order by Clifton Camp at 6:30 p.m. Clifton led us in the pledge of allegiance.

Review of minutes from May 26, 2009. Craig questioned motion regarding Attorney, he did not recall the motion explicitly referring to the Selectmen using Laura Spector; Ernie made the motion and explained the word Selectmen was in the motion. Craig asked to have the motion changed to include "Craig would not second the motion".

**MOTION: Craig made a motion to accept the minutes of May 26, 2009 meeting as amended, seconded by Clifton. A vote was taken, all in favor, motion carries.**

**Public**

**Comments:** Tom Whelton addressed his concerns over Selectmen hiring a new Attorney; he provided the Selectmen a letter with a list of questions and requested the letter be included with the minutes. After Tom read the letter the Selectmen addressed the questions. Clifton gave the history of the Town's relationship with Mitchell & Bates; before last year Mitchell & Bates had been the town Attorney for a long time. Upon the retiring of Attorney Bates the town decided to revisit Attorneys. The town sent out an RFP; two attorneys responded, Mitchell Municipal Group and Susan Slack. The Selectmen decided to give Attorney Slack a try since her office was more local. The Town was never unhappy with Mitchell Municipal Group (previously known as Mitchell & Bates). Ernie explained that he has not been satisfied with the quality of advice being given by Attorney Slack and explained that they did not go far to search for new Attorney (no new RFP sent) because prior history with the firm and because they had responded to original RFP. Ed Nason, CEO explained that in the past he has expressed concern to the Selectmen regarding the advice he has been given from Slack. Dick Peckham spoke; there is a perception that the Selectmen went searching for an attorney that will give them the opinion they want, he is concerned about the process and why issues were not brought to public awareness. A question was asked if Attorney Slack has been notified; Clifton responded yes. Ernie explained that he made the motion because he wanted to avoid quality issues. Craig explained he has been pleased with Attorney Slack, a lot of this is subjective, if you like what you hear you like the person, she is highly regarded as a land use Attorney; adding that Mitchell Municipal Group is excellent as well. It was further clarified that Mitchell Municipal Group is the Attorney for the Selectmen, Assessor and CEO. The Planning Board, ZBA and other boards can use Attorney Slack or whomever else they choose.

Tom Whelton asked if there was a human resources guide with regards to employees and contractors. Clifton explained that he is not aware of a handbook or employee guide. Ernie explained RSA 91A governs employees.

**Report of Town Officials:**

**Admin. Asst.** Nothing to report.

**Assessor Clerk** Pam explained all changes have been made and public books have been updated. She presented the Selectmen with a Veteran's exception for signature; this will go into effect this year, the change will be reflected on the December bill. Pam also provided an update on abatement for Moose Mountain; the acreage count has been reduced. The land count was at 807 acres, research from Avitar and Cartographic determined the actual acreage to be 670 acres. The assessed value is being reduced by \$137,000. The abatement is for an overpayment in 2008, 2009 taxes are based on the lower acreage.

Pam drew attention to an issue with the phone systems; she said when she is on the phone calls do not roll over to the other line. The Selectmen will look into this.

**Treasurer** Marilou explained there were very few bills to pay, things were quite.

**Planning Board** Janet asked the Selectmen to appoint Jim Murfey as an alternate to SRPC.

**MOTION: Ernie made a motion to appoint Jim Murfey as alternate to SRPC, seconded by Craig. A vote was taken, all in favor. Motion carries.**

Janet provided an update on Monday's meeting; the board continued discussions on home occupations and site plan review. The Recreation Zone Sub-Committee has a meeting June 15 at 6:30 PM.

**Tax Collector** N/A

**Emergency  
Mgmt.  
Director** N/A

**Moderator** Nothing to Report

**Timber** Ernie gave an update on timber cut from Mr. Wentworth for three parcels; he spoke with the logger and the logger will not timber on the wet lot until winter and he will go through DES for proper permitting.

**CEO** Nothing to report

**Road Agent** Ed provided an update. He will begin working on seasonal roads next week. He has a meeting with Pike Industries tomorrow to get a start date on Pleasant Valley Road work. Road side shoulder and ditching will begin when limbing is complete. Clifton asked if crack sealing would be done again this year. Ed has been very happy with the results from last year's crack sealing and hopes to complete roads that were not finished last year.

The Selectmen toured Walker, Eaton and Cottle Hill Roads with Road Agent and Brad Williamson to view condition first hand and discuss long range plans. Ed will now work with the Road Committee to draft a long range plan to get these roads up to par. The goal is to have something ready for Town Meeting.

Ed will remove the Arborvitae trees near the Town House tomorrow.

**Forest Fire  
Warden** Doug reported fire danger is low. Clifton asked for an update on foam pump. Doug explained Brad is going to try and repair it but nothing has been done yet.

