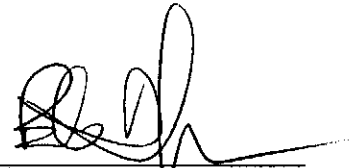
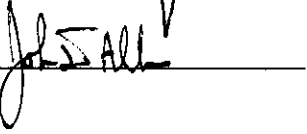


Bob Thompson



John Allen



Bill Lockard

Selectmen's Board Meeting

April 14, 2016

Present: Bob Thompson, Chairman; John Allen and Bill Lockard, Selectmen

Visitors: Town Office Administrator Julie Atwell, Police Chief Doug Jette, Building Inspector Kevin Bennett, EMD/HO Tom Grieg, Videographer Hank Benesh, Bea Davis, Peter Benson, Gale Yalenezian, Jessica DellaValla, Dan Layton, James Gleason, Mary Howe, Sarah Clemons, Marge Furlong, Joyce Allen, Barbara Meserve

Chairman Bob Thompson called the meeting to order at 4:01 p.m.

1. Amend & approve minutes

- a. Selectmen's Meeting – March 24, 2016 The minutes were approved as written.

2. Update on March 24, 2016 Action Items

- a. Eagle Mountain House Selectman Allen had this on his list; there's been a flurry of emails about it however, the Board can't do anything until the Permit of Assembly is issued. Chairman Thompson believes these are separate issues; this is on the agenda under Old Business and will be addressed further then.
- b. Fire Permits Road Agent Pat Kelley has taken on issuing Fire Permits. Office Administrative Assistant Julie Hoyt has already put this information out via Enews.
- c. Upcoming Selectmen's Meetings The next meeting will be April 28th; the May meetings will be May 12th and 26th; June's meetings will be the 9th and 23rd. Selectman Allen will not be available for the June 23rd meeting.

3. **Old Library Usage – Jessica DellaValla** Jessica and Gale joined the Board. They are here to discuss the possibility of using town space for a preschool. Jessica noted the Jackson School Board tasked their Committee to explore a public preschool option in the town of Jackson; they are information-gathering and the Old Library was one of a number of locations that are on the list. The timeline for the preschool to be opened is September 2017; the Committee hopes to have results for the School Board for September 2016; this would hopefully,

include a recommendation. There are five to eight students projected for each grade and the plan is to serve three and four year olds. Chairman Thompson wondered if this would be funded through the School; Jessica noted that will be up to the School Board as would whether it would be open to just Jackson students. Gale noted tuitioning has been discussed. The service would be as little as three hours per day three days per week up to a maximum of six hours per day five days per week; that doesn't mean the students would be in the Old Library building that entire time. Before care and after care will have to be considered as well. There is not currently any space at the Jackson Grammar School to house a preschool and the School Board has committed to keeping four classrooms through the next school year. Chairman Thompson noted the voters just spent a fair amount of money to update the building and this kind of use is in their mission statement so he sees no reason not to continue the discussion. Margie Furlong asked if Jessica has seen the inside of the building; Jessica hasn't. Margie and Jessica will get together to accomplish that task. It may not meet their needs or state regulations. Selectman Allen noted that the lack of storage is an issue; if the preschool has to have items out it will make it hard for others to use the building. Chairman Thompson asked for comments and Bea Davis asked why the Committee isn't looking at the Whitney Center; it's on school property and no one else can use it during school hours. Jessica noted the Whitney Center is one of many possibilities the Committee is looking at. Sarah Clemons is concerned about transportation costs; she also thinks that as word gets out that the space is available when the Whitney is not, the Old Library will get more use. Peter Benson reminded Jessica that the Old Library does not sit on town property; the Protestant Chapel Association and Fritz Koepfel need to be involved in this too. Chairman Thompson did contact Joyce Allen about this; she referred him to Patsy Hardy who thought it made sense to continue the conversation. The entities involved will all be brought into the conversation should this option get further along in the Committee's process. EMD/HO Grieg asked if this is going to be an independent operation or part of the school; that will make a big difference in the requirements. Jessica noted there was a group of folks calling for a daycare that is separate from the school; that is not this Committee.

