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**PRESENT:** L.M. Smith, Chairman; J.E. Ziolkowski, Vice Chairman; R.P. McDermott, Selectman; L.A. Ruest, Town Administrator; S.H. Ayer, Secretary

The Chairman read a prepared statement regarding recording devices at Board of Selectmen meetings, a copy of which is attached to these minutes. He also informed those present that this meeting is being recorded by David Allen.

**OLD BUSINESS**

**FINANCIAL REPORTS**

**GENERAL FUND BALANCE \$2,104,483.**

**ACCOUNTS PAYABLE/PAYROLL WARRANT(S)**

**MOTION:** To approve the following warrants as presented by the Bookkeeper:

Payroll check warrant	#354	\$17,089.08
Payroll check warrant	#355	\$743.85
Payroll check warrant	#356	\$14,872.95
Accounts payable warrant	#538	\$68,420.86
Accounts Payable Warrant	#539	\$10,822.96

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

**AMENDMENTS TO SOLID WASTE ORDINANCE:** The Selectmen reviewed proposed changes to the language of the Solid Waste Ordinance. A Public Hearing will be held on November 2.

**AMENDMENTS TO APPENDIX A – METHODS OF SOLID WASTE DISPOSAL AND FEES:**

The Selectmen reviewed amendments to Appendix A of the Solid Waste Ordinance, including the inclusion of a section on mercury products and changes to the fee schedule.

**AMENDED HOUSEHOLD SOLID WASTE COLLECTION DAYS SELECTMEN’S LISTING**

**AND FEE SCHEDULE:** The Selectmen reviewed and approved changes to this document. It was noted that fee schedule changes will take place after the Fall 2016 collection day.

**BOSTON POST CANE – HISTORICAL SOCIETY REQUEST TO DISPLAY:** Tracy Beattie was present to address the Selectmen on this topic. The Chairman read an e-mail to the Town Administrator, asking to discuss the display of the historic Boston Post Cane in a public building in an appropriate wood and glass case with a lock.

The Chairman expressed his support of the idea, and suggested it be housed in the Historical Society Museum, but brought to the Town Hall on days when many residents visit, such as Election Days.

The cost of a cabinet was discussed, and it was agreed that T. Beattie would approach cabinet makers and obtain quote(s). The Selectmen were in agreement that the Town would split the cost with the Historical Society. A brief history of the origin of the cane, and a list of its recipients, will be prepared to go in the case. Concern was raised with regard to the lack of fire protection.

**CAPITAL IMPROVEMENTS PLAN COMMITTEE CHAIRMAN – PROCEDURES RE:**

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**2017-2022 CAPITAL IMPROVEMENTS PLAN PRESENTATION:** (The Chairman took this matter out of agenda order.)

Capital Improvement Plan Committee (CIP) Chairman Todd Santora was present to discuss this matter along with the related matter of CIP minutes taking.

L. Smith said that he had discussed CIP procedures and membership with L. Ruest and asked T. Santora would agree to the resulting proposal, which includes:

- CIP minutes will be taken by the Planning Board Secretary beginning in 2017.
- L. Ruest will attend CIP meetings in an advisory capacity, with no voting privileges.
- L. Ruest will have the full participatory rights of other members of the CIP.
- L. Ruest will provide necessary documentation to the CIP and perform other tasks as the Town Administrator has in the past.

T. Santora said he was happy with this agreement, that he had consulted the Rockingham Planning Commission and this was the approach they recommended.

L. Ruest then outlined the process by which CIP recommendations are processed. In the past, the CIP has provided a spreadsheet and presented their recommendations to the Planning Board at its October meeting. The Planning Board may comment, make recommendations, express concerns, etc., then votes to forward as presented/as amended to the Board of Selectmen. A member of the CIP then presents the recommendations to the Board of Selectmen.

T. Santora said he intends to follow this path, but has one change to the process. He said he had changed the rating system from the former ratings of High, Medium, Low and Committed, to a 6-point rating system of Urgent, Necessary, Desirable, Deferable, Premature, and Inconsistent (C for Committed still to be used.)

T. Santora added that he felt a positive aspect of this year's CIP meetings was that the School Board was more involved, and also prepared with a bond amount and a "Plan B" in case the bond does not pass. He said he felt that a joint meeting with the School Board and Selectmen when the CIP recommendations are presented would be an opportunity for Town and School officials to get together and prioritize.

The Board agreed to this idea, and will invite the School Board to the November 2 meeting.

Planning Board Vice Chair Charlyn Brown asked to add to the CIP discussion, saying that the 6-point rating system had been the subject of a Town and City magazine article.

**OTHER**

Shreya Shah of Avesta Housing was present to discuss the matter of Town building inspection services for the Avesta building site on Brown Road.

L. Ruest advised S. Shah that the Board had met with Counsel prior to this meeting. As a result, L. Ruest is recommending that the Board deposit \$10,000 of the paid building permit fee to an account for the Town Officials, and \$12,375 to Avesta Meadows One, LP's Building Inspection account.