<b>Trustees of The Trust Funds</b>	N/A
<b>Town Clerk</b>	N/A
<b>Archivist</b>	Craig reported; the third archived book is complete, he will pick it up on Friday. Craig will now write the final report to be submitted to the State so final check can be disbursed.
<b>Conservation Commission</b>	Tom Giguere reported; the commission is researching water withdrawal permits for Moose Mountain Recreation, the operator at Moose Mountain has plans to draw water from the brook for snow making. They have invited Mr. Bourdeau to their next meeting. Ernie explained that this is under DES control and the Conservation Commission has no jurisdiction over this. Janet further explained that this use might not require a permit it might just be a registration.
<b>Parks &amp; Playground</b>	Clifton would like to get this committee rejuvenated so we can get a playground for our children. He has scheduled a meeting for July 20 <sup>th</sup> at 7:00 PM. The committee is looking for volunteers. A request was made to have this posted on the website.
<b>GWRSB</b>	Ernie reported; the Building and Maintenance Committee is meeting weekly to discuss renovation/expansion project. Tom Whelton questioned State funding for Vocational program; Ernie explained that Voc. Funding is approved but other funding has been pulled, this affects projects that have already been completed so it is complicated; the feeling is everything will be funded.
<b>Road Committee</b>	Nothing to report
<b>Agricultural Commission</b>	Craig provided an update; the last meeting focused on Farm Day and how to advertise this event. Tractor licensing was also discussed; tractors that travel on the road must be registered. The commission is talking with the hydroponic farmer on Access Road to see if he is interested in participating in Farm Day. Farm Day is scheduled for August 8 <sup>th</sup> . An update was given on Brookfield Farmers Market, this will not continue, it was not rewarding enough; those who participated last year have joined either the Wakefield or Wolfeboro Farmers Market.
<b>Heritage Commission</b>	<p>Marilou provided an update. Marilou is the new chairperson. She requested a motion to appoint Deborah Manning as an alternate.</p> <p><b><u>MOTION:</u> Ernie made a motion to appoint Deborah Manning as an alternate to the Heritage Commission, seconded by Craig. A vote was taken, all in favor. Motion carries.</b></p> <p>The commission is hoping to have an exhibit in the Churchill School House on Farm Day/Old Home Day. The date of the Wakefield/Brookfield Historical Society pancake breakfast was discussed, it is held the morning of August 8<sup>th</sup>. The commission will work to include this as part of Old Home Day. The conclusion of Old Home Day will be celebrated by a speaker at 4:00 followed by a dinner and dance and the Town House.</p> <p>The commission is currently working on a mission statement and there rules of procedure.</p>
<b>Cable Committee</b>	Clifton gave an update, cable is being run currently, when work is complete the committee will meet to discuss contract with Time Warner.

**Old Business**    **Town Cane Policy:** Brookfield Cane candidates reviewed, the Selectmen are waiting for additional information before making a final decision.

**Know Box:** Clifton has a copy of the application; he will complete the application tonight and submit.

**Archivist:** Discussion over Archivist being Town Employee discussed. A pay rate was set and hours determined a few years back, Ernie believed the Archivist to be a town employee not contractor. Craig explained pay rate and hours can be determined for contractors and employees. Craig prefers to be hired as a contractor. Brief discussion ensued.

**MOTION:** Ernie made a motion to hire Craig as an independent contractor to the town as Archivist with an annual review, seconded by Clifton. A vote was taken, Craig abstained, all others voted in favor. Motion carries.

**Generator:** Old generator discussed, the current price is \$1,000. A decision was made a few meetings back that the first \$1,000 gets the generator and transfer switch. Craig reviewed the sale history of the generator. The generator has been for sale since November, its sale was sent out for bid in November being advertised in the local paper and letters being sent to area towns. None of these bids were accepted, price to low. The generator was then advertised on the sign board out front for \$1200 for a few weeks, then reduced to \$1000. Throughout this process there have been several people interested but no one has come forward with the money. Last week Ed presented an offer from his church for \$900. The minimum is \$1,000. Craig made public his interest to purchase the generator and transfer switch for \$1000, he has let Ed know that if his church would like to purchase for \$1000 he will stand down, if not Craig will take it.

**New Business**    Complaint form discussed, this is a form for logging formal complaints. A suggestion was made to have this added to the agenda for next meeting; content and procedure for complaint form will be discussed.

Mail Reviewed.

Selectmen approved intent to cut for Nate Weeks, map 14 lot 4.

Letter from Terrance Stamp thanking Selectmen for use of facility for Memorial Service read.

Meeting adjourned at 8:20pm.

Respectfully submitted,

Jennifer Sonricker  
Administrative Assistant

Thomas D. Whelton  
65 Moose Mountain Rd.  
Brookfield NH, 03872

Clifton Camp  
Chair, Board of Selectmen  
267 Wentworth Rd.  
Brookfield, NH 03872

June 9<sup>th</sup> 2009

Chair Camp,

I am very concerned with regard to the Board of Selectmen's vote on May 26<sup>th</sup> 2009 to hire a new attorney for the Board of Selectmen. With regard to this issue I have the following questions, which I hope you will be able to answer this evening.

1. What concerns regarding the quality of legal counsel provided have been documented by the Board of Selectmen, in writing, prior to voting to replace the Board of Selectmen's Attorney?
2. Prior to the vote to replace the Board of Selectmen's attorney on May 26<sup>th</sup> 2009 were the Board of Selectmen's concerns discussed with the Board of Selectmen's attorney, in an effort to remedy those concerns regarding the quality of legal counsel?
3. Did the Board of Selectmen advertise the position of Selectmen's Attorney in any appropriate media outlets, job search boards, websites or on the Town public notice boards so as to attract a large pool qualified applicants for the position?
4. Please describe the process utilized to interview and or vet the candidates for the Selectmen's Attorney position.

Additionally, I ask that you incorporate this letter into the minutes of tonight's Board of Selectmen meeting.

Sincerely,



Tom Whelton