
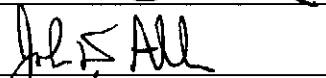


Bob Thompson 

John Allen 

Dick Bennett 

Selectmen's Board Meeting
August 11, 2016

Present: Bob Thompson, Chairman; Dick Bennett, Selectman

Visitors: Administrator Julie Atwell, Administrative Assistant Julie Hoyt, Police Officer Andrew Koplin, Building Inspector Kevin Bennett, Videographer Hank Benesh, Bea Davis, Stan Weiss, George Howard, Gino Funicella, Sarah Clemons, Margie Furlong, Jason Bagley, Damon Steer, Darlene Ference, Joyce Allen

Chairman Bob Thompson called the meeting to order at 4:00 p.m.

1. Amend & approve minutes

- a. Selectmen's Meeting – June 9, 2016 These will be approved once they are available.
- b. Selectmen's Meeting – July 28, 2016 There is one correction; Andrew Koplin was the Police Officer in attendance not Ryan MacDonald. There were no further corrections and the minutes were approved as amended.
- c. Non-Public Session – July 28, 2016 – sign minutes envelope (RSA 91-A:3. II (a) & (c)) The envelope was signed.
- d. Unsealed – Non-Public Session – July 28, 2016 The minutes were approved as written.

2. Update on July 28, 2016 Action Items

- a. Transfer Station Updates Selectman Allen was going to find out about the sign at the entrance to the Transfer Station; he's unable to attend today.
- b. Upcoming Selectmen's meeting dates The next meeting will be August 25th; the September meetings are scheduled for September 8th and 22nd and the October meetings will be the 13th and 27th. These are all held at 4 p.m. at the Town Offices.

3. **Police Report** Officer Koplin is here to report on how the last two weeks have gone; he is the senior ranking officer and is not going to talk about the investigation or the Chief at all. He and Officer MacDonald, even in the absence of the Chief, are still providing coverage seven days a week, twenty four hours a day. Jackson is not contracting any other additional time from other agencies.

Since the ACO's resignation the Officers are also handling animal cases. There have been two dog bites investigated. Officer Koplin noted it is hunting dog season; often folks will see a dog in the woods; they aren't lost; they are hunting and/or training. The Covered Bridge Dance was a success. There's been an increase in traffic in town and there have been four motor vehicle accidents since the last Police Report. Parking at Jackson Falls has brought in many complaints; Police are being proactive by assisting with parking rather than issuing tickets. There was suspicious activity and a burglary in Carter Notch; the Police are urging residents to lock their doors and if they have a security system to use it. It is common to have homes just left unarmed and folks walk in. The Police have increased patrols during the evening and have placed cameras with property owners' permission. The Police Department maintains an Open Door Policy and folks were urged to contact either Officer Koplin or Officer MacDonald with any concerns. Chief Jette's vision of a more communicative Police Department continues. He won't comment on the ongoing investigation regarding the break-ins around the Carter Notch Road/Jackson Falls area. Chairman Thompson would like to piggyback on Officer Koplin's report before going to Public Comment. The Selectmen have requested that the Belknap County Sheriff's Department conduct an internal investigation into the allegations made against Chief Jette by an employee of the town. The external investigation is being done by the Carroll County Sheriff's Office and all, some, or none of that information may be shared so the Board and town attorney determined an internal investigation would be the best. The investigator from Belknap will be contacting the Carroll County Sheriff's Office regarding their investigation and what he will be allowed to look at. In addition there was a Right to Know form submitted on August 1st by Sarah Clemons who was interested in several things; first she wanted to know if the town was paying for supervisory assistance from the Sheriff's Office and if so, what is the amount? The town is not paying money to the Sheriff's Office for any increased coverage. Secondly Sarah asked to see and copy the Police time sheets for June and July of 2016; those were provided. Lastly Sarah asked whether there's a requirement that all Officers that go through training, and do not fulfill their time requirement, have to repay town monies if used. Chairman Thompson noted full time officers that go into the Police Academy and don't complete the program are required to repay twenty five hundred dollars. Full time Officers who graduate are obligated to serve three years for the town; if they do not, there is a ten thousand dollar compensation fee. Those fees are based on regulations that are in place. Chairman Thompson believes that was all the information Sarah was looking for.

4. **Public Comment** Joyce Allen was interested in Officer Koplin's report; the biggest crimes in Jackson are burglaries; she feels the Police Department's increased presence in town and on the streets is very important. She is very glad to hear the Police are doing that. Stan Weiss asked if the town is paying Belknap for their investigation; Chairman Thompson noted there is no fee; if the investigation were to be done by a private agency or a law firm then there would be. Darlene Ference asked if there are hours when someone is in the Police Office. Chairman Thompson noted all shifts are covered. Darlene would like to see hours posted. Officer Koplin noted administrative hours were set for eight to three, Monday through Friday however not all of those shifts are filled. The

Officers take on-call hours and come in earlier; usually between noon and four p.m. there is someone in the office and at any time folks can contact the Sheriff's Office. Darlene wanted the information for the office hours as she is looking toward getting a gun permit. Sarah asked if there was any further information on Mr. Weeder and the project they were doing regarding an updated septic plan. Gino Funicella noted at the last Town Meeting the budget included two Police Officers being approved for up to one thousand extra hours; he believes one of those officers is the one that just quit. Gino thinks the town approved those extra hours. Damon Steer asked if the Carroll County Sheriff's Office is still doing the supervisory role that was talked about last week; Chairman Thompson affirmed that is the case. As far as getting pistol permits; Officer Koplín has been assigned to approve those. Stan has noted during Public Comments the Board probably won't respond most of the time but it would be nice for the Board to be courteous. It is a sad day for Jackson when the public takes the time to come to these meetings and are virtually ignored. There are eight hundred ten people in this town and now if someone has a question it has to be put on the agenda. He might expect that in Boston but it's a really sad day that it has become an "Us versus You" situation; the Board says, "You can ask what you want and we don't answer" and it's really sad. Chairman Thompson restated that the Board accepts any and all Comments and batches them up. When the public is done presenting Comments the Board responds. He will give Stan the example of the June 28th meeting; there were responses given to each and every one of the questions asked; those are the typical rules of it. Public Comment is different from a back and forth dialog; Chairman Thompson is available for any and all concerns between now and the next meeting; he's easy to get ahold of and happy to respond to any Public Comment during the meetings that he can. Selectman Bennett is concerned with the idea that questions are not being answered; he hopes they are; he hasn't been on the Board long enough to know for sure. Selectman Bennett is happy to answer questions; Jackson is a small enough town so all of the questions should be answered and being responsive is the way to do that. Chairman Thompson noted, in response to Gino's question, what was in the budget was enough money for two part time Police Officers; a second part time Officer was not hired or trained. There was a search done but there was no quality applicant. When Chairman Thompson came on there was a part time Officer focused on electronics, technology and the vehicles as well; he did not have regular patrol hours neither did the part time Officer that resigned; the town has lost nothing. The extra coverage now is to cover the Chief's time only. Sarah had asked about paperwork on Mr. Weeder; it was added late to the agenda so the Board will be talking about it today; they can move that forward and talk about it now. For Sarah's information, the Selectmen granted the Weeder approval to change the house designation from one to two bedrooms; he provided the town with the requested septic plan this week.

5. **Building Inspector**

- a. Weekly Report – Kevin Bennett Building Inspector Bennett reviewed the permits approved since the last meeting. A couple more came in this week but have not been processed yet.

b. Building Permits

- i. *2016-43/R19-107/Owner – Carter Notch Management/938 Carter Notch Road/Replace kitchen cabinets*
- ii. *2016-44/R12-L42/Owner – Gagne/74 Eagle Mountain Road/Build detached garage*

6. **New Business**

- a. Trustees of Trust Funds – withdrawal request **Selectman Bennett, seconded by Chairman Thompson, made a motion to withdraw four hundred forty one dollars and seventy seven cents from the Bridge Repair Expendable Trust Fund for the Home Depot invoice dated July 1, 2016 and further to withdraw one thousand four hundred thirty four dollars and eighty four cents from the Bridge Repair Expendable Trust Fund for the Hancock Lumber invoice 1163738 dated July 31, 2016 with the check(s) made out to the Town of Jackson. The motion passed unanimously.**
- b. Conway Household Hazardous Waste Collection Day – 9/17/16 – FYI This information will be posted on the Enews and at the Office. It will be held from eight to eleven thirty a.m. and there is a ten gallon limit per household.
- c. MS-60 – FYI This audit report is complete and has been signed by the accountants.
- d. MS-535 – Signatures Required This is the financial report on the town and will need to be signed. **Selectman Bennett, seconded by Chairman Thompson, made a motion to sign the MS-535 when it comes in. The motion passed unanimously.**
- e. Intent to Cut Two Intents to Cut came in, one is for Map R30 Lots 4 & 7 which belongs to the NE Forestry Foundation and Map R12 (Lots not specified) on Forest Service Land by Jackson Ski Touring. **Selectman Bennett, seconded by Chairman Thompson, made a motion to accept the permits. The motion passed unanimously.**
- f. Take a Walk in Our Shoes This walk is being held to support the Mount Washington Valley Recovery Coalition on Sunday September 18th at Schouler Park in North Conway. The funder raiser information will be posted on Enews as well.

7. **Old Business**

- a. Transfer Station Updates In Selectman Allen's absence, Chairman Thompson will review the updates. The Transfer Station Planning Committee just met yesterday and the drawings will be left up in the

Office Meeting Room of what the finished project will look like. He pointed out what Phase One is: The road going in, the dump stalls and the concrete footing for the push out. The aluminum and tin is temporarily far away from the recycling area; the dump bed trailers obstruct traffic flow; the Selectmen will keep an eye on it. Chairman Thompson reviewed some of the unfinalized details; the Committee is looking at delaying the base paving until next spring to allow for settling. Phase One is on track to be done before winter sets in; the Committee is meeting as necessary; they needed to regroup. Selectman Bennett asked about the clothing box; this is a Planet Aid box and they contract with Bartlett; they told Bartlett they normally pay five cents per pound (or bundle) but Planet Aid has had a much reduced input and Bartlett asked about a reduced payback. Selectman Bennett feels the project is a great effort; it's really helped recycling. Chairman Thompson noted increasing efficiency and improving traffic flow were the two goals of the project. George Howard has listened to the description but he can't put it together with what's on the chart; he'd like to know what Phase One is. Chairman Thompson showed the room what Phase One was and reiterated Phase One was to include the paving, too but that is delayed. Phase One includes setting up the parking area, setting up the barriers and it also includes a retaining wall for a bump out that goes with Phase Two; cardboard and paper will go through that rather than in front. Folks will come in by the crusher, park, recycle then go out (Chairman Thompson pointed out the traffic pattern). The purpose for traffic flow going that way is that it's the most efficient way to handle the traffic. Phase Two includes an awning that will cover all of the area and the Station may end up with an extra baler so they can fashion that area to include baling paper and plastic. In addition; aluminum and tin will be sorted at the counter not going into a container. When George asked what the budget was for Phase One and where the figures stand, Chairman Thompson noted Phase One was one hundred seven thousand six hundred seventy dollars which included nineteen thousand dollars for paving which isn't going to happen in year one so currently the project is coming in under budget. Labor is an unknown as town staff and the Highway Department are doing the work and renting equipment the town doesn't have. That's the gist of the Committee report; the plan is to keep the updates under Old Business. When asked if the one hundred seven thousand is just for Jackson, Chairman Thompson noted each town approved a sixty thousand dollar warrant article so the Transfer Station has one hundred twenty thousand from both towns to do the work.

- b. Public Bathroom Request The Board had a concern expressed regarding the lack of public bathrooms in town; they have reached out to other businesses and folks regarding whether they have a bathroom that the public can use. Edith Houlihan had suggested looking at portable units and they also looked at the park to see about using the dugout storage area as a public bathroom. The Board doesn't have figures as to what it would take to secure that and there's also the matter of who cleans it and what does the town charge. They have information from one porta-potty provider. There doesn't seem to be a need for public restrooms to be open

in the winter; the heavy use period is Memorial Day to Columbus Day. Each portable unit is two hundred thirteen dollars to install and pay for the first month; after that the fee is one hundred fifty nine dollars per month including cleaning the unit once a week. Selectman Bennett suggested locating the porta-potties where the population density is. The Falls has the most visitors; he doesn't see that the dugout over here is going to serve a good purpose because everyone uses that storage; he knows Bea may disagree with that; she does. Selectman Bennett noted the porta-potties are not the most scenic but are functional and can be placed where they are needed most. The town is not going to create a central bathroom facility and heat it and clean it so porta-potties would be used to satisfy the need for public bathrooms for a short time. Edith Houlihan took the time to take pictures of them; they are not unsightly at all in her mind. It was suggested that someone get in contact with the Conservation Commission regarding having a porta-potty at the Falls; the town should get an official response. Folks were encouraged to be a part of a committee to take a further look at this. The town sent an email to the School, the Library and also a couple of private businesses in town. Bea reminded the Board they'll need to talk to the Forestry Service if the town is going to put a porta-potty at the Falls; they have authority as it is a Scenic River and a Scenic Road. The Board felt that was a good point; they haven't gotten to point where the town is pursuing this option. It was noted that porta-potties can be camouflaged. The town of Eaton has a porta-potty on their beach and they are finding drug paraphernalia and beer cans in there. Chairman Thompson will find out if there is any way to secure them at night; maybe they could install a fence to lock it up or something. The beauty of a porta-potty is that there isn't a time commitment. Bea wants to know why Selectman Bennett doesn't think the dugout would be useful; it wouldn't take a lot to put up a wall; it already has a sink and toilet; it's quite large. Additionally, if there's a problem about keeping the dugout clean, she'll clean the damn thing. Gino is wondering if any thought was given to the possibility of utilizing the bathrooms at the Library, the Town Offices, the Fire Station and the Garage; the Town Crew could clean them afterwards. Right here the town has places that can be used to meet this need. The one in the park is really nice; the town just spent thirty thousand dollars on it. Chairman Thompson has an issue with using the park; that is where the sports equipment is stored; the coaches have the combination and can use it. The town approached the Library which agreed and identified hours when the bathroom at the Town Office is available. Both the Whitney Center and the Wentworth Golf Course have been approached but there's been no response from either yet.

- c. Geese Issue at Pond The Selectmen spoke with law enforcement at NH Fish and Game; there is no state law that prohibits feeding geese. Under Animal and Plant Federal Law there is no law against feeding wild animals, including geese. The town could pass a local ordinance but currently there is no federal or state law prohibiting the feeding of wild animals. There was discussion about posting a sign to not feed the Geese but that is a request that can't be enforced. Chairman Thompson suggests

that people help the town out and not feed the geese. They do eat grass and they like golf courses, which is another place they are a problem. A boom machine would not be acceptable in downtown Jackson. The Board would like to start off with a sign and see if it can get people to cooperate. Selectman Bennett will work with the Office regarding wording; it'll be passed around and it'll be an Action Item at the next meeting. Joyce wants to know what that big pile of dirt is in front of the pond; she wondered if they'd been scraping the surface. Chairman Thompson isn't sure; he thinks it's just regular dredging work. Stan wondered if an ordinance is something the Board would consider. Chairman Thompson noted citizens can put one together and the Board would look into it; it would go to discussion next March. Stan asked if this process has to start with the citizens; he wondered why the Board wouldn't just do it? Chairman Thompson clarified that the Selectmen cannot start an ordinance; it has to be approved by the voters. The Board hasn't had a discussion about it; if that's something the people in this room want the Selectmen to do he would ask them to find ordinances from other towns and see if they fit into Jackson. Gino has been feeding the geese cracked corn for years; he stopped after the last meeting when he heard it was illegal. There is a sign down there that says don't feed the animals; that sign needs to be pulled. There are about forty and he'll begin feeding them again. He also suggested not scaring them as they'll just poop more. Sarah noted that pond is a place where tourists come; children used to fish in the pond; the mess the geese leave behind is not attractive.

8. **Public Comment** George pointed out the Board had made a motion to approve the permits during agenda item 6e; those aren't permits; they are Intents to Cut. Bea noted Conway usually requests a person from town to attend the Hazardous Waste Day; Selectman Allen has attended in the past. Gino would like to again discuss this Board's use of Non-Public Sessions. Gino went to court to try to get the town to slow down with the Non-Public meetings. Over the course of the eight years Gino was on the Board, the Selectmen hardly ever had a Non-Public Session. He just doesn't understand why so many are held; there are ways to exclude something that is private. This Board is having twenty five to fifty Non-Public Sessions a year. The Board he served on had six Non-Public Sessions in five years. He'd like to see the Board get an opinion every two weeks regarding whether the item for discussion has to go to Non-Public. Today there are two Selectmen and one of them is doing the notes; it's not in keeping with the open laws Jackson's had in place. Selectman Bennett noted there are open laws but there are privacy issues; if the Board is going to talk about personnel issues then the Selectmen have to observe privacy. He will give it more scrutiny but the Board has to observe an individual's right to privacy. Damon asked if the Town of Jackson is not losing police coverage due to the coverage from the Sheriff's Office and Chairman Thompson informed him the reason there's no loss in coverage is because the Officers are working more hours. Damon would like to know if the Police Department is going to stay within the budget and Chairman Thompson noted it will because one officer wasn't hired.

9. **Non-Public Sessions:**

- 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 **Selectman Bennett, seconded by Chairman Thompson, made a motion to go into Non-Public Session at 4:59 p.m. in accordance with RSA 91-A:3 (c). The motion passed unanimously.**

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