



Town of Jackson, NH

Route 16A, Jackson, NH 03846
 ph: (603) 383-4223
 fx: (603) 383-6890

Board of Selectmen Minutes -- 03/06/2014

Jackson Selectmen's Meeting
 March 6, 2014

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

Visitors: Town Office Administrative Assistant Julie Hoyt, Police Chief Karl Meyers, Police Officer Sean Cowland, Emergency Management Director/Health Officer Tom Greig, Bea Davis, Gino Funicella, Bill Wogisch, George Howard, Kathleen Dougherty, Frank Benesh

Chairman John Allen called the meeting to order at 4:38 p.m.

- **Amend & approve minutes**

- Selectmen's Meeting – February 20, 2014 The minutes were approved as written.
- Warrant Article Hearing – February 11, 2014 The minutes were approved as written.
- 2nd Warrant Article Hearing – February 20, 2014 The minutes were approved as written.

Chairman Allen noted Health Insurance is listed under Old Business (agenda item 7) but will be discussed during Public Comments (agenda item 3) and the Police Report (agenda item 4) so Chief Meyers doesn't have to wait through the meeting.

- **Update on 2.20.14 Action Items**

- Estate administrator request The person Chairman Allen spoke about has accepted.
- Communications Protocol Selectman Thompson will have this for a future meeting.
- Health Insurance See discussion under Public Comments and Police Report.
- Building Inspector Certification The former Building Inspector's Certifications are being compiled for review.
- George Howard's comments regarding the Building Inspector position These are to be shared with the Building Inspector Committee.
- Voting Day & Town Meeting dates Voting is Tuesday March 11th and Town Meeting is March 13th.
- **Public Comment** Gino Funicella was told to give his comments regarding Health Insurance during Public Comments. Back in 1999 the Selectmen couldn't give the town employees a raise so they gave the employees health insurance at no charge. When the town looked at insurance back in 2004/05 the question came up asking employees to contribute towards their premiums. Because these were long-term employees the decision was to keep their insurance the same while new hires would pay towards their insurance. There are now only two of those long-term employees left – Chief Meyers and Officer Cowland. This Board can change their insurance contribution but the intent was to give the town's "word". Bea suggests the Selectmen talk with those who were serving as Selectmen at that time; Chairman Allen will do this. Meeting minutes have been reviewed and they say their insurance would remain at *status quo* they don't say grandfathered specifically.
- **Police Report** Officer Cowland reviewed Department activities since the last meeting; some items discussed included two motor vehicle accidents, a couple of assists to the Fire Department; a couple of parking issues; one report of a wire down; a false fire alarm and one assist provided to a motorist. There was one wild animal complaint; one assist to the Conway Police Department; one domestic animal call; one missing person who was found; one assist to Bartlett with a call. There may have been one parking issue over the February vacation week.

Regarding continuing one-hundred percent premium payment the town's attorney feels this could go either way; it is up to this Board to make this decision; there's a possibility the discussions around moving Manager Ederly to a Bartlett

employee may have further information as well. Selectman Lockard met with Chief Meyers and he has a proposal; he has not seen anything that clearly solves this problem; anyone can sue anyone for anything. There is some exposure without any absolute witness and it's not clear an agreement was made. Paying insurance premiums at the differing rates is in the budget this year; he thinks the town should pay it. Then there is a seven and a half percent increase next year and another seven and a half percent to bring these two employees to paying the fifteen percent that all other employees are paying. Chairman Allen thought the Board had agreed to a five percent increase over three years; Selectman Lockard wasn't at the last meeting; if that's iron clad he doesn't want to change that but this should be equalized. There is some seething from other employees about these two employees a full premium.

Chief Meyers feels one person is not happy; when that person was hired he knew what his insurance package was and he agreed to the package; now he is jealous and wants the plan Chief Meyers and Officer Cowland have and he can't; he made his own agreement at the time he was hired just as Officer Cowland and Chief Meyers had an agreement at the time of their hire. Chairman Allen noted he's in the same situation; his premium used to be covered with no deductible; now it's down to eighty percent with a five hundred dollar deductible. It's tough to have people at different levels in the town; it creates animosity and he's not sure what the fair thing is. Chief Meyers noted when the person that is complaining got hired in Jackson the fifteen percent contribution was what was offered and he accepted.

Gino noted if the Board is already going to postpone any change this year he thinks the Selectmen should put an article on the warrant next year and let the people decide.

Selectman Thompson explained the Board got involved in the salary review and upgrade; bringing up the pay level was the fair thing to do. Certainly that has been done with an eight percent pay increase proposed for this year and then adding health insurance contributions in as a three year project. For the record the Board is not hearing from one individual about this issue; it needs to be acknowledged there are valid arguments for both. When this became a problem the Board asked how many other police departments are paying one-hundred percent; facts need to drive the decision. They took that information and then tried to get to a fair average; the Board was swayed more by that than what was done since 1989. We have all seen health insurance premiums change and we've all lived with it. When other Departments in town expressed concerns the Board had to get the facts. With the eight percent pay increase for Officers and four percent for the Chief, if they were then charged health insurance at seven-and-a-half percent Chief Meyers net pay would go down by seven dollars per week; Selectman Thompson doesn't support that; Chief Meyers has been here working hard. For Officer Cowland, with the eight percent pay increase and health insurance at seven-and-a-half percent, his net pay would be seven dollars more per week. Selectman Thompson is open to solutions but he wants to take a fair and balanced approach; everybody is supportive of the Department; the quality of work they do is why the pay increase was approved.

Bill Wogisch asked how, morally or legally, the town can give something to someone and then take it away from them. The people that are objecting to the one-hundred percent paid health insurance need to understand that these two employees came on board a long time before the complainants did; a commitment was made by the Selectmen of the town of Jackson and this Board needs to uphold it. He suggests a raise to one-hundred dollars a week to cover the insurance increase; these fellows have been faithful to this town while many others have come and gone.

Bea noted most of those folks retired; the Highway Department is getting a four percent increase but the Police are getting eight. The Board looked at figures for both compensation and insurance contributions throughout the county; some get one-hundred percent insurance while others pay a percent. Jackson's Police were at the low end of the spectrum. Gino pointed out that some Boards gave no raises for years. If these two Police employees get charged seven-and-a-half percent with no raise then they keep falling behind. Folks need to look at the pay increases for the Highway Department; they got dollar an hour raises every year to make up their shortfall. Gino urged the Board to wait on making a decision on this; Bea agreed noting the Board needs to talk to the two Selectmen that were on the Board. Office Administrator Atwell was going to look at the minutes to see what she could find about this; she's not had much success. George Howard agrees there was a commitment made either in writing or when they signed on; it is necessary to honor that; Jackson has to stay with what was offered to them. Chairman Allen noted this is a discussion to have on the floor at town meeting; let the voters decide.

Bill would like folks to understand that comparing the Police Department to the Road Department is not apples to apples; they should have no bearing on each other. The Police are "on" twenty-four hours a day, seven days a week; they put their lives on the line every morning; the Highway Department doesn't.

- **Building matters**

- Sonny Couture – Update After further review, this permit was not denied by Andy as originally stated; he had recommended the Board deny it; Goody isn't going to issue the permit; it is recommended this be sent to the ZBA. It will be important that they have an accurate time line of what has happened to date. George asked what the issue is and was informed the lot appears to be a landlocked parcel; a logging road was the only access and that's been classified as a driveway. That's a dubious distinction that needs to be clarified.
 - Interview Updates The one interview went well; the second one was rescheduled to next Thursday.
- **New Business**
 - Proposed Changes in the operation of Transfer Station – Jon Ederly FYI Transfer Station Manager Ederly and Engineer Burr Phillips met with Chairman Allen to discuss reconfiguring travel ways; he'd like to engage Engineer Phillips to develop a mater plan. Selectman Thompson would like to have Engineer Phillips attend the Transfer Station Meeting to lay the plan out.
 - Road Toll Bill – FYI There will be a four cent per gallon gas tax for Roads added July 1, 2014.
 - Tax Refund Request John Dunn says he sent in his check but it was lost and his bank verifies it wasn't cashed. He feels he paid on time, it's not his fault it wasn't received and he'd like a refund of the three hundred fifty three dollars and twenty cents interest he paid. The bill was due in June; he didn't send the second check until February; he should have known the first check hadn't cleared. Selectman Thompson noted how the Dunns manage their checking account is not the Board's business. Selectman Lockard disagreed; he would have acted on a four-thousand dollar check that didn't cash out in a month; owners have a responsibility to pay their taxes; John properly mailed it but he still has the responsibility to pay his taxes and he didn't pay until February; he says no refund. Chairman Allen noted this happend to him and he just paid the interest; he also did so two months later not six months. He is not inclined to refund this.
 - Tax Appeal – Cyr – FYI Mr. Cyr has appealed his tax again; it will be forwarded to Assessor Jason Call.
 - Feb 6th meeting – Scrap metal update There was a misunderstanding; Roger Labbee pays the town the twelve hundred dollars, not vice versa. **Selectman Thompson, seconded by Selectman Lockard, made a motion to sign the agreement to be paid twelve-hundred-fifty dollars by Roger Labbee for the Scrap Metal Agreement. The motion passed unanimously.** Bill asked why the town doesn't sell it rather than letting Roger pay a set amount; metal is at an all time high; the town is leaving money on the table. The Board will look into it.
 - Barn Tax – Do we want to submit application This is a tax exemption that would require maintenance of the barn; the town has to participate before its residents can participate. The Board agreed to table this until they can review it; Selectman Thompson would like to get some more specific information about this.
 - Meloon Road – Landfill The town received notice from DES that Jackson is required to monitor this yearly. The Board understood this was done and the wells have been capped. There may be a release on file. This is a new contract; Last year the fee was twelve-fifty; this is now twenty-five hundred. Jay Pullen may have some answers; he signed off on that; maybe the Board misunderstood about monitoring and the doubling of the price needs to be explained.
 - Town property in town report There is town-owned property listed on Black Mountain Road; information on this will be researched for the next meeting.
 - **Old Business**
 - Health Insurance This has been discussed.
 - **Public Comment** There were none.