**MOTION:** To deposit \$10,000 of the building permit fee paid to the Town by Avesta Housing to a new account for the purpose of Town Officials' inspections, and to deposit the balance of \$12,375 to the Avesta Meadows One LP Building Inspection account.

**MOTION:** L. Smith

**SECOND:** J. Ziolkowski

In a brief discussion, it was noted that the money has already been paid by Avesta, and that any money not used during the course of the project will be returned to Avesta at the end of the project.

**UNANIMOUS**

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**LINE PAINTING:** J. Ziolkowski said that Environmental Landscape Management (ELM) would be able to perform the work of repainting the white fog lines on Linden Road, using a manual roller and 10 five-gallon buckets of paint, the total amount of paint estimated to be 50 gallons. ELM can do this for a price under \$2,000.

Other quotes received were considerably higher.

Linden Road residents who responded to the question of whether black paint would be acceptable said that flat black or best match would be acceptable.

**MOTION:** To authorize ELM to paint over the fog lines on Linden road as proposed, with flat black or best match paint.

**MOTION:** L. Smith

**SECOND:** R. McDermott

**TWO IN FAVOR, ONE ABSTENTION, PASSES**

**CIP INTERIM MEETING MINUTES RECORDER**

Subsequent to the decision made at the September 27 meeting to hire Margaret Allen as the Interim Meeting Minutes Recorder at T. Santora's request, M. Allen contacted the Town Administrator to say she intended to volunteer.

**MOTION:** To rescind the creation of the position of Interim Meeting Minutes Recorder (9/27/16) to serve the Capital Improvements Plan Committee in 2016, and

**MOTION:** To rescind the hiring of Margaret Allen, Hillcrest Drive, as a Town employee at the hire clerical rate of \$15.91 per hour.

**MOTION:** L. Smith

**SECOND:** J. Ziolkowski

**UNANIMOUS**

**MOTION:** To approve the Volunteer Application from Margaret Allen, Hillcrest Drive, and appoint her as volunteer Interim Meeting Minutes Recorder to serve the Capital Improvements Plan Committee in 2016.

**MOTION:** J. Ziolkowski

**SECOND:** R. McDermott

**UNANIMOUS**

L. Ruest said that M. Allen will need to fill out a Volunteer Application form and Volunteer Service Statement and Agreement.

**NEW BUSINESS:**

**SELECTMEN'S PERMIT APPLICATION – LINCOLN AKERMAN SCHOOL PTO ROAD RACE, NOVEMBER 19, 2016, 10 A.M. TO 1 P.M.**

The Chairman noted that this race, the "Tiger Turkey Trot" takes place every year.

**MOTION:** To authorize the Chairman to sign the Selectmen's permit for the Tiger Trot Road Race, to take place on November 19, 2016 on Town roads, starting and finishing at Lincoln Akerman School.

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

**SEXUAL HARASSMENT TRAINING, OCT. 25, 2016, 2:30 TO 4 P.M. & 6:30 TO 8 P.M.**

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Both sessions of this employee training will take place at the Public Safety Building.

**ROCKINGHAM PLANNING COMMISSION MPO TRANSPORTATION POLICY MEETING  
WEDNESDAY, OCTOBER 12, 2016, 6:30 P.M. – 9:30 P.M., TOWN HALL**

This meeting has been scheduled to take place at the Town Hall.

R. McDermott requested that members of the Planning Board be present to participate as has been done in years past.

**NEW ROAD PAVING AND DRIVEWAY TIE-IN**

**MOTION:** That all driveway tie-ins, whether the driveway is paved or gravel, will be done at the time of road paving by the contracted paving company.

**MOTION:** L. Smith

**SECOND:** R. McDermott

Road Agent D. Robinson said that this practice will eliminate the need for the Town to take care of driveway tie-ins individually.

**UNANIMOUS**

**FALL HOUSEHOLD WASTE COLLECTION DAY, SAT., OCTOBER 15, 8 A.M. – 2 P.M.**

There was a discussion of food to be provided for volunteers during the Collection Day.

The updated spreadsheet of tasks was reviewed.

It was noted that no electronics will be accepted at Fall collection days, and that a sign should be made up to that effect.

Two signs are being made to inform residents of prohibited items.

It was also noted that the new fee schedule will not be in effect until after the vote in March.

**MONTHLY REPORTS - SELECTMEN REPRESENTATIVE REPORTS**

**SELECTMAN MCDERMOTT – LIBRARY:** R. McDermott reported that the meeting was mainly was on topics of maintenance. Asked if the Library Trustees will be pursuing a rebate on the price of the roofing shingles, as there is a class action lawsuit against the company, R. McDermott said it was not mentioned but that he will inquire.

**SELECTMAN SMITH - SCHOOL BOARD, RECREATION COMM., HERITAGE COMM., TOWN IMPROVEMENT COMM.:** L. Smith said that the School Board discussed maintenance issues and also their requests to the CIP Committee.

The Recreation Commission has agreed to have the Road Agent remove the Rosa Rugosa from the fence area of Governor Weare Park at the agreed on price of \$450.

The Recreation Commission also agreed to the driveway permit application request for a second driveway at Governor Weare Park.

The Christmas tree bonfire was discussed.

The Castleberry Fair was a success, and tentative dates have been set for 2017: May 13 and 14, and September 16 and 17. The Farmer's Market struggled this year and may not come back next year.

At the Heritage Commission meeting, there was discussion of making the Town Hall and Historical Society Museum part of a historic district.

The Tricentennial was discussed, including the sale of Liberty Elm trees. L. Smith added that since that meeting, the number of trees ordered has increased to 84, as the Heronfield Academy ordered 25.

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The Town Improvement Committee also discussed the driveway permit application for a second driveway at Governor Weare Park, and also the cost of a floating dock at the depot. Structural reviews showed the front façade trim of the Museum needs to be repaired. There was also discussion of the entry doors of the Town Hall. Jack Fermery brought drawings showing the inner door as a slider, to be handicapped access compliant and also to reduce the wind-tunnel effect.

**SELECTMAN ZIOLKOWSKI - PLANNING BOARD, CONSERVATION COMMISSION**

J. Ziolkowski reported that the Conservation Commission did not meet this month, but that he had seen the Eagle Scout projects completed at the Raspberry Farm and Marsh Lane Preserve.

As Planning Board Chairman T. Santora was present, J. Ziolkowski deferred to him to report on Planning Board activity in September.

T. Santora outlined proposed changes to the Zoning Ordinance and Building Code coming to Public Hearing in October. These include changing the definition of Outdoor Recreational Facility to read “Non-Private Outdoor Recreational Facility”, and amendments to the Accessory Dwelling Unit Ordinance.

There was a discussion of accessory dwelling units and compliance with the new State law, and also about 911 addresses related to multiple residences on a property.

**OTHER**

As the Fire Chief was unable to get a price quote to date on burying the propane tank at the Public Safety Building, this matter will be postponed, and added to the October 19 agenda.

Another set of budget work sessions will be scheduled for the last week in October. Dates will be decided and posted.

**ELECTION DAY**

The Board signed the posting notice announcing the November 8 polling hours at the Town Hall of 8:00 AM until 8:00 PM at the Town Clerk’s request.

**PUBLIC COMMENT RELATING TO THIS MEETING’S AGENDA ITEMS**

There was no comment from the public.

**REVIEW AND APPROVAL OF PREVIOUS MINUTES: 9/21/2016, 9/27/2016, 9/29/2016**

**MOTION:** Motion to approve the minutes of September 21 as written.

**MOTION:** J. Ziolkowski

**SECOND:** R. McDermott

**UNANIMOUS**

**MOTION:** Motion to approve the minutes of September 27 as written.

**MOTION:** R. McDermott

**SECOND:** Z. Ziolkowski

**UNANIMOUS**

**MOTION:** To approve the minutes of September 29 as written.

L. Smith asked for one amendment, to the end of the section on page one under **TRICENTENNIAL COMMITTEE**: “At that meeting, it will be determined what amount will be placed in the budget, with the bulk of

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of the \$30,000 to be placed in a warrant article.”

**MOTION:** To approve the minutes of September 29 as amended.

**MOTION:** J. Ziolkowski

**SECOND:** R. McDermott

**UNANIMOUS**

**MOTION:** To adjourn at 7:42 PM.

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

## Recording Devices at BOS meetings

I would like to revisit a discussion that occurred at our last regular BOS meeting on September 21 . During the public comment period, David Allen addressed his concerns about photographs being taken of his wife taping our meeting and suggested that I should disallow such photography at future meetings. I explained that such photographs were permitted under RSA 91-A:2 (II), but as I did not have a copy of that RSA, which I had read at the previous Board meeting, with me to explain my reason for allowing this, I would like to again read that RSA now.

**"II. Subject to the provisions of RSA 91-A:3, all meetings, whether held in person, by means of telephone or electronic communication, or in any other manner, shall be open to the public. Except for town meetings, school district meetings, and elections, no vote while in open session may be taken by secret ballot. Any person shall be permitted to use recording devices, including, but not limited to, tape recorders, cameras, and videotape equipment, at such meetings."**

Margaret Allen is more than welcome to continue videotaping our meetings. I look at this as a benefit for the Town. While the BOS is investigating the possibility and cost of videotaping our meeting and making the video available to Town residents, having a resident do so and making it available on line will allow more residents to see and hear our meetings.

For a law to be fair however, everyone must be treated equally. So I also welcome any other citizen who wishes to record our meeting or anything occurring in our meetings, by any method outlined in the RSA, to do so, as long as the exercise of this right is not disruptive to the conduct of the meeting.

As such, I cannot honor anyone's request who would have me pick and chose who may exercise their rights under this RSA. As I stated in a previous meeting, while Chair of the Board, my practice will be to allow anyone to exercise this right without limitation from the chair, providing their doing so is not disruptive to the conduct of the meeting.

10/05/2016