4. **Police Report** Chief Jette noted over the past three weeks the Department has committed to increased patrols along Route 16 up to the Dana Place in; they were looking to increase the justifiable stops to look for evidence of drug trafficking. They made three arrests that were not drug related but there were in several instances evidence of drugs. It is coming through here. They have seen substances that are used in treatment of opiate based addiction. They confiscated seventy strips of Suboxone and that was prescribed to one individual. They are not seeing the actual drug but evidence that it's happening. Chief Jette has been working with the town to update the Emergency Plan. He was concerned there was no current list of elderly residents that might require additional help in an emergency situation. Emily Benson worked with Bea Davis on this and the town now has an updated list that will allow any of the town Departments to render the services needed in an emergency.

5. **Public Comment** Sarah Clemons would like to point out that the Minutes of December 21, 2015 state that she had asked what was going to happen to the Road Agent's truck and Chairman Allen noted the plan is for the new Road Agent to use his own vehicle to and from work. Also on December 10, 2015 the Minutes mention this same issue and Mr. Lockard, who is the Selectmen's representative to the Highway Department, stated there would be no new vehicle bought. Her questions to the Board are: Is the Road Agent allowed to take the vehicle home now and what vehicle is it. Is there a log being kept to let the townfolks know how many miles he uses to go to and from his residence and is that any part of the four percent increase the town's employees got. Chairman Thompson noted Public Comments are for folks to put comments out there; if a comment calls for an agenda length discussion; the commenter is invited to put on the agenda for further discussion. The Board will take all comments and the Selectmen will respond if they can. Dan Layton noted he saw on the agenda Old items and New items that involved extending liquor licenses; in discussions he's had in town, it sounds like the cut off time would be ten thirty or eleven. He would like it to be ten as that's when his guests would like to go to bed. He's had guests tell him that now that they know the Eagle Mountain House has a wedding tent they will no longer visit during the weekends. Sarah noted she considers her question to be Old Business as well since it was in the Board's Minutes. Sarah wants to know if she has to ask to be put on the agenda to get her questions answered. Chairman Thompson noted that is the case anytime a comment is going to lead to an agenda length discussion. James Gleason noted he'd understood there was something on the agenda today about extending the liquor licenses at Eagle Mountain House and the Wentworth. Chairman Thompson affirmed these are both on the agenda. James asked if it was too late to comment then on these items. Chairman Thompson noted that, in addition to the two Public Comment sections, it has always been the Board's practice to allow comments during discussion on agenda items. There will be additional discussion later in the meeting. He asked if there were any comments different that previously brought up; there were none. Chairman Thompson asked if Selectman Allen cared to address any of the comments. Selectman Allen would like Sarah to know that the Board did address use of a town vehicle by the Road Agent. This came up in the course of his interview; Selectman Allen's comments were made prior to that interview. At this time no vehicle has been purchased for the sole use of the Road Agent. Chairman Thompson noted a cost analysis was done and for the Road Agent to drive the vehicle back and forth to work five days a week fifty two weeks a year came out at a cost of eleven hundred fifty dollars or something like that. If it's not in the Minutes, it is on the tape; at the last meeting the Board made it clear that the top candidate couldn't live in town so this was an allowance the Board made to get the best qualified candidate. The other items can be put on the agenda.

6. **Building Inspector**

- a. Weekly Report – Kevin Bennett Inspector Bennett reviewed his report which included the Building Permits and Driveway permit below. He noted there's been some activity up at the Wildcat Townhouses; it's not on the list tonight but apparently Rich Levine is renting out some of the units out there. Inspector Bennett has notified the state that their water system was turned off last year; they will do a start-up procedure. Regarding the Eagle Mountain House; they are in the process of getting the electrical code violations up to par however they got a letter in 2014 from DES that their underground tank is not up to code and there's no clean-up fund. The permits will be granted to keep their business open but they are not up to code with things like their underground heating oil storage tank; it's over thirteen hundred gallons; it could be a three to five thousand gallon one. They have been cited; they are non-compliant and Inspector Bennett doesn't see them doing anything about it. Chairman Thompson is concerned that they've known about this since 2014; he wants to know if it's still leaking. It was clarified that the tank is not leaking. The systems are not in place to prevent an overflow. It would be nice to see the town ask them what their plan is. The town has to have recourse. Chairman Thompson wondered what authority the Selectmen have in this case; Inspector Bennett noted they could not issue the license. Chairman Thompson understands the issue but is trying to see what Selectmen's role is in this. He asked what is going on up there with the electrical code work and Inspector Bennett noted a year ago Eagle Mountain House did two hundred thousand dollars of work without pulling a permit; half of the issues have to do the with electrical work; there are so many violations up there. The three main power lines weren't buried deep enough; they are high voltage and they were visible; you touch them; you're dead. They had wire outlets coming out of the concrete to the tent; they put a Tesla recharging station in their parking lot without a ground wire to it. They have a plan now; they are fixing it and they don't have a Permit of Assembly and they won't get one. They will be ready for inspection to get their Permit of Assembly; they are on course to do it; they did file the permit and paid for it last fall. This has been ongoing; the state electrical inspector was up there last week. The second week of May is their first wedding; at meeting of March 24th everyone was under the impression they didn't have anything scheduled until the end of May.
- b. Building Permit 2016-12/Map R14 Lot 20/Owner – Blais/7 Temple Drive/Remodel Cabin
- c. Building Permit 2016-13/Map R13 Lot 19/Owner – Couture/Green Hill Road/Build one bedroom apartment over garage
- d. Building Permit 2016-14/Map R18 Lot 51/Owner – Hutchings/766 Carter Notch Road/Add exterior landing

- e. Building Permit 2016-15/Map V03 Lot 25/Owner - Ludington/16 Little Brook Road/Enclose existing deck
- f. Building Permit 2016-16/Map V06 Lot 04/Owner – Walker/19 Mountain View Road/Remodel interior
- g. Building Permit 2016-17/Map R12 Lot 139/Owner – Burton/301 NH Route 16/Build 2 car attached garage
- h. Driveway Permit – Map V10 Lot 124/Owner – McNeil/Balsam Drive

7. New Business

- a. Trustees of Trust Funds – Withdrawal Request **Selectman Allen, seconded by Chairman Thompson, made a motion to transfer fifteen thousand five hundred dollars to be deposited into the Police Cruiser Capital Reserve Fund in accordance with Article 19. The motion passed unanimously.**

Selectman Allen, seconded by Chairman Thompson, made a motion to withdraw eight hundred ninety three dollars and forty one cents from the Town Office Equipment Maintenance Expendable Trust Fund (0047) for Amazon Order Number 114-3235718-0374666 dated March 24, 2016 in the amount of eight hundred ninety three dollars and forty one cents and four hundred thirty seven thousand six hundred dollars from the Fire Department Truck Capital Reserve Fund (0003) for HME Incorporated Sales agreement dated May 4, 2015 in the amount of four hundred thirty seven thousand six hundred dollars. The motion passed unanimously.

- b. Board Appointments **Selectman Allen, seconded by Chairman Thompson, made a motion to appoint Martha Benesh as an Alternate Trustee of the Trust Funds. The motion passed unanimously.**

Selectman Allen, seconded by Chairman Thompson, made a motion to appoint Alicia Hawkes to the Old Library Management Committee. The motion passed unanimously.

- c. Report of cut **Selectman Allen, seconded by Chairman Thompson, made a motion to approve the Timber Tax Levy. The motion passed unanimously.**
- d. Deputy Forest Fire Warden – FYI **Road Agent Patrick Kelley will be issuing fire permits; Kenny Crowther is the back up. Pat is also Deputy Fire Warden; he was thanked for being willing to serve.**