There being no further business, the meeting was adjourned at 5:38 p.m.

Respectfully submitted by:

Martha D. Tobin

Recording Secretary

Town of Jackson, NH

Route 16A, Jackson, NH 03846
 ph: (603) 383-4223
 fx: (603) 383-6890

Board of Selectmen Minutes -- 02/06/2014

Jackson Selectmen's Meeting
 February 6, 2014

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

Visitors: Town Office Administrator Julie Atwell, Office Administrative Assistant Julie Hoyt, Videographer Hank Benesh, Road Agent/Fire Chief Jay Henry, Police Chief Karl Meyers, Police Officer Sean Cowland, Building Inspector/Fire Inspector Bob Goudreau, Emergency Management Director/Health Officer Tom Grieg, Treasurer Warren Schomaker, Jerry Dougherty, Kathleen Dougherty, Bill Wogisch, Bea Davis, George Howard, Nancy Davis

- Amend & approve minutes

- Selectmen's Meeting – January 23, 2014 The minutes were approved as written.

- Goody – Building Inspector Interviews Fire Chief/Road Agent Jay Henry and Building Inspector/Fire Inspector Bob Goudreau joined the Board. Inspector Goudreau has been making headway on the last few outstanding applications as well as discovering a few others that were not known about but have been handled in-house. He has a question on one of the last outstanding applications; he'd like to know what the process is to move the it forward. This is the Couture application off Green Hill Road; the former building inspector made a recommendation not to issue the permit because the plan didn't comply. In his research Inspector Goudreau has found no reason not to issue the permit; the regulation the denial was based on pertains to the erection of homes on streets; in this case the road is the driveway up to the house; this is not a landlocked piece of property; it doesn't have frontage but the driveway does; the driveway has a permit already issued; there is nothing in the regulation regarding the length of the driveway and nothing in the ordinances either. It was called "landlocked" for the denial; it is accessible through a driveway; this doesn't apply to building on streets and approval of the permit would be consistent with what Jackson has done in the past. The owner was surprised with the denial which was issued on January 2, 2014 and stated it was because the property was landlocked; the only way to get in was a logging road. This property is on the end of Mr. Couture's driveway; it doesn't sit on the street. Road Agent/Fire Chief Henry reviewed the lot; the property is accessed via the driveway; he doesn't see why this is defined as landlocked; the driveway's been there longer than the owner. The Board agrees there is no reason to deny it; Inspector Goudreau will sign it. Chairman Allen noted the Selectmen used to sign the permits; that duty has been handed over to the Building Inspector.

Road Agent/Fire Chief Henry would like to look at inspections from the point of fire department access and driveway permits. He'd like to know if the building inspector is doing building and zoning enforcement because those are two different things and the job description doesn't include zoning. It was clarified that the duty of the building inspector is to enforce the Jackson Zoning Ordinances. The building inspector verifies the setbacks and other things like that but is also the enforcement agent for zoning too.

The Board has handed all of this over to the building inspector; Inspector Goudreau was thanked for taking on the outstanding applications. Inspector Goudreau noted he's glad to help out; the outstanding permits have quadrupled compared to what he was handed; there were definitely more than what was thought to be outstanding; it's well beyond the five the Board thought were pending. The town can transfer any of these to MRI if Inspector Goudreau doesn't want to take them on; he noted most of these are minor; most of the paperwork involved in these applications is missing. Fire Chief/Road Agent Henry would like to mention a fire department concern; over the last five years, since Jackson started dealing with an outside contractor, there has been a huge lack of paperwork and being able to access it after these contractors are gone is a problem; communication between the fire inspector and building inspector has been a huge issue. This started way back when Jackson lost Bergeron; it is Fire Chief/Road Agent Henry's hope these problems will be resolved with the next one; he is stressing that moving forward.

As far as setting up interviews for the building inspector position, there's one applicant so far; applications must be submitted by the 7th. Goody has agreed to help go through these; Selectman Lockard will work with Goody to get the process going; Town Office Administrative Assistant Hoyt will be involved as she would be working with the successful candidate. Huntley Allen had asked to be on the committee that interviewed applicants; Chairman Allen would like to add

two more for a committee of five; he thinks one should be a contractor and the other an "at-large" resident from town. Fire Chief/Road Agent Henry and Inspector Godreau will give the Selectmen a letter with input regarding concerns and issues with building inspectors since 2008. The Board is happy to accept anything that will make the system better. Inspector Godreau noted there are a lot of codes that overlap; the process doesn't end with the Certificate of Occupancy; the building is here, from their perspective, until it burns down and it's their job to make sure that doesn't happen; the building inspection process is the only chance to make sure things are done right; documentation needs to be passed along at the time of construction because once it's already done they can't go in to tell folks to change it. Fire Chief/Road Agent Henry suggests putting Inspector Goudreau on every Thursday so folks know to come and find him at the Office on Thursdays; it would be huge if the building inspector could work every Thursday too; that way the town would gain the communication between Inspector Goudreau and the Building Inspector and folks will know that they work in town on Thursdays. It was clarified these folks may need more than just the one day and that both the Fire Inspector and the Building Inspector will be signing permits; this provides the health and safety piece, more accountability and more access to the general public.

- **Action Items**

- **Set time and date of business portion of Town Meeting** Selectman Thompson, seconded by Selectman Lockard, made a motion to set 7 p.m. Thursday March 13, 2014 at the Whitney Center for the business portion of Town Meeting. The motion passed unanimously.
- **CPR Training Option** Chairman Allen noted the Ambulance meeting was cancelled so he has no information; he wondered if EMD/HO Tom Grieg might know about CPR Training options. EMD/HO Grieg asked if folks want a certification or are just looking for an education. The Library is having its AED training on February 18th at 7:30 p.m. There are other options if they would like the full blown certification class; EMD/HO Grieg will do some checking.
- **Warrant** The Public Hearing for the Warrant Articles is set for February 11th at 6 p.m.
- **Public Comments** Police Chief Karl Meyers joined the Board; he's been informed there is going to be a complaint lodged against the Police and he'd like to present information pertaining to that concern. On January 25th a parking ticket was written at Black Mountain; the owner of Black Mountain is claiming multiple tickets were written and Chief Meyers presented the ticket pad for the Board to verify that the previous ticket was written on January 11, 2014; on January 25th citation number 1051 was written at Black Mountain and citation number 1052 is still in the book; there were not numerous tickets written on the 25th. Chief Meyers provided the Board with pictures of what was observed on that day; the vehicle had room to pull forward but didn't and was out too far on a blind curve. Chief Meyers is not sure what the complaint is about other than that a Black Mountain patron got a ticket; the car could have been towed. The Selectmen haven't heard anything other than Chief Meyers request to be on the agenda for tonight. The Board agreed that's a tough spot; if someone came around with a plow they could have clipped that car.

Jerry Dougherty noted that failing a warrant by Selectmen, the Moderator is stuck with enforcing the ten foot rule at election polls; he is suggesting that the Board come up with an ordinance and put it on the warrant to support whatever is constitutionally competent. Chairman Allen noted the Selectmen are presenting articles for that. The town has to rescind the old ordinance that was specific to the town hall and then there is a second one to correct the wording. Jerry wondered about money for the article; there is no money associated with this article. He wondered if there is a warrant article to change the amount of money being raised; this was negated. He asked if there has been a warrant article added that would change the bottom line on the budget and Office Administrator Atwell noted not all warrant articles were in at the time the budget was reviewed; the warrant article meeting is next week. Jerry asked if there is a warrant article going on the ballot that would adopt any RSAs that Jackson hasn't currently adopted and Office Administrator Atwell noted the Library has requested an article based on an RSA to keep the money they earn from office equipment.

Jerry wants to confirm that the Selectmen no longer issue or rule on building permits. Chairman Allen noted the Selectmen oversee what the Building Inspector does however he has sole authority. Jerry noted RSA 676.11.13 says that anyone with standing can appeal the building inspector's decision within thirty days; he wondered if the Selectmen could overrule his decisions. The Board has the ability to appeal the decision but can't overrule the decision.

George Howard asked if the Board is taking comments on the draft of the contract for the building inspector. This was affirmed; the Board welcomes input.

- **Police Report** Officer Sean Cowland noted he was unable to attend the last meeting so this report encompasses the past month. Some items discussed included ten false burglar alarms, a domestic disturbance which resulted in a protective custody arrest and transport to County. There were seven vehicles off the road and three motor vehicle accidents; none were serious. There were three broken down vehicles and many parking issues that caused problems during the snow

storm; there was one welfare check; one reckless operation complaint; one criminal mischief complaint; one dead animal complaint; a pair of glasses was turned in; there were five medical assistance calls and five different times at court for arraignment and/or trials. A missing person report came in and that person was found after a couple of hours. A Jackson resident's oil went dry so the Police Department made calls to get that situation taken care of. There was one request for a house check; a noise complaint came in; the complainant thought it was gun shots but it was fireworks. One bag of unwanted prescription drugs was turned in; one harassment complaint came in; a couple of residents were fingerprinted for employment purposes. Chairman Allen asked what a house check is; Officer Cowland noted if residents are out of the area they can call and an Officer will check on their home. Selectman Thompson thanked the Police for assisting the resident who ran out of oil. He'd like to know what Jackson's parking ban is and how folks are notified about it. Officer Cowland noted that generally there are signs posted that list times and/or places where parking is banned. The Highway Department needs to be able to clear out these areas without anyone in the way. The Harvard House on Route 16 has an issue at least once a year; the State Highway wants cars five feet off the pavement so when there is any vehicle on the pavement the State calls Jackson to respond. There was a batch of tickets written on January 11th for vehicles parked where the No Parking signs were. Kathleen Dougherty noted the Police aren't thanked enough; they do a wonderful job.

- **Legal Expenses** The final total is in for the two lawsuits that have been settled. The total for the Funicella lawsuit is eight-thousand, fifteen dollars and eighty-six cents; the total for the Benesh lawsuit is seventeen-thousand, seven-hundred-fifty-seven dollars and forty-seven cents; five-thousand dollars of which was the settlement fee. Bill Wogisch thought there were costs associated with these cases in 2012; this is an approximate total for 2013.
- **New Business**
 - **Scrap Metal Agreement** Selectman Thompson, seconded by Selectman Lockard, made a motion to sign the agreement to pay twelve-hundred-fifty dollars to Roger Labbee for the Scrap Metal Agreement. The motion passed unanimously.
 - **Town Treasurer – appointed vs. elected** This is an on-going battle; Selectman Lockard believes the treasurer should be an appointed person; he feels there would be a smoother transition if the person in the position wants to resign. Now Jackson has to move someone new in with the election. Bea Davis thinks the treasurer should be elected; Chairman Allen noted that currently the treasurer is an elected position; if someone wants to change that then a warrant article has to be submitted. Bea believes if this Board appoints someone another group of Selectmen would come in and it's "off with your head". It was clarified that as long as someone runs or is written in this year (and accepts) then that person will be elected; if no one runs then the Selectmen have to appoint someone; the RSA already says that.

Jerry wondered if Treasurer Schomaker has an opinion about this; Treasurer Schomaker thinks this is a large issue and he's not ready to give an opinion as he hasn't thought it through. He intends to leave a report for the Board; he quiped that after nine years it will be one page double-spaced and he will include his thoughts on the subject of elected versus appointed. There is currently a candidate for the position; if that person or any write-in declines the position then the Board has to appoint someone within six days. Jerry thinks the treasurer should have minimal qualifications; Treasurer Schomaker will pass on what he thinks and then it will be up to the Board to see who meets those qualifications. Jerry noted requiring qualifications is his only reason to suggest appointment by the Selectmen; they could investigate the person's qualifications or lack thereof; the voters may not understand the qualifications needed for a treasurer. Jerry thinks either the ZBA or the Planning Board should be elected with the other being appointed; this would provide check and balances. Bea wants to know if qualifications have been established for those that run for Selectmen; Selectman Thompson noted there is no litmus test about who can run or not.

Kathleen noted the treasurer is dealing with a lot of money; there are two and a half million dollars in investments; she feels if Jackson were to have someone that was not qualified to deal with those kinds of figures there would be problems. The person who signs up might decide being the treasurer is a great job but not be qualified to deal with the money.

Nancy Davis wondered if the appointed treasurer would be an employee; it is a paid position. Kathleen sees no difference between the treasurer and the Office staff; Office staff had to have qualifications to be hired; she'd like to see a warrant article on the ballot to change the position to appointed (it was later noted that this could be a petitioned article or the Selectmen could present it). Selectman Thompson noted there was a point in time when no one filed for the Treasurer and Auditor positions; those positions require expertise to perform the tasks involved. The Board had asked Town Counsel to look at a warrant article that would allow them to change the treasurer to an appointed position. That article would do nothing for this year's election; the person elected would serve one year and then in March 2015 the change would go into effect. Jerry thinks the voters should decide; he's for appointment and in favor of allowing the legislative body to decide. The treasurer should be the least political position; appointment removes the politics. It was noted the treasurer doesn't issue any policy so politics are not involved.

Treasurer Schomaker noted folks are talking about qualifications; he believes the amount of time required to do the job overshadows that; he attempted to resign in June and at that time he made the point that this is almost a salaried position because of the time required; it's difficult to find someone to commit the necessary time. Funds collected have to be deposited within twenty-four hours; there have been well over four-hundred separate deposits that have to be made; he's spent over two-thousand dollars in mileage going to the bank and coming back to the office. Jerry asked if Treasurer Schomaker thinks this takes at least twenty hours a week; this was affirmed. The Office and the Town Clerk staff both take in funds; the treasurer is in the middle; his first responsibility is to "save the cash"; there can't be money bypassing the treasurer. Jerry would like to know if the job involves managing cash from investments; Treasurer Schomaker noted it's not a function of the job right now as there's no money to be made.

Town staff help to manage funds; they pay the bills as soon as they arrive. Jerry asked if the town has any lines of credit for slow times; the town can use a TAN if necessary; those funds are managed directly by Office Administrator Atwell and the treasurer. It's a rather involved position.

George believes it is better to have government elected; he thinks it may be helpful to develop a document that shows what the job looks like.

Chairman Allen noted there's more discussion to be had on this; the state may be issuing more information based on the Hanover case. Selectman Lockard was just looking for a transition plan, which he thought would be easier to develop if the position were appointed. Selectman Thompson noted the treasurer is an elected position and will be filled on March 11th; the Board has received good input tonight.

If the elected treasurer were to die the Board has the authority to appoint someone to the position. If the treasurer were to appoint a deputy treasurer who was a resident of Jackson then the deputy can move into the treasurer position. If there is no deputy or if the deputy is not a resident then the Selectmen would appoint someone.

Selectman Lockard noted folks need to seriously consider the "pay" for this; five-thousand dollars for this job is an insult; that's the key reason no one applies. Treasurer Schomaker noted the treasurer works for three-dollars an hour; folks don't do the job for the money. Kathleen asked how the town can give the treasurer a raise. Bea noted folks shouldn't serve for the money; they should serve because they are helping their town. Selectman Thompson noted this is a fair question; the voters would have to propose a raise and put it in the budget. Treasurer Schomaker will have his report by the next meeting; he'd like to point out that whether this is an elected or an appointed position, the town has to maintain the checks and balances; it's too easy to be subject to fraud.

Nancy is wondering how anyone would know if they were interested in being the treasurer unless there was a detailed list of what is involved. Selectman Thompson asked Treasurer Schomaker if there were any guidance documents for him when he took this on nine years ago; Treasurer Schomaker had only the RSAs to go by. The Board agrees it would be nice to have a document that says "this is the way to do it". Nancy wondered if Treasurer Schomaker were to appoint a deputy that person could be other than a Jackson resident. It was clarified that, just like with the deputy town clerk position, anyone can be appointed but that person can't step into the treasurer position if s/he is not a resident. The previous treasurer was on for twenty-three years; during that amount of time the chance for an error were out of sight; Treasurer Schomaker believes Jackson has as good a system as needed to "guard the cash". Bill thinks this is a big responsibility to assume for five-thousand dollars a year; Jackson is not attracting good candidates because of the money. The Board is also disturbed to hear Treasurer Schomaker is spending two-thousand dollars on gas.

- **Bailer Request – Bartlett/Jackson Transfer Station** The bailer can't be repaired; the towns have to invest in a new one now. It will be eighteen-thousand dollars for a new one; Manager Edgerly is investigating some used ones. The plan is to use money out of the Bartlett/Jackson Transfer Station Operating Account to pay for this. Bill wants to know what Jackson's portion of that will be; the Board will check the contract but it is believed this would qualify as a major expense; that would be a sixty/forty (Bartlett/Jackson) split. Bill recommends buying a new bailer; if the town buys a used one then it will spend any money it saved on fixing it. Office Administrator Atwell will find out the account balance; it will be another twenty-five-hundred dollars to move the machines. Bartlett Selectmen approved spending for this at their regular meeting yesterday. The Board will leave the decision on the bailer to Manager Edgerly; he's the expert and knows what he needs. Since the Board needs to act on this before an actual machine has been decided on, it can move to spend the maximum amount for a new bailer and any adjustment can be made at the next meeting. (Later in the meeting it was determined a motion was needed on this item; it is listed here for continuity). **Selectman Thompson, seconded by Selectman Lockard, made a motion to spend Jackson's portion of the eighteen-thousand dollars for the bailer and the twenty-five-hundred dollars for moving expenses out of the Bartlett/Jackson Transfer Station Operating Account. The motion passed unanimously.** It was reiterated Jackson's portion is forty-percent of the total.
- **Warren Schomaker – Budget Update** Treasurer Schomaker noted the school budget wasn't finalized until last night. This is FYI; there is an increase of one-hundred-eighty-five-thousand dollars in the last half of this year but

it is not impacting Jackson's cash flow; that additional requirement will be corrected when the Board sets the new tax rate to recoup that. Selectman Thompson asked if the school was over budget; Treasurer Schomaker explained this is due to their budget cycle; the school runs July to June while the town runs January to December. This really isn't an issue; it's new information the school furnished based on last night's budget. There was a fifteen percent increase in the school's budget; the budget increased due to tuition; the cost of tuition goes up as does the number of students Jackson is tuitioning to Bartlett and Kennett and all the operating costs go up every year.

- Bridge Inspection Report – No Action Required There were recommendations for some signage otherwise no action is required.
- Forest Service – Request for comments from Saco Ranger District This is all related to the damage done by Hurricane Irene; it is not an action item; the Forest Service is letting Jackson know that they are going to be decommissioning the shelter and they are requesting comments. There are thirteen miles of hiking trails which need repair or relocation. Selectman Thompson thinks the Conservation Commission might want to look at this information. There will be a notice in the enews letting folks know this report is available and that the Forest Service is taking comments.
- Health Insurance There have been some questions regarding “grandfathered” standing for one-hundred percent employer covered health insurance. The Board has been advised by Town Counsel that such standing does not exist and some employees may have to make contributions toward their health insurance in the future. Presently employees pay fifteen percent of the premium; for the family plan, that is ninety-five dollars per week. There are two employees that don't make any contribution at all; it was thought they were grandfathered with the old health insurance program; this is a problem to be rectified. Jerry noted the Board has the option to ramp up their pay to cover the fifteen percent increase; it's not fair to hit those two with fifteen percent all at once. Bill would like to know how this discussion came about and Chairman Allen noted a year ago a question about this surfaced and it's been kicked around and investigated; it went to Counsel and to the LGC; both agreed there's no grandfathering. It's not illegal to continue paying one-hundred percent for these two employees premiums but other employees would have a basis for complaint. The town has two employees that were employed when the town paid one-hundred percent of health insurance; it was decided to let them keep that option while the town now pays eighty-five percent for all new employees. These two employees are both Policemen and this year the Board has focused on the Police Department as Jackson's Officers are grossly underpaid compared to their counterparts. The Board discussed an eight percent raise each year for the next three years to bring them up to the current average; that seemed fair while at the same time these employees' colleagues are paying fifteen percent. If the Board agrees to an incrementalized increase in pay then incrementalizing their contribution to health insurance would seem appropriate; it's fair to look at the whole thing. Bill thinks the Board should do five percent each year to bring them in line within five years. Bea asked if the comparison used for police pay rates was with towns the same size as Jackson or larger ones; it was noted the information was provided by both same size and larger towns. Some of the other towns are getting their health paid in full. There are too many factors that affect pay including years of experience. It was clarified that Jackson's officers are ten-to-twenty-thousand dollars below the average. Discussion was had about giving an eight percent raise and asking for a five percent contribution, each year for three years, toward insurance; this would result in a three percent increase and they are now paying something towards their insurance. Bill thinks it's not fair to give and take; Selectman Thompson noted taking their zero contribution to seven-and-a-half percent with an eight percent pay increase is still a pay raise; it creates animosity for there to be different benefits. Jerry thinks this is foolish; these guys have been with the town for years; they should keep that benefit. Chairman Allen noted he used to have a zero contribution to insurance and now he's paying twenty percent due to collective bargaining. Selectman Thompson noted the Board did get a response from the LGC and Town Counsel that benefits should be consistent across the board. Selectman Lockard noted he's had it brought to his attention that full benefits are being paid for some and not for others; this has not been a quiet process. Bill thinks the town should reward people for time served; these employees are more valuable to Jackson than those just coming on. Nancy agrees with Bill but it comes down to discrimination; if Jackson wants to reward a person then pay them more not increase their benefits; those additional benefits should be taxable too. The town could do a part cash payment to them to allow this change to go through more smoothly but the result will be the same; the Board is trying to facilitate having these two employees participate in paying for their health care. He is inclined to look at five percent over three years rather than seven-and-a-half over two.

Selectman Lockard noted he and Office Administrator Atwell went to the LGC presentation on health care; health care cost is going to go straight up; it's not going to be easy; this will be a serious discussion in a couple years and the town will need to look at how far to spread it out; will taking three percent over five years mean less tears than taking five percent over three? The Board is going to have to address this; the purpose of Obama Care is to get everybody on the government plan; Jackson will be penalized if they don't provide a plan; even if the town still provides a plan, the one it has is a “Cadillac” plan and there will be fines associated with this too. Jerry noted it may be better for individuals to go into the health exchange; they are buying private insurance but the government pays a subsidy.

Selectman Thompson feels the two employees need to have this explained to them; Selectman Lockard will speak with them and he hopes to come back with a solution that is fair and reasonable. These folks should have an opportunity to comment as well as being informed of tonight's discussion; that would be the fair next step; he'll

provide a summary for the Board to review at the next meeting. The Board likes five percent over three years. It was decided that all of the Police Officers will be involved in this discussion as it impacts them all. There might be some adjustments to Officer Jette's raise so it doesn't seem disproportionate. It's scary to see the predicted increases; the LGC predicts eighteen percent in 2015 and twenty-seven percent in 2016; the town needs to come to grips with this now; it is going to be a driving force for employees. Kathleen noted insurance for their employees has gone up eighteen to twenty-five percent every year; these increases are nothing new.

- Communications Protocol Selectman Thompson asked to have this on the agenda; he has been interested in how the individuals in this town communicate with staff, boards, committees, etc. There are key stakeholders in town that have business with the town; he wants to look at what Jackson has in its personnel policy about communications and how we communicate. He plans to make it a project over the next six months to audit protocols and analyze what we do; he'll set up focus groups within departments and put together a communications audit. This could be a project related to a class he is taking. Bill would like Selectman Thompson to start this tomorrow; it's what this town needs. Selectman Lockard thinks the Board would find this of value; while it's Selectman Thompson's proposal it would behoove the Board to put together a letter of support from the Selectmen. The town doesn't have good communication and that's why people don't sign up for commissions and boards. Jerry would like to see a protocol. Selectman Thompson will create a draft letter of support and have the Board sign it.
- Town Boards – Letters of interest Office Administrator Atwell would like to know how the Board wants to review these; reappointments would be after March. The Board does need to fill Joan Aubrey's seat on the ZBA; there is one letter of interest from Alternate Dave Matesky to be appointed as a Member. The ZBA meets as needed whenever there is an application; it could be once a month; currently there is nothing pending. There are five Members and three Alternates with two terms up this year. Jerry doesn't know how accurate that is; Gino Funicella is an Alternate; if he becomes Treasurer then he can't sit on the ZBA so there would be another Alternate seat. That's for the next Selectboard to decide; this Board has been asked to fill this seat and an Alternate has expressed interest and he is the only interested candidate. **Selectman Thompson, seconded by Selectman Lockard, made a motion to approve Dave Matesky for the Member seat on the ZBA. The motion passed unanimously.** Dave will be completing Joan's term which runs until 2015. The Board will send a letter to Dave to advise him of his appointment and to be sworn in as a Member.
- Trustees of the Trust Funds – Transfer **Selectman Thompson, seconded by Selectman Lockard, made a motion to withdraw seventy-five dollars from the Old Library Capital Reserve Fund to pay the invoice from Bruce Campbell for Electrical work. The motion passed unanimously.**
- Old Business There is no Old Business.
- Public Comment Bill noted it's scary to see the empty seats on boards and complete disinterest from the public; this needs to be addressed; folks need to be enticed to serve; he suggests having a night where people could ask questions. He thinks folks are scared to come in to a Selectmen's meeting to ask questions; he thinks the town should have an information night so people can learn what is involved in these boards. He noted the Conservation Commission and Planning Board are full; that's a good indication those are working. He'd like to get some young people involved; this is their town; the Board needs to entice them to get involved. While noting that older folks often have more time to be on boards, Selectman Thompson thinks it might be a good idea to hold an informational meeting.

Bill thinks the Office should be open more and later hours; Office Administrator Atwell has put forward a proposal for 8:30 a.m. to 4 p.m. Monday through Thursday and until 1 p.m. on Fridays.

Bea had requested having salaries listed individually; the Board is not keen on that; this is all public information that anybody can find if they want to and it could produce some anxiety among employees. Chairman Allen noted the information is out there regarding teachers but their salaries are based on steps while Jackson's pay is performance based; he's not interested in posting names and salaries. Bill wants to know how folks can find this information; Office Administrator Atwell can provide it upon request. There was a request to print this information in the Annual Report; the Board declines this request.

Jerry has heard that the Town Clerk has asked for a specific salary increase; Office Administrator Atwell noted the budget amount was decided at the Budget Hearing; there are two warrant articles for Health Insurance and Retirement; both have not been done before. Bill noted if the Selectmen are going to support this they should have set parameters regarding the hours of operation; the Town Clerk's Office hours now stink. The plan is for the Town Clerk to absorb the Deputy Clerk's hours to allow for hours that would be more amenable but nothing can be done until after the vote. Jerry feels if the Board is going to recommend something parameters should also be recommended.

There being no further business, the meeting was adjourned at 6:47 p.m.

Respectfully submitted by:

Martha D. Tobin

Recording Secretary

Town of Jackson, NH

Route 16A, Jackson, NH 03846
 ph: (603) 383-4223
 fx: (603) 383-6890

Board of Selectmen Minutes -- 06/16/2013

Selectmen's Board Meeting
 May 16, 2013

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

Visitors: Town Office Administrator Julie Atwell, Town Office Administrative Assistant Ella Cressy, Building Inspector Andy Chalmers, Police Chief Karl Meyers, Road Agent/Fire Chief Jay Henry, Town Clerk/Tax Collector Jeanette Heidmann, Hank Benesh, Susan May, Arthur (Sonny) Couture, Mary Canty, Bill Wogisch, Kate Richardson, Kathleen Dougherty, Susan Chase, Tom Greig, Jerry Dougherty III.

Chairman John Allen called the meeting to order at 4:34 p.m.

- **Amend & approve minutes**

- Selectmen's Meeting – May 2, 2013 The minutes were approved as written.

- **Public Comment** Jerry Dougherty has a letter he provided to the Board (attached); he is very concerned with the decision by the ZBA last night not to honor the Board's request for a rehearing on the Ruppel decision; he urged the Board, as those elected to administer the affairs of the town, to appeal this to the Superior Court pursuant to RSA 677:4. He feels the ZBA overstepped their authority and is disregarding Jackson's fifty-foot setback and ignoring court-established standards that define "unnecessary hardship". The Board should be concerned with the ZBA's conduct and unequal treatment of Jackson property owners; reviewing the records from 2012 to present shows two similar applications that were handled very differently and he believes it is because of shameless favoritism demonstrated by ZBA Chairperson Frank Benesh and member Dave Mason. Ruppel was approved while Boehringer and Terry were denied; Dickie is another decision to look at. The Board needs to protect the Zoning Ordinance as written. Building Inspector Chalmers was spot-on in his interpretation.

- **Town Clerk/Tax Collector: Deeding delinquent tax parcels, notification of 2012 Liens** Town Clerk/Tax Collector Jeanette Heidmann gave the Board a list of homes eligible for liens and reviewed it. Three of them were eligible to be deeded this year and the Board granted a waiver on the deeding; she is recommending that those properties not be waived. The two at the bottom of the list are landlocked; Mr. Whittier has been missing or deceased for ten years; the town keeps paying for a notice that will come back; the other lot is a landlocked quarter-acre of which part is in the river. Those people have no interest in the property, they've told the town to take it. The Bellen Way property has been abandoned; townspeople have expressed concern that it is a dangerous location; Jason mentioned there are holes that could be filled with water, there may or may not be electricity on in there. Inspector Chalmers noted no one is living there at this time; there are significant safety concerns; the electrical wiring is on the outside of the house, it makes sense to send the current owner a notice and have the electric company look at shutting off the power there. This place would need a lot of work to be habitable. Inspector Chalmers only looked from the road, he was not on the property but he feels this property needs to have action before somebody gets hurt in there; the rear of the building is entirely collapsed.

Road Agent Jay Henry did a road drive-by inspection so he only saw what's visible from the road; he didn't see behind the building; as far as being an imminent safety hazard, he sees no reason for immediate action; Fire Inspector Gaudreau will write this up. The Town needs to give the owners thirty days' notice and they also have to be notified if the town is going to shut down the electricity.

Selectman Lockard is concerned; if the town takes the property it has all the environmental issues old and new so he'd like to have an inspection first. Road Agent Henry wants to know who's responsible to do that - the Building Inspector, the Fire Inspector or the Health Inspector. Town Clerk/Tax Collector Heidmann wondered if it would be appropriate for Inspector Chalmers to look at the property first. Inspector Chalmers could do that; the owners need to have thirty days' notice so the letter can ask to combine both inspections in one visit. If this were occupied he would suggest the Health Officer be involved. Office Administrative Assistant Cressy has the 155B form on her computer; it's a five page document; the letter will go out this week and there may be a response by the next meeting.

Town Clerk/Tax Collector Heidmann recommends the town take the other properties, the adjoining properties on Carter Notch might be interested, and it won't take much to purchase the land. The other property is on Thorn Hill Road; it's adjacent to town property by the Inn and is landlocked. If the taxes are not paid by July 24th action will be taken.

Selectman Lockard, seconded by Selectman Thompson, made a motion to deed the property of Peter and Rose Blackman, Map R14, Lot 9. The motion passed unanimously.

Selectman Thompson, seconded by Selectman Lockard, made a motion to deed the property of Herbert Whittier, Map R18, Lot 11B. The motion passed unanimously.

Selectman Lockard, seconded by Selectman Thompson, made a motion to deed the property of Gerald Ahern, Map V7, Lot 28. The motion passed unanimously.

Selectman Thompson, seconded by Selectman Lockard, made a motion to deed the properties of Boston Corporation, Map R04 and 05; Lots 0 – 10. The motion passed unanimously.

Town Clerk/Tax Collector Heidmann also provided a list of properties deeded last year.

- **Town Clerk/Tax Collector: Set up online tax payments** Town Office Administrator Atwell and Town Clerk/Tax Collector Heidmann will discuss this with Treasurer Schomaker; this is the next step to the online program the town implemented last year. Folks can pay by credit card or electronic check and the fees are paid by the individual. The ACH transfer is ninety-five cents; the fees are reasonable. Treasurer Schomaker tendered his resignation then withdrew it so they are not sure where he stands on implementing this; the money is already in the budget. This would be the stepping stone to allow the Town to issue the tax bill via email; even if a few do it, it saves on postage; postage is a big expense and this is a good alternative. Selectman Thompson wondered if Town Clerk/Tax Collector Heidmann has talked to any other town clerks that have implemented this system. She noted the Madison Town Clerk loves this system; her taxpayers love it; she worked out a process with their treasurer for deposits and transfers; there are options the Office will have to work through with Treasurer Schomaker and Town Office Administrator Atwell will find out what is the most efficient way to make it work. The cost of the software is \$155 and there are no other costs associated with this implementation. The town will have to get a second bank account; there is no cost for a second account. The second account is necessary; if a transfer bounces, there would be a hold on the town's account. Before the Board will vote to implement this they want input from Treasurer Schomaker. Town Clerk/Tax Collector Heidmann would like to implement this for the June bill; folks need to get used to looking online. This will be on the agenda for the next meeting.
- **Shaw & Chase water drainage matter update** Susan Chase has shown the agreement to her attorney; he said it works fine for her; it has a five year sunset. Brian and Jill Shaw haven't seen this; it just came in just yesterday. This will be sent to Brian for approval and will be on the agenda for the next meeting.
- **Police Report** Chief Karl Meyers reviewed Department activities since the last meeting; some items included a response to a 911 call at an elderly resident's home; Officers assisted with a bear that got inside a vehicle; a month ago Officers arrested a man for driving with a suspended license; he pleaded guilty and was just arrested again for driving on a suspended license and reckless driving; he was driving at eighty miles an hour in a residential area. There was a report of a residence with a window pushed in; Officers felt it looked like the wind did this over the winter. There were three false burglar alarms; one was at a commercial restaurant where a door was ajar; it was the result of an employee paying poor attention to locking up at night; the deadbolt was not used. The town had its last hazardous materials meeting; it went well. Officers have been speaking with some children who moved away but whose parents still live here. The parents are very old; the kids are concerned about their parents' health. Officers have been down to court twice with a particular lady for coming over the double yellow line at the Police vehicle; that was caught on tape; the State Police are prosecuting this case for Jackson; the judge has taken the case under consideration and will have a decision next week. There was a bear complaint at a local B & B; Officers tried to get the bear to move along. A report of a sick raccoon was passed on to Fish & Game. Officers served a restraining order for a couple in town; Officers participated in the Special Olympics Torch Run from Eagle Mountain Road to the town line. Officers participated in the Bicycle Safety Day at Storyland. A report of a parked car in a *cul de sac* was taken; a sex offender was registered; a welfare check was done on a toddler who missed a number of days at school. A person threw a Coke can out of their vehicle window; witnesses got the license plate number and Police spoke to the vehicle's owner. The Assessor had a disturbing conversation with an owner. There was a canine complaint on Tin Mine Road. There was a call from a gentleman who was arrested here in 1980 for DWI who's applied for a federal job and needs that report. Bill Wogisch asked why the ACO didn't handle the sick raccoon; Chief Meyers noted those calls traditionally go to Fish & Game; he would certainly use the ACO if the situation dictated. Bill Wogisch wondered why the Police don't charge the guy who was speeding with alluding. Chief Meyers noted they have ninety days to bring charges; they want to have the gentleman listed as a habitual offender; Bill feels the book should be thrown at this guy; he doesn't want something to happen to given this guy was driving eighty in a neighborhood with lots of kids.
- **Road Agent/Fire Chief Report** Road Agent Henry has Sonny Couture here to discuss his driveway; this is an existing driveway and in the past no permit was needed. Most of this driveway has existed for a while; there may already be a

permit but the driveway may also have been put in before Jackson began issuing permits. Road Agent Henry wants to know how much of the driveway he's looking at; all he's done before is the curb cut which is the first ten feet in. The Board may think differently; Road Agent Henry signs off on the permit then sends it to the Selectmen. Engineer Phillips has asked Road Agent Henry to look at the entire driveway; that's not the way it's ever been done. Road Agent Henry also wants to know, if someone is putting a mile of road in, does he look at the driveway or is it the Building Inspector or the Engineer; it seems like Jackson is getting closer to requiring site plan review. Road Agent Henry got out of high school in '92 and he's been up here ever since; he doesn't believe Arthur ever looked at a whole drive. In '08 the permit drastically changed and the couple of issues the town has had are due to the new permit. Sonny went to the state with a bundle of paperwork for his Alteration of Terrain permit; he's surprised that doesn't include the driveway. There's a fifteen percent grade limit. Road Agent Henry intends to inspect curb cuts, as has always been done. The permit process was put in place to protect road access but there's nothing that says folks can only have one driveway on their parcel.

Inspector Chalmers sees Road Agent Henry's dilemma; it's important that someone looks at the curb cut and access; the driveway could impact traffic on any given town road; it's important for Road Agent Henry or somebody to review these permits to make sure sight lines are not impacted. Road Agent Henry is in the best position to do this; he is an excavator; he's looking at what his fire equipment can access; at first blush the first ten feet doesn't get a fire truck up a two and a half mile driveway to their private home. Road Agent Henry noted he's not an engineer nor is he a Public Works Director; he has a shovel in his hand more often than not. Inspector Chalmers suggested setting criteria that relieves Road Agent Henry from having to look at long driveways or those with tough access and those would go to Engineer Phillips.

Town Office Administrative Assistant Cressy noted the driveway permit shows diagrams of what is supposed to happen; there is also the site disturbance regulation on the back that folks have to comply with. Sonny has the alteration permit which goes beyond what the Town would want; he's got stamped engineer's drawings; Fire Chief Henry is welcome to talk to Sonny's engineers about fire equipment getting up the drive. Sonny noted he is building the driveway to town specifications. Road Agent Henry has no problem with issuing the permit. **Chairman Allen, seconded by Selectman Thompson, made a motion to issue the driveway permit for Arthur Couture, Green Hill Road. The motion passed unanimously.**

Road Agent Henry has a couple more driveway permits which the Board reviewed.

Selectman Thompson, seconded by Selectman Lockard, made a motion to issue the driveway permit for Brian Post, Map B05, Lot 32. The motion passed unanimously.

Selectman Thompson, seconded by Selectman Lockard, made a motion to issue the driveway permit for John Crowl, Map V8, Lot 8. The motion passed unanimously.

Road Agent Henry knows appointing the Emergency Management Director/Health Officer is agenda item 12 b, vii; he'd like to make his recommendation at this time. There was one applicant, Tom Greg, who is in attendance tonight. On the Fire side of things, over the past five years there has been an increase in use of the Health Inspector to once or twice a year; it used to be once every five years. It's time to have someone who has some knowhow and Tom fits the description. Police Chief Meyers feels the same way. The Board asked Tom about his work history which he shared; it's quite extensive. **Selectman Lockard, seconded by Selectman Thompson, made a motion to hire Tom Greg as Jackson's Emergency Management Director and Health Inspector. The motion passed unanimously.**

Road Agent/Fire Chief Henry noted the spring cleanup is on-going; the sweeping is done; the trucks are ready for summer and the Fire trucks have been pump-tested; ditching is in progress and he has the estimates back for paving. Pike was \$81.95 a ton with everything included while Carroll was \$86. Last year Pike was high and Carroll was low; this year it has switched. A \$4 difference, times up to 4000 tons, is \$15,000 to \$16,000. Both companies do good work; the reason Pike hit it hard this year was due to the extra tonnage, plus Pike is getting competition south of this area so they are looking for business. Road Agent Henry reviewed the roads to be done; the contract can be awarded to Pike.

Regarding the lamppost at Mirror Lake (agenda item 12 e), Road Agent Henry would like to tell them to get somebody to fix it and send the bill to Jackson. Selectman Thompson asked if Jackson's insurance will cover this; Road Agent Henry noted it would not cost enough money to put in a claim, with the deductible; it's not worth the aggravation. The Board would like to see a couple of options. Bill Wogisch wants to know if the lamppost is in a legal position; if it was in the ROW the Association is responsible. Road Agent Henry noted this is a private road, not a ROW; it gets tight in the winter and the lamppost got hit. The Office will contact Sarah Duffy, get bids, and bring it back to the Selectmen.

Regarding the grader, Road Agent Henry and Bill Wogisch have looked at a lot of machines from New Hampshire to Texas and Road Agent Henry's found two really good graders in Vermont through local CAT and John Deere dealers. Both are very nice machines; both have the wing set-up and have proper hydraulics all set and ready to go. Both are '08s;

the John Deere has three-thousand hours; the CAT has eleven-hundred. They are both right at the price that was discussed; both machines are sufficient; Road Agent Henry's recommendation is to move forward in purchasing the CAT.

Bill has his own opinion on these machines. Road Agent Henry talked to other contractors about this; former Chairman/Selectman Jerry Dougherty IV started this with Road Agent Henry last year so he talked to Jerry too; Road Agent Henry's recommendation remains to go with the CAT. Additionally, the John Deere dealer didn't officially get back to Road Agent Henry for a final number. CAT is giving Jackson more for the trade and the lower hours provide Jackson six additional years of use; the snow tires on the CAT are worth \$6,000 extra and these have 75% tread. The way the CAT runs is like a video game with two joy sticks. For future employees it will be a big advantage to the town down the road. The John Deere was a cleaner machine; it looked new. The CAT has some rust; it was a spare, it probably didn't get the back washed as much; it just needs some cleaning up; some blasting and paint.

Bill was asked for his input. The John Deere is a bigger machine; it's one size up from the CAT; that's an advantage for the John Deere. The hours are an advantage for the CAT but the CAT has been laying there for a year. One owner put all the hours on that machine. The CAT has rust; it's going to cost \$10,000 to get rid of the rust. Bill never buys anything with rust as it never gets better. The tires are a big consideration; the CAT has the right tires for the use Jackson wants to give it. The CAT has joy sticks, not a steering wheel. There's no warranty on either machine. Bill asked the people that own the John Deere why they were trading it; they trade every five years and buy new; as soon as the warranty ends. The CAT was sold to the state; they bought six but only needed four; this one has been laying around for over a year. Road Agent Henry noted it was used for plowing last year; the state uses it for paving and it has been used in the winter.

Selectman Thompson wants to know how much it's going to cost to get rid of the rust; Road Agent Henry sent pictures of the CAT to Milton CAT; they will put some numbers together. Road Agent Henry thinks \$10,000 is too high; this is something everyone in the North Country deals with because of the salt. Jackson has a two year old rig that's taken care of and starting to get nicks where the tires throw salt up. Road Agent Henry's recommendation is still the CAT. The Board asked Road Agent Henry to put together a Purchase Order and go for it.

Bill has a problem with this. The state owns the equipment but the dealer is negotiating the deal. The state is trying to trade it in to buy smaller equipment; he's backing into the deal with the state, Bill doesn't like it. Road Agent Henry noted John Deere did the same thing. Bill noted both are robbing Jackson's trade saying the grader is \$200,000; he thinks Jackson should offer \$175,000 plus the trade. Bill really doesn't think the machine is worth \$200,000 with rust; it would be better to buy the grader with no trade then sell the old one on our own. Road Agent Henry noted a guy stopped two days ago and offered \$15,000 for it. The John Deere guy doesn't show up. Jackson is in a better position as it will pay in cash; there is room to negotiate.

Selectman Thompson noted Road Agent Henry is going to use the machine so ultimately the decision is his. Bill noted cash is a big advantage; he thinks Jackson needs to negotiate the price; they are stealing Jackson's machine and Jackson is paying top dollar for the CAT. Road Agent Henry disagrees; he's been looking at these for a year; the CAT is not too much. Other local people who have bought hundreds of machines have told him this is not a bad price.

Selectman Thompson noted if the folks from John Deere don't want to get back to Jackson on this then Jackson doesn't have a willing partner. Bill feels these guys are banging Jackson as hard as they can. It was noted that neither machine will get a nickel cheaper. Bill noted the salesman from CAT thought Bill was right about it taking \$10,000 to fix the rust.

Selectman Thompson noted the town appropriated these funds; the Road Agent says it's going for this price and has one thousand hours on it; Jackson can take this good deal or keep looking and come up with nothing. Bill noted the one-thousand hours versus three-thousand hours is not critical.

Road Agent Henry noted the wing set up and tires are a huge part of this deal; Jackson is using this for snow. Bill agrees; the CAT has a better wing set up than the John Deere. It was reiterated that Road Agent Henry has to live with this; he should have the final say. Bill still thinks Jackson should make a counter-offer; hit them harder. The Board would like to authorize Jay to purchase the grader but is interested in making a counter-offer. Road Agent Henry noted to make the deal at \$175,000 plus Jackson's machine they were taking every penny they could. Bill noted that's the salesman talking; tell them it's going to cost \$10,000 for the rust; tell them Jackson will do it for \$175,000 and no machine; Road Agent Henry is willing to give it a shot as long as he doesn't lose the machine. **Selectman Thompson, seconded by Selectman Lockard, made a motion to authorize Road Agent Henry to purchase the CAT grader at no more than \$175,000 with a trade-in of \$25,000 on the old grader.** Road Agent Henry is willing to make an offer and if it's no, he's not going to spend weeks arguing. Selectman Thompson noted there's a motion on the floor. There was no further discussion. **The motion passed unanimously.**

- **Transfer Station Update: Jackson's New container is in place and operational** This is an FYI regarding the new container.
 - **Transfer Station Labor Bill** Jackson has received the bill for labor at the Transfer Station; this is Jackson's share but Bartlett hasn't paid Jackson what they owe. Jackson's portion is \$10,972.86. Selectman Thompson noted Bartlett is cutting the checks for the staff; he wondered if Jackson would be issuing a check to Bartlett. Town Office Administrative Assistant Cressy noted since Bartlett owes at least another \$15,000 Jackson is not issuing a check until the amount owed to Jackson has been straightened out. The Board would like to have communication with Bartlett about this. The Office staff will get the final figures and Chairman Allen will speak with Bartlett Selectmen's Chair Gene Chandler about this.

Chairman Allen called a recess at 6:24 p.m.

The Board returned to order at 6:31 p.m.

- **Building Matters – Andy Chalmers, Building Inspector**
 - **Safety Concerns Map V2, Lot 53: 41 Switchback Way** Inspector Chalmers sent a note to the Selectmen about this property; he was on the property as part of Real Estate inspection; there are some hazard issues; water is being pumped out of the basement; there's a cesspool that ground water is running through which is also discharging into the brook. Inspector Chalmers has talked with the septic inspector for this area who recommends putting a note in the town file and cc the owner that a potential problem could exist so anyone purchasing the property will be aware the town knows. There is no action needed by the Board. Chairman Allen dealt with this property his first year as a Selectman; he met with the owner. As people age they are less apt to use the ski club and right now it is vacant which is the best thing as the septic system is not being used; there would be a concern if someone moved in. It was pointed out that the Ski Club was occupied last summer at which time they made some improvements to the system but did nothing about the water running through it. The Town is aware and has an obligation to put it on record. The Selectmen are to draft a letter; most people look at the town files before buying a property. This is a hazardous building; the dilapidated description in 155B is pretty broad. It is up to the local government to address potential hazards and this property meets the criteria; at the very least the garage meets the definition. The photo is from last year and the property is in considerably worse shape now; there's a school next door; the town took complaints last year. Someone walking up the hill could walk into the garage. The Fire Inspector looked at it and whatever the Selectmen want to do about it is okay with him. **Selectman Thompson, seconded by Selectman Lockard, made a motion to notice the owners of Map V2, Lot 53; 41 Switchback Way about a potential health and safety issue.** Town Office Administrator Atwell will work with Inspector Chalmers to draft a letter and the Board will approve it prior to sending it; Inspector Chalmers urged the Board to send it out quickly. Susan asked to see the picture; after looking at it Susan noted she has more recent pictures. There was no further discussion. **The motion passed unanimously.**
 - **Building Permit 2013000012 Map V10, Lot 33-A; Burdell, new 2 bedroom 28 x 30 home with an 18 x 28 deck. Request from New owners to waive value fee and just charge application fee for new permit in their name** This property is under agreement; Kate Richardson is the seller; as part of the sales agreement the purchaser wanted to make sure he could obtain a building permit. Only the owner of the property can apply for a building permit so Kate applied as the potential purchaser couldn't do it. Inspector Chalmers reviewed the plans; the property has been transferred. Kate and Bergeron Technical Services would like the value portion fee refunded. If Inspector Chalmers time is covered for the plan review he has no issue with this but Jackson's ordinance says that building permits are not transferable. There has been discussion about this at the Planning Board level and they wanted the language to remain in place. Inspector Chalmers's hands are tied; the Selectmen are tied to literal enforcement of the Jackson Zoning Ordinance; this Board can't say that's not really what the ordinance says; it's pretty clear the Jackson Zoning Ordinance says the permit is not transferable. The state building code says the building inspector has the ability to address any issue of refund; that is a potential way to handle this versus going to the ZBA. Chairman Allen noted the Planning Board's discussion concerned the permit being transferred not waiving fees. Town Office Administrative Assistant Cressy noted the new owners paid for the application for the previous owner to get the process started; the only thing they need to do is repay the \$75 permit fee; they've paid the value fee already. There is nothing about the fee not being transferrable. The intention of the ordinance is not to transfer the permit. There is no motion needed; it is within Inspector Chalmer's purview to refund the fee.
 - **Building Permit 2013000015 Map V10, Lot 36-B, Durand, Garv, construct new 50 x 40 4 bedroom home with attached 28 x 28 garage** Inspector Chalmers reviewed the information; he's approved the permit for this home on Retreat Way.

- Building Permit 2013000016 Map V2, Lot 10S1-C04, Ruddy, Anthony, remodel kitchen remove/replace flooring, remodel master bath Inspector Chalmers noted there are no issues with this application; he's approved the permit.

Any remodeling that involves plumbing, electricity or restructuring needs a permit. The town needs to look at the administrative fee; currently Jackson has a \$25 fee and a \$75 fee. Inspector Chalmers noted it doesn't matter if the cost of the work is \$5 or \$500,000 it incurs the same cost for town staff; there should be one fee.

- Building Permit d2013000017 Map V3, Lot6, Routhier, Ronald, remodel kitchen and baths, add AC, paint, sand flooring, new roof, general cleanup Inspector Chalmers noted there are no issues with this application; he's approved the permit.
- Building Permit 2013000018 Map V3, Lot 40, Kimball, Kenneth and Sarah, install solar panels on roof Inspector Chalmers noted the state now says a licensed electrician needs to install solar panels. This concerns him as the panels are placing weight on the roof; he's not sure it's appropriate for an electrician to handle this. This is being discussed at the state level because this is a structural issue.
- Building Permit 2013000019 Map V2, Lot 47-B4, Matesky, David and Helene, remodel existing stairs, adding a platform and 2 risers at bottom section, with handrails as required This is a remodel to meet some building code items; Mrs. Matesky fell down a flight of stairs which were pie shaped. There's no tread at the handrail, they are remodeling to install a real set of stairs.
- Building Permit 2013000020 Map V8, Lot 26-2, Barefoot, Joseph and Theresa, Install replacement windows Inspector Chalmers noted there are no issues with this application; he's approved the permit.
- Building Permit 2013000021 Map V3, Lot 31, Fortin, Peter and Lisa, contract new 30 x 68 3 bedroom home with an attached 24 x 30 garage and a 12 x 16 deck Inspector Chalmers noted there are no issues with this application; he's approved the permit.
- Wentworth (added) This property has involved the building inspector; there are floodplain-mapping issues; that's why it's important to look at maps; there are areas of the Wentworth that are in the floodway up on the hill; there is no rhyme or reason for that; Fairlawn is much lower than the condos on the hill; Fritz has a LOMA on file. Inspector Chalmers is suggesting a letter of map amendment to get this parcel out of the floodplain; this affects their insurance and their ability to get financing.

- **Timber Tax and Intent**

- Operation 12-231-04 Map R12, Lot 19 Timber Tax Levy Selectman Thompson, seconded by Selectman Lockard, made a motion to approve the Timber Tax Levy for Operation 12-231-04 Map R12, Lot 19. The motion passed unanimously.
- Operation 12-231-12 Map R30, Lot 2 Timber Tax Levy Selectman Thompson, seconded by Selectman Lockard, made a motion to approve the Timber Tax Levy for Operation 12-231-12 Map R30, Lot 2. The motion passed unanimously.
- Intent to Cut 13-231-01 Map R30, Lot 1 - need signatures Selectman Thompson, seconded by Selectman Lockard, made a motion to approve the Intent to Cut 13-231-01 Map R30, Lot 1. The motion passed unanimously.
- **New Business** Town Office Administrator Atwell noted most of these items can go on the agenda for the next meeting; there are a couple issues which need to be dealt with tonight.

- **Office**

- **Payroll Transfers Online** This was tabled to the next meeting.
- **Check Signing Process** This was tabled to the next meeting.

- **Office Correspondence and Liaison** Office staff met with Selectman Thompson who is their liaison; the Office staff think it may be helpful to go through the liaison for daily operational things while for things which deal with policy or the need for guidance will come to the Board. Selectman Thompson wondered if the Board agreed on how to handle items within the various departments; he wants to know what issues need to come back to the full Board. It was clarified that any policy changes or items requiring guidance would come to the full Board. For example; if the Office staff has a question about the Fire Department they will call Selectman Lockard as the Fire Department liaison; if there is no liaison then they will contact Selectman Thompson as their liaison.
- **PTO clarifications** This was tabled to the next meeting.
- **Job Titles** The Board agreed on Town Office Administrator and Town Office Administrative Assistant for the Office Staff Job Titles. Currently Julie Atwell fills the former position while Ella Cressy is in the latter.
- **Christmas Farm Inn – Liquor License request – for expanded area** This is private property and the liquor license has been obtained; the Board has no objections to the request. **Selectman Thompson, seconded by Selectman Lockard, made a motion to sign the Liquor License request for an expanded area. The motion passed unanimously.**
- **Old Library Management Request** Susan May would like the Board to approve the moving of some framed pictures and some rolled up plans out of the vault and displayed in the Old Library building; they are of historical significance. There is a portrait of General Wentworth. The Committee would also like the picture of Shapleigh returned to the Old Library; it is now at the Historical Society; they like to have it there because they have so many Shapleigh pictures. The Committee asked for a framed, smaller copy but apparently a gentle reminder is needed. These items were discovered three weeks ago in the vault. The Board has no issues with this and feels no motion is needed.
- **NH Electric Co-op Ballot** The Board is not interested in filling one of these out for the town; everyone in the Co-op got a ballot at home and the Board didn't complete this last year. The Board will leave the ballot unfilled.
- **Old Business**
 - **Board policy** The Board needs to have a Work Session about the personnel policy and look at how paid time off changes could impact vacation time. Board Policy should be directly related to the Personnel Handbook. The Board also needs to have a Work Session with Inspector Chalmers to revisit fees. The Board would like to schedule these in June; members will review their calendars to find a date.
 - **Board openings**
 - **Planning Board** There are two seats open; one Regular and one Alternate. Chairman Allen noted there are also two folks who would like to move within the Board; Scott Badger would like to move to an alternate seat and Dick Bennett, who is an Alternate is interested in taking that. There was also discussion about moving Darren Levitt and Larry Seibert up. Chairman Allen, as Selectmen's Representative to the Planning Board is very comfortable with that proposal as Dick, Larry and Darren have all spent time with the Board and Scott wants to move aside. The Board would then look to fill three Alternate seats; Scott should fill one of those seats. Frank Benesh seeks reappointment; he has a good background and provides the ZBA perspective. Kathleen Dougherty and Bea Davis have expressed interest too so there are four folks applying for three seats. Selectman Thompson sent a request to the LGC for input regarding having a person on both the ZBA and the Planning Board. There were a number of potential conflicts of interest by having someone serving on both Boards but it was not illegal. In our small town it is hard to find anybody to apply; four people applied and Frank is already on the ZBA. It is his recommendation that the Board take the three who aren't currently serving on the Board; that gets new blood in there and the town would also not be faced with any potential conflict of interest; this gives the opportunity to folks who aren't currently serving a chance to serve the town. **Selectman Thompson, seconded by Selectman Lockard, made a motion to appoint Kathleen Dougherty, Scott Badger and Bea Davis to fill the three Alternate seats on the Planning Board. The motion passed unanimously.**
 - **Conservation Commission** There are two openings and the Board received letters of interest from Larry Seibert, Margaret Graciano and Tom Sidell. The Board would like Larry to remain involved and Selectman Lockard believes Margaret should be on the Committee. **Selectman Thompson, seconded by Selectman Lockard, made a motion to appoint Larry Seibert and Margaret Graciano to fill the two seats on the Conservation Commission. The motion passed unanimously.**
 - **Library Trustee** Sarah Duffy wrote a letter regarding who she'd like seated. There is one opening for an alternate; Anne Lee Doig will continue and Sarah would like to add Brian Walker. **Selectman Thompson,**

seconded by Selectman Lockard, made a motion to appoint Brian Walker as an Alternate Trustee. The motion passed unanimously. The website lists Anne's term as expiring; she will continue in the Alternate seat at this time and if her term was indeed up the Board can take care of that at the next meeting.

- **ZBA** There are two seats open; one member and one alternate. Gino Funicella and Jerry Dougherty, III have applied. The Board can take both they just have to decide who sits where. Selectman Thompson would like to see some balance on this group; over the last couple of years there have been some really tough votes on the Planning Board; the balance on that Board shows this; he wants the ZBA to look more like the town it represents. **Selectman Thompson, seconded by Selectman Lockard, made a motion to appoint Jerry Dougherty, III as a Regular Member and Gino Funicella as an Alternate member of the Planning Board. The motion passed unanimously.**
- **Jackson Water Precinct** There is one seat open but this is filled by the Precinct; the Board will contact Police Chief/Water Precinct Chairman Karl Meyers to make sure that's done.
- **Building Inspection Committee** This committee is not in place yet but there has been a letter of interest as noted at the last meeting from Huntley Allen; his letter of interest will be kept on file.
- **Emergency Management Director/Health Officer** This position has already been discussed; Tom Greg has been appointed.
- **Job Descriptions** The Job Description for Town Office Administrative Assistant will come to the Board for the next meeting.
- **Treasurer matters** An ad was posted for this position and nobody applied; Treasurer Schomaker has withdrawn his resignation; Town Office Administrator Atwell thinks the town should continue looking; his term ends in 2014. Chairman Allen thinks Jackson should have a Deputy Treasurer; the Office Staff have talked with Treasurer Schomaker about that; he has to make that appointment and there is no stipend. Town Office Administrator Atwell noted the Office has looked at restructuring; it is not a bad idea to have a Deputy Treasurer; Treasurer is the only position the town doesn't have coverage for if Treasurer Schomaker wants to go on vacation. Selectman Lockard doesn't think the search should continue; Treasurer Schomaker should be asked who he thinks should be the Deputy Treasurer. This is tabled for Treasurer Schomaker's input.
- **Mirror Lake Lamppost replacement** This was previously discussed; the Office will contact Sarah Duffy, get bids, and bring it back to the Selectmen.
- **Charitable Exemption Requests (Recommended action is enclosed for each from Jason Call, Assessing Agent)** Assessing Agent Jason Call's recommendation is to deny all of these requests. **Selectman Thompson, seconded by Selectman Lockard, made a motion to follow the Assessor's recommendations and deny all three Charitable Exemption Requests. The motion passed unanimously.**
 - **New Hampshire Public Radio Map R17, Lot 31 B-B02**
 - **New England Forestry Foundation Map R30, Lots 4 and 7**
 - **Upper Saco Valley Land Trust Map R12, Lot 56**
- **Ray Burton ~ Recognition** This is a request for recognition for anyone who has served the town and is no longer doing so. Ray Abbot is recommended. Bea Davis and George Howard were brought forward as well however Bea continues to serve the town and George hasn't served an extended period of time. Ray Abbot had forty-six years of service to the Town; the Board feels this needs to be a stand-alone recognition.
- **Public Comment** Selectman Lockard would like to bring up a letter that was submitted to the Board; Priscilla Protasowicki called the Office and wanted to talk to the Selectmen; she said she'd be in attendance tonight but she is not. Selectman Lockard read the letter into the record (attached); there are a lot of details involved in this situation but Priscilla's request to remove the Jackson Police Department needs to be addressed. **Selectman Lockard, seconded by Selectman Thompson, made a motion to not remove the Jackson Police Department as requested by a Jackson resident and that the Board does not find that kind of action supportable. The motion passed unanimously.**

Selectman Lockard noted he's new to the Board so he'd like some clarification about the process to get the property that abuts town property; it is an elongated process to get to that property; he'd like to know why Counselor Malia can't send a Quit Claim to the owner and ask them to sign the property over for a dollar. There may be other properties that match this situation but Selectman Lockard will pursue information about getting this one property before the next meeting. Town Office Administrative Assistant Cressy will email Counselor Malia and let him know Selectman Lockard will be contacting him about this property.

There being no further business, the meeting was adjourned at 7:39 p.m.

Respectfully submitted by:

Martha D. Tobin

Recording Secretary

Attached letter:

To the Jackson Board of Selectmen:

This Board of Selectmen was elected to administer the affairs the Town. The Board of Selectmen should appeal to Superior Court pursuant to RSA 677:4 in defense of the voters of Jackson that have established a 50 foot setback. The decision of the ZBA to grant a variance for Ruppel demonstrates a blatant disregard of the modern court established standards that define unnecessary hardship. The ZBA has clearly over stepped it's authority by establishing new standards, specifically building area density, into Jackson zoning ordinance 4.1.3.2 that can be applied to any property within the Rural Residential District. Building area density is a control used by a planning board while performing site plan review and a ZBA has no authority to use such a standard unless it is specifically stated in the ordinance as a reason to grant a variance. In 1974 when Jackson adopted a fifty foot setback there is no evidence in the record of any discussion about "building area density." The ZBA has also established new zoning districts within the Rural Residential District by stating that this property's uniqueness is only in comparison to other properties within the "neighborhood" of North Hampshire Ridge.

Aside from the defense of the zoning ordinance the Board of Selectmen should be more concerned with the conduct of the ZBA and their unequal treatment of Jackson property owners that can only be described as shameless favoritism demonstrated by Chairperson Benesh and Dave Mason. To see this one need only to review the record beginning in December of 2012 to present and witness how two other similar applications were handled by Mr. Benesh and Mr. Mason. This Board of Selectmen should not allow this behavior to go unchallenged as it is the most significant factor contributing to the volatile nature of Town politics and just isn't right.

Respectfully submitted by,
Jerry Dougherty III

Town of Jackson, NH

Route 16A, Jackson, NH 03846
 ph: (603) 383-4223
 fx: (603) 383-6890

Board of Selectmen Minutes -- 04/04/2013

Jackson Selectmen's Meeting
 April 4, 2013

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

Visitors: Administrative Assistant Ella Cressy, Police Chief Karl Meyers, Grammar School Principal Gayle Dembowski, Hank Benesh, Building Inspector Andy Chalmers, Engineer Burr Phillips, Sarah Clemons, Mary Canty, Huntley Allen, Joyce Allen, Arthur Couture, Bill Wogisch, Kathleen Dougherty, Paul Keene, Susan Chase, Frank Benesh, Larry Seibert, Tish Hamlin

Chairman Allen called the meeting to order at 4:32 p.m.

- **Amend & Approve minutes**

- Selectmen's Meeting – March 21, 2013 The spelling of someone's last name was corrected; there were no further corrections. The minutes were approved as amended.
- Non-Public Meeting – March 21, 2013 These were approved and sealed at the meeting; the Board signed the minutes.
- Selectmen's Meeting – March 28, 2013 The minutes were approved as written.
- Non-Public Meeting – March 28, 2013 These were approved and sealed at the meeting; the Board signed the minutes.

- **Public Comment** Huntley Allen would like to be part of the Committee being formed regarding the hire of a Building Inspector. Chairman Allen noted there is no time frame for forming the Committee but he will let Huntley know. Selectman Thompson noted the position is that of a town employee as opposed to a contractor; the Committee will be responsible for making recommendations to the Board regarding how that should look. Huntley's issue is that Jackson has a Building Inspector that doesn't cost the town anything; by making that position a town employee the town is dealing with a lot of other costs. As a taxpayer, he doesn't feel that Jackson should have one.

Sarah Clemons feels the Board should state on a monthly basis, and include in the minutes, information about the lawsuits being pursued by people in the town against the town; she'd like to see what our neighbors are doing to us. Chairman Allen will provide information as he is able. Selectman Thompson noted the Board will have to clear what it can release through Town Counsel. Sarah clarified that she is not asking for details; she just wants the monetary costs; it shouldn't be too hard to provide a monthly tab on this.

- **Police Report** Police Chief Karl Meyers reviewed Department activities since the last meeting; some items included assisting the Ambulance with an elderly female on the floor in her bathroom for about nine hours; fingerprinting a resident for SAU #9 purposes; one false burglar alarm; a call came in for suspicious people looking into the windows of a building. This turned out to be a father and son looking around at a commercial building. The ACO handled a canine complaint on Tyrol; there was a minor accident in a restaurant parking lot and Officers assisted a gentleman with a civil complaint. A barking dog complaint was taken up toward the top of Switchback; a criminal mischief complaint was taken regarding a garage window being broken; a report came in about a loud boom; it was a Coleman truck that blew a tire. At the last meeting Chief Myers discussed the damage to the cruiser; it has passed inspection, the insurance of the person that struck the cruiser is making good on the work; the cruiser will be going into the auto body shop next week and then will be back in service. Administrative Assistant Ella Cressy asked if the town reported this accident to Jackson's insurance company; when she learned it had not she asked for a copy of the insurance report to send on to Jackson's insurance even though the other insurance company is handling these repairs. Chief Meyers returned to the report. Officers assisted a motorist with a flat tire; there was a house fire on Black Mountain Road; the Fire Company did an outstanding job; the Department put out a letter regarding Bartlett getting hit with many burglaries; they have identified a car that may be associated; it is a Toyota Yaris. Officers are keeping an eye on homes for some folks who are away on vacation; there was a 911 hang-up that was an accidental call.

- **Road Agent/Fire Chief Report – Wage increase sheets for Fire Dept** This is a document for the Board to sign only.
- **New Business Part #1**

- ****Gail Dembowski**** This was moved up on the agenda. Grammar School Principal Gail Dembowski reviewed current demographics and enrollment. The town has a great school; Jackson is a great place to work and for kids to go to school. This is her 5th year; Jackson's birthrate is dropping; enrollment is going down. She feels the town should put the word out that this is a great community with a great school. The School is having a brochure put together for parents which will also go to Realtors and the Chamber in an effort to attract families with children to the town. There is an Enrollment Task Force meeting once a month and she would like a member of the Board to participate; the next meeting is May 23rd at 4. Principal Dembowski will also attend a local Realtors breakfast to present them with copies of the brochure. Selectman Thompson asked what the current enrollment is; it was forty-six but there were four new kids that moved in so now enrollment is at fifty. She is aware of some other families contemplating moving into town. Current projections would have enrollment down to twenty if new children do not move in to town. Selectman Thