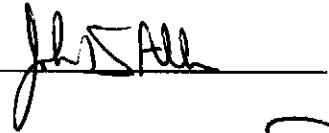


John Allen



Bob Thompson

Bill Lockard



Selectmen's Board Meeting
February 11, 2016

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

Visitors: Town Office Administrator Julie Atwell, Town Administrative Assistant Julie Hoyt, Police Chief Doug Jette, Building Inspector Kevin Bennett, Town Clerk/Tax Collector Karen Burton, Treasurer Kathleen Dougherty, Videographer Hank Benesh, Bea Davis, Bob Davis, Stan Weiss, George Howard, Gino Funicella, Penny Miller, Chris McAleer, Norman Head, Margie Furlong, Marilyn Rodes, Jerry Dougherty III, Kathryn Karlsson

Selectman Bob Thompson noted Chairman John Allen will be late and had asked the Board to start without him. Acting Chairman Thompson called the meeting to order at 4:00 p.m.

1. Amend & approve minutes

- a. Selectmen's Meeting – January 28, 2016 The minutes were approved as written.
- b. Non-Public – January 14, 2016 – sign minutes envelope RSA-91-A:3, II(c) **Selectman Lockard, seconded by Acting Chairman Thompson, made a motion to seal the minutes. The motion passed unanimously.**
- c. Non-Public – January 14, 2016 – sign minutes envelope RSA-91-A:3, II(c) **Selectman Lockard, seconded by Acting Chairman Thompson, made a motion to seal the minutes. The motion passed unanimously.**

2. Update on January 28, 2016 Action Items

- a. Upcoming Selectmen's Meeting dates The upcoming meeting dates are February 25th; March 10th will be the Town Meeting at 7 p.m. and the Selectmen's meeting March 24th. The Town Meeting will be held at the Whitney Center.

3. **Police Report** It's been a quiet couple of weeks; Officers are catching up on some training; attending for updating AED and CPR training at the Glen fire station. It looks like Cop Sync will be installed over the summer. Firearms training continues to go well; there will be another class in March.

4. **Public Comment** Bea Davis asked if the Selectmen have seen the Conservation Commission Meeting minutes from February 1st; this will be on the agenda for discussion at the next meeting. Bea hopes the public can weigh in on this. Gino noted Selectman Lockard made a comment regarding fifty thousand dollars going toward a settled case. He came to the Board in November and asked for information about the case but got no response. In January Gino came in and reminded the Board regarding the rights of the people to review the records for ten years. If one case has been settled months ago; and one recently; why isn't that information available for public perusal and will folks have that information for town meeting. Selectman Lockard noted one case is not settled but as soon as Jackson has the final decision that will be available. Office Administrator Atwell noted she has the report; she was not aware this document was supposed to be in the Tax Collector's office. This document will be available at the Tax Collector's Office tomorrow.

5. **Building Inspector Report**

- a. Weekly Report – Kevin Bennett Inspector Bennett reviewed the permits; he would like to comment about the deck at Dana Place. There are eight buildings and two have decks; that means there is no second means of egress from those six. That's a requirement for Life Safety and the Building Code. That's one reason he approved the deck; there is a year-round brook out there but Life Safety overrides those concerns. Selectman Thompson asked if Inspector Bennett had a chance to look at the Old Library building. Inspector Bennett did; the work is cosmetic, not structural; he thinks a good coat of paint will take care of it.
- b. Building Permit 2016-07 Map V08 Lot 10 Sub 4A – (Owner – Degregoris – 47U04 Dana Place Inn) – Deck
- c. Building Permit 2016-08 Map V09 Lot 3 – (Owner – Little – 2 Stem Turn Road) – Remodel
- d. Building Permit 2016-08 Map V02 Lot 01S1 Sub C03 – (Owner – Palmquist – 32 Mirror Lake Road) – Remodel

6. **New Business**

- a. Wentworth – Extended Liquor License This is an FYI; the Wentworth's Liquor License has been extended to allow them to serve outside of the hotel for the Ice Bar Event from February 18th through March 20th.
- b. Crane & Bell Contract **Selectman Lockard, seconded by Acting Chairman Thompson, made a motion to sign the contract with Crane & Bell. The motion passed unanimously.**

Chairman John Allen arrived.

- c. DRA Forms/Waiver request **Selectman Lockard, seconded by Chairman Allen, made a motion to approve the two DRA forms. The motion passed unanimously.**

7. Old Business

- a. Doublehead Parking – Update Chairman Allen has spoken with Steve Weeder regarding parking; there's only been one complaint so far and Chief Jette noted it was more of a concern. The Forest Service has released their report which shows their plan; it's available for review.
- 8. Public Comment** Chairman Allen thanked folks for their condolences; his sister passed away this week. Stan Weiss has a question about the Ice Bar at the Wentworth. He wants to know if there is any limitation to how late this can be open. Chairman Allen noted the Wentworth has to follow the liquor laws; serving ends at 12:30 a.m. Stan wonders if the town cares that there will be people outside drinking. Chairman Allen noted the Selectmen don't have any authority over this as long as they follow the liquor laws just as all other bars in Jackson do. Stan noted those other bars are inside; this one is outside; he's not sure the town is required to allow this. The Selectmen can ask what the hours are going to be. Bea Davis would like to know if Inspector Goudreau is still working for the town. He's only working as needed; he's still working with Chief Henry to get him up to speed; that was the agreed process to allow for Inspector Goudreau to work with Chief Henry; the budget for Inspector Goudreau was cut in half and will be cut in half again next year unless there is some big process. Bea thought Inspector Goudreau's time was being eliminated. Chairman Allen noted there was an agreed to taper of Inspector Goudreau's time; there was not a cut off time.
- 9. Building Code Hearing** Chairman Allen opened the Public Hearing at 4:23 p.m. Jackson's building code allows for a two hundred square foot free standing structure while the state building code states the structure is not to exceed ten feet by twelve feet. This is a change in the wording to match the state building code. Jerry thought this was offered as an amendment from the Planning Board; this was a collaborative effort. Chairman Allen closed the Public Hearing at 4:25 p.m. **Selectman Lockard, seconded by Selectman Thompson, made a motion to approve the amendment to Jackson's Building Code item 7a. The motion passed unanimously.**

At the last meeting the Trustees of the Trust Fund brought in a request to adjust their investment policy; there is a representative in attendance tonight and the Board should add this to the agenda of the Selectmen's Meeting. **Selectman Lockard, seconded by Selectman Thompson, made a motion to return to the Public Session of the Selectmen's Meeting at 4:25 p.m. The motion passed unanimously.**

- 10. Trustees of the Trust Fund** Chris McAleer joined the Board; there was a thorough presentation at the last meeting. The plan is to hire an outside investment firm to help with the fund; this is an attempt to improve returns on investment. There is a potential to lose money however the flip side will be to

increase the funds over time rather than staying where they are; the town is actually losing money. The folks the Trustees have been talking with have a lot of experience in managing municipal assets. Chairman Allen asked if there are rules and regulations as to what you can invest in. Chris noted they aren't going to be able to short the market; there will be no collateralized debt; this is a sensible approach and a very conservative type of investment. Selectman Thompson's concern was whether this is something that other municipalities do; he feels supportive of this as does Selectman Lockard. The Board supports this; the warrant article wording has already been worked out.

11. **Budget Hearing #3** Chairman Allen opened the Budget Hearing at 4:32 p.m. The only change was to add four thousand dollars to the Police Budget for the replacement of a radio that stopped working unexpectedly. **Selectman Thompson, seconded by Selectman Lockard, made a motion to add four thousand dollars for the radio to the budget. The motion passed unanimously.**

The Warrant Articles were reviewed; the Board will vote to support or not.