- e. Wentworth – Extended Liquor License Request This request is to extend their license to serve outdoors from May 1 to October 20, 2016. James wants to know how late they can serve; it was clarified this doesn't extend their hours; it extends the area they can serve liquor out to their tent. The Board has had concerns expressed; it's a new day and age; there were not too many tent things happening twenty years ago. As Selectmen we recognize there is no sound ordinance; they also recognize it's a nice thing to have noise control. They wanted to work with these properties as they have a right to earn a living but not to impact others. This was an issue mostly out back for the condo owners; the Selectmen talked to Fritz and Ellie Koeppel and although they had two-thirds of their contracts already signed, they agreed to discuss what would be reasonable for noise containment. As far as Chairman Thompson was concerned what was happening was louder than he would have liked it. The ask was for ten p.m. but that would be difficult to meet given the timing of events during a wedding (meals, cake, d.j., etc) so a compromise of ten thirty was reasonable. They have written it into their contracts now. There was also a noise Ap to measure decibels and the sound was never to be above ninety decibels. Then folks came to the Selectmen from near the Eagle Mountain House. The town can have a sound ordinance if someone brings one forward and can get an approval of fifty percent plus one. The Selectmen have looked at the measures that were in place; they took suggestions from folks in town; tents are not meant to contain noise; they are not meant to be effective at noise containment but the tent walls should be up. Eagle Mountain House had the same issue with the timing; ten p.m. would cramp their style so they run until ten thirty and they have to have the three walls not facing the building down when the band is playing and it can't be over ninety decibels. If they don't want to serve alcohol they can go as late as they want; there is no noise ordinance. The town has put reasonable measures in place that are having a positive impact; the Selectmen will meet with folks over the summer to see how it's going; the town wants to be supportive of businesses. The Christmas Farm Inn used to have its Christmas in July and they did outdoor weddings; this isn't new but it came to the Selectmen and they are trying to address it. One establishment felt having the walls down would cut out the view that was part of the contract but they worked with the town. James worked in Boston and they had a light over spill ordinance; folks couldn't generate light over a certain property. Rather than trying to regulate the decibels he'd like to see the sound regulated all the way across the Golf Course to his place across the street here. The thump, thump, thump of the band can be felt at eleven thirty midnight; a sound overspill might be good; say fifty decibels outside versus what is happening in the tent. The event manager assured the Board that they are no longer allowing some types of music and the sound has to be turned down if walls aren't up. James will watch this summer and see what happens. Chairman Thompson noted the Board wants to hear from him.

Dan asked if the Board planned to have separate meetings about this that will not be part of the Selectmen's meetings. Chairman Thompson is more than willing to have a formal meeting if that's the preference; he'll get Dan's contact information. He pointed out that the informal meetings have to have only one Selectman at a time there's can't be a quorum or it has to be a posted meeting. There should be an open conversation about this to make it right for all parties and the town itself. Dan noted when he has a guest going to sleep for ten they don't want to have this going on. Selectman Allen is sympathetic; he can hear it at his house, too. James would like to be involved too. A member of the audience reminded the Board it is only talking about the Eagle Mountain House and Wentworth; what about the Jackson Inn that puts a tent up. Is there any way to get them to do the same thing regarding the noise level? Chairman Thompson hopes to craft something that is not an ordinance that will carry over to anyone that wants an extended license. These places have to have a license to serve in the tent and if they are charging for alcohol they need a permit. Chief Jette is not convinced that this discussion doesn't address the questions here; their concerns are with the noise. Extending the liquor license is irrelevant that. The Board can say "No music after 10" but they can still serve until midnight. Chairman Thompson noted the Board is just addressing this as it comes to us; the Board is about to make a motion in support of extending their liquor license or not. The Board can support it but it still has to deal with the noise. A noise ordinance has its ups and downs including who is going to enforce it; none of it is simple and straightforward. James noted when guests are making reservations he's been able to say Jackson is a very quiet town; he'd been saying that up until last fall when they had the noise across the golf course; it affects their business; maybe there is a way to split this out; separate the extended permit, which is fine with James, but add the proviso that there is no noise after a certain time. They can drink until three; just don't wake our guests. Inspector Bennett had a waitress call him and she wondered about a noise ordinance. There is a thing with OSHA about how loud the music can be. If the source is controllable the sound is to be turned down but if it's not controllable then the employee should wear ear protection. Chief Jette is just putting it out there; there can be a wedding that does not serve alcohol. Bea invited folks to come to her house; she hears it all weekend every weekend; you suck it up. **Selectman Allen, seconded by Chairman Thompson, made a motion to approve the extended liquor license for the Wentworth. The motion passed unanimously.**

Selectman Allen, seconded by Chairman Thompson, made a motion to approve the extended liquor license for the Eagle Mountain House. The motion passed unanimously.

- f. Wetlands Permit Application – R14 Lot 5 – FYI This is just notification that this is taking place; no action is needed.

- g. Proposals for the Old Library (added) There were three proposals; one from Desmaris; one from Leonard and one from Glen builders. The Old library will cover thirty five hundred; the town will chip in the rest. The recommendation is for Desmaris; their estimate includes a lot of wood repair on the outside of the building that others don't at thirteen thousand thirty nine dollars. That was the recommendation of the Old Library Management Committee. Selectman Allen asked if the Committee could take this back to Leonard and Glen who appear to be doing less than Desmaris; he'd like to have an apples to apples comparison. He would prefer to go with the cheaper estimate if it's the same work. There's a twenty five percent difference. Chairman Thompson noted that Glen Builders didn't think any repair was needed to the shingles and the woodwork. John would like this tabled but Chairman Thompson noted this it came from the OLMC; they did the work and they have a recommendation. James wants to know if these are bids or estimates because bids contain exclusions. These are estimates; James wondered why the OLMC can't get a bid? If they are going to exclude shingles then why not get a solid bid from the contractor; make the list the list. These are proposals, not bids and not estimates. James would like to analyze this; Margie will set up a time to meet with him. **Selectman Allen, seconded by Chairman Thompson, made a motion to table this discussion to the next meeting.** Chairman Thompson noted he is willing to call a special meeting if the OLMC is sure of their estimate. There was no further discussion. **The motion passed unanimously.**
- h. Assessor's contract (added) **Selectman Allen, seconded by Chairman Thompson, made a motion to sign the contract for assessing services with Jason Call.** Chief Jette asked for the value of the contract; it's two hundred fifty dollars per day; forty thousand for the year. There was no further discussion. **The motion passed unanimously.**

8. Old Business

- a. Eagle Mountain House – Extended Liquor License Request This was previously voted on (see agenda item 7e).
9. **Public Comment** Sarah has been to the Office looking for public information since March regarding the salary and increase in salaries for town employees. She'd like to know when she should expect to be able to find that information or does she have to write a request to the management. She thinks it is public information to find out what the town employees' wages are. She was given a piece of paper with the information but it was taken back. Also in December she asked for Job Descriptions for our town employees; she hasn't been able to get these either. When the budget committee met there was no job description for the Fire Chief or the Road Agent. Sarah was asked to put her request in writing and

submit it to the Office and the Selectmen will look at it. Sarah wants to know why she wasn't told she had to do that when she asked for this in December. Sarah asked if she had to write a request and was told no. Chairman Thompson would like it in writing to confirm what Sarah wants. Peter asked the Board to think about the Old Library Building and the work proposed now. It should have been done when the building was torn up the first time and now there is another contractor working on it. The town's people should know how much it's going to cost to renovate; he'd like to know if this is pretty much it? Peter also thinks the OLMC should go back and include the company that worked on the building. Mary Howe didn't get here early enough for the discussion regarding having a preschool in the Old Library building so at the risk of repetition; the original intention was to have it be a building open to the public; they already have people that use it regularly. The town has put in a lot of work to rejuvenate the woodwork and Mary feels the town would lose the ability to use that open space if it were dedicated to a preschool. Marge noted she talked with Tamarack Builders and they didn't want to do the work. Peter noted his concern isn't about a specific contractor; it's for a long term picture of what more is out there. He'd like to get a generalized idea of what is needed in that building. This was voiced by a lot of frustrated people; they just put in sixty thousand dollars of renovations and now another thirty is needed; it's a valid concern. Chief Jette has two comments. First he didn't hear any dissention about the preschool project. He would suggest and highly recommend that this community come together and support this. There is a need valley-wide and parents in town want it. Look at tuitioned students and we may be looking at a bigger building; the Police Department is going to support this; we feel it is the right thing to do but are also looking at it in terms of the best possible chance for early childhood intervention; we need to be invested in that as a community. It's a long row to hoe; whether it's the Library or the Whitney Center or a church, the Police Department will support it. Secondly; there's been a lot of concern regarding the noise problems that are generated from weddings; it is to everybody's benefit that the town doesn't have a noise ordinance but that doesn't mean Jackson is an unenforceable town. There are state statutes on the books, enforceable law; the Police Department can help with that. Chief Jette would encourage anyone that has an issue with the bass from a wedding to give the Police Department a call. Sarah would like to remind everyone that Jackson does give monies to Children Unlimited that helps our community with preschool for children in need. James noted the Coffee with a Cop program is a great thing; he supports the Chief; it's very special.

10. Non-Public Session Selectman Allen, seconded by Chairman Thompson, made a motion to go into Non-Public Session in accordance with RSA 91-A:3, II(c) at 5:24 p.m. The motion passed unanimously.

- a. RSA 91-A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This

exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

The Board returned to Public Session at ****

There being no further business, the meeting was adjourned at ****

Respectfully submitted by:

Martha D. Tobin

Recording Secretary