NEW ARTICLES

Article 07 Highway Truck (Replacing small 2005 4x4) \$109,000 These monies have already been approved; the funds are in the Capital Reserve Fund. **The Selectmen support this article 3-0-0.**

Article 12 Police Cruiser (Replacing 2011 Cruiser) \$45,000 **The Selectmen support this article 3-0-0.**

Article 13 Bartlett/Jackson Ambulance \$45,000 Bartlett will have to match this. **The Selectmen support this article 3-0-0.**

Article 20 Town Office Air Conditioner \$8,750 This is to replace the unit that died last year. **The Selectmen support this article 3-0-0.**

Article 18 Old Library \$16,000 Thirty five hundred of this will be offset by the Old Library Trust. Selectman Thompson noted the Old Library Management Committee has been very diligent and gotten a number of different estimates. It looked like this would require thirty thousand dollars however at this time everybody is comfortable with protecting the outside of the building. **The Selectmen support this article 3-0-0.**

RECURRING ARTICLES

Article 08 Fire Department Truck Capital Reserve Fund \$80,000 This was reduced by twenty thousand dollars. **The Selectmen support this article 3-0-0.**

Article 09 Road Reconstruction Capital Reserve Fund \$65,000 This was increased by fifteen thousand dollars. **The Selectmen support this article 3-0-0.**

Article 10 Highway Truck Capital Reserve Fund \$50,000 **The Selectmen support this article 3-0-0.**

Article 11 Transfer Station Expendable Trust Fund \$50,000 There was a question as to whether this was supposed to be sixty thousand. The discussion was to put fifty thousand in the Fund that already exists with the plan the Board has been working on calling for spending up to sixty thousand dollars. There is ninety thousand dollars in there already. Gino asked when the current contract with Bartlett ends; it was just renewed and will end in three years. **The Selectmen support this article 3-0-0.**

Article 14 State Highway Block Grant \$37,472 **The Selectmen support this article 3-0-0.**

Article 15 State Aid Reconstruction Expendable Fund \$30,000 **The Selectmen support this article 3-0-0.**

Article 16 Heavy Highway Vehicle Capital Reserve Fund \$30,000 **The Selectmen support this article 3-0-0.**

Article 17 Bridge Repair Expandable Trust Fund \$25,000 This is up by twenty thousand dollars mostly due to the work needed on Valley Cross Road Bridge. Penny would like to know what the status is; will the sidewalk be replaced or the whole bridge? There are a couple of options; the town could do the work itself or work with the state and get eighty percent back. The bridge is on the list for 2018 so it will be a few years. The bridge is structurally fine but the sidewalk isn't and had to be closed. The town could spend two hundred thousand dollars to do a repair or work with the state and do a replacement of the bridge for a million dollars and spend the same two hundred thousand dollars. The Board is working with engineering to get the best plan. **The Selectmen support this article 3-0-0.**

Article 19 Police Cruiser Capital Reserve Fund \$15,500 This is the same as last year; the town will receive the money from the sale of the old cruiser, too. **The Selectmen support this article 3-0-0.**

Article 21 Revaluation of Town Property Capital Reserve Fund \$8,000 This is new for this year; it's a cyclical article and this is the year. **The Selectmen support this article 3-0-0.**

Article 22 Dry Hydrant Expendable Trust Fund \$5,000 **The Selectmen support this article 3-0-0.**

Article 23 Police Department Equipment Expendable Trust \$3,000 **The Selectmen support this article 3-0-0.**

Article 24 Jackson Chamber of Commerce – Fireworks \$3,000 Penny would like to know why the taxpayers are paying for the fireworks; she wondered who used

to pay for them. Bea noted the Chamber of Commerce did. These two articles are requests from the chamber; both used to be funded privately. Penny wondered if the town continues to do it as it's a habit. Jerry noted this is not the full cost of the fireworks; there are a lot of donations and the Chamber is asking for a donation from the town. Chairman Allen pointed out this draws a lot of people; Penny wondered what the benefit is of that to the town. Chairman Allen noted these folks spend money in Jackson; it's not always locals that come up to these things. Penny noted she enjoys the fireworks too but she wouldn't miss them; she would enjoy being able to drive through town. **The Selectmen support this article 3-0-0.**

Article 29 Jackson Chamber of Commerce – Beautification Project \$1,000 **The Selectmen support this article 3-0-0.**

PETITIONED ARTICLES

Article 25 Children Unlimited \$3,000 This represents an increased ask of four hundred dollars from them. **The Selectmen support this article 3-0-0.**

Article 26 Tri-County Community Action \$3,000 **The Selectmen support this article 3-0-0.**

Article 27 Gibson Center \$2,500 **The Selectmen support this article 3-0-0.**

Article 28 White Mountain Community Health \$1336 WMCH didn't ask for anything last year; Selectman Thompson wondered how this amount was calculated; this will have to be looked at. **The Selectmen support this article 3-0-0.**

Article 30 Conway Area Humane Society \$1,000 This is new; the request is to help care for animals that have been abandoned there by private citizens or animal control. Chief Jette noted the town just renewed its contract with CAHS which takes care of quarantining of animals. He can look back; the town has had occasion to bring animals there eight or ten times over the last four months. He's not sure why they are asking for this; he would have to refer to ACO/Police Officer Orsini about that. Bea noted CAHS imports dogs from down south and from all over the country; it's not just animals from here. Chairman Allen noted, with all of these petitioned articles, it is important for the legislative body to have someone in attendance to address concerns that may come up on the floor. Penny would like to know what the process is with these petitioned articles. Office Administrator Atwell noted these articles have to go on the warrant; they are accepted or rejected at the Town Meeting. Penny's concern is that she looks at peoples' needs as a priority; CAHS gets a tremendous amount of support from the community and they do import animals from the south. If Jackson is going to put aside one thousand dollars then put it toward people. Gino noted he has three dogs that were imported. One of the problems happening here is that many rental properties say no pets. This is a people thing because there are many people giving up their pets. This is a good cause; folks have to give up their pets so

rather than euthanize these animals they can be adopted. George also has a pet from down south. These are volunteers that bring these dogs up from the south not the animal shelter. An owner of one of these can't get an apartment so they may end up with a dog going to the shelter. The town will have a chance, as a body, to vote on it. **The Selectmen support this article 3-0-0.**

Article 31 Starting Point \$834 **The Selectmen support this article 3-0-0.**

Article 32 Northern Human Services \$716 **The Selectmen support this article 3-0-0.**

Article 33 Eastern Slope Regional Airport \$500 Penny wondered, again, what the benefit to the town is; it comes up every year. She wondered if the town ever says no to this. Chairman Allen noted this is brought each year; the same questions are asked and answered every year. It's available for emergency evacuations should someone in town need that. Jerry noted the airport wasn't used last year but if the town uses it only once it's paid for. George noted the group that committed to the airport assumes it's necessary to maintain the organization. It is also an excellent place for training to fight forest fires; it provides the best staging area to keep Jackson out of the fire. **The Selectmen support this article 3-0-0.**

NON-MONETARY ARTICLES

Article 02 Amendment – Zoning Ordinance – Ballot Vote This changes the setback to fifty feet from the center line instead of from the ROW in the Residential District. **The Selectmen support this article 3-0-0.**

Article 03 Amendment – Zoning Ordinance – Ballot Vote This does the same as Article 02 except for in the Village District. **The Selectmen support this article 3-0-0.**

Article 04 Amendment – Zoning Ordinance – Ballot Vote Gino noted the original Ordinance stated a nonconforming structure could not increase its height. Approval of this Ordinance would allow any of these chalets on nonconforming lots to be the same as in town which is thirty five feet. There are a bunch of ski lodges that may be nonconforming but weren't able to have a height increase. Jerry noted the volume restriction as it exists forbids adding a dormer or in the case of the Dickie property, to raise the roof. It does not allow property to exceed any setback increase nor above any other house in Jackson which is thirty five feet. Jackson has strived to provide ordinances to allow for improvements to homes to make them more affordable. Many have a value under two hundred thousand dollars but can't add volume. This would allow improvements but not above thirty five feet which everyone in town is limited to. Gino is not against this; he just wants to make sure the Selectmen understand; this is huge. There's a twelve foot high ski chalet and now they can add on up to thirty five feet. Jackson has a lot of nonconforming homes. **The Selectmen support this article 3-0-0.**

Article 05 Amendment – Building Code – Ballot Vote **The Selectmen support this article 3-0-0.**

Article 34 Pay Investment Fees from CRF – Town Meeting Vote The Trustees of the Trust Funds would like to use investment revenue to pay for an investment broker. Stan noted there may be no revenue so this is not accurate. He'd like to make sure folks understand at the Town Meeting that the town would go into the fund to pay for this if there was no revenue. **The Selectmen support this article 3-0-0.**

Article 35 Adopt an Ordinance Regulating the Public Consumption of Alcohol Town Meeting Vote Town Clerk/Tax Collector Burton noted this Ordinance might be available at the Selectmen's Office however, she wondered if the Board would give the public an idea of what this is about. The proposed ordinance was read into the record. Penny wondered if there's a problem requiring the adoption of this Ordinance. Treasurer Dougherty wondered who is going to monitor this; it's under the jurisdiction of the Police Department. Penny wondered why the town would be creating a law if there is no problem. This was brought up with Chief Jette so if there was an issue Jackson would have something in place and the Police would have the ability to enforce the law. Chief Jette noted the biggest catalyst was that the Chamber ran an ad inviting folks to come to the Falls to have wine; there were wine and beer bottles at the Covered Bridge Dance and the Duck Race. Right now a person of legal age and ability can walk along with a bottle of wine or a can of beer. Penny wondered if this means more signage at the Falls. Selectman Thompson noted the Board started looking at this back in July or August when there was a travel magazine inviting folks up to drink at the Falls. Chief Jette looked at ordinances in Laconia, Holderness, Madison and Conway. People were sure there was an ordinance on the books; when the town used to have the Fireman's Barbeque there was an ordinance. The Selectmen were not able to find one on the books. Chairman Allen noted there is nothing planned yet regarding signs about no alcohol. Bea wondered how people would know about this new ordinance if it's not posted. Signage is typically part of an ordinance; if the public body approves this then there will be a way to get the message out there. Town Clerk/Tax Collector Burton wondered about folks walking across the road at the Golf Course. This was previously discussed; it's covered by private licenses; it's okay going from one piece of property to another as long as it's private property. If it's their property they cover it. Penny noted if someone crosses Main Street that is clearly not their property. The Police have to look at off-premises use from one private entity to another private entity. Penny wondered if picnics are going to be allowed with pickles in glass containers at the Falls. Chief Jette is trying to prevent an intoxicated person from being in the area. Penny wondered again if there's no problem why there's a need for a new law. Chris has never seen anybody there intoxicated; he thinks the Chief is making too much of a gray area. Gino noted it's already been established there isn't a problem; he wondered why the Chief is expecting one. When Bob Stevens was the head of the Chamber Gino and he went out and counted the signs on the Loop up, around and back; there were one hundred thirty four. What Jackson doesn't need is more signs; he quipped the town will need to change its name to Signville;

it's ugly driving up to the Bridge. Jerry noted the town doesn't have a sign in Jackson that says "you can't drive with an open container" however people know and respect the law. He doesn't see any down side to telling folks they can't drink. Town Clerk/Tax Collector Burton wondered if someone is having a party at their house and they are in the ROW are they going to be arrested and Chief Jette noted folks won't be arrested; it's a fine. **The Selectmen support this article 2-1-0.**

The Public Hearing was closed at 5:22 p.m.

12. Non-Public Session Selectman Thompson, seconded by Selectman Lockard, made a motion to go into Non-Public Session in accordance with RSA 91-A:3, II(c) at 5:22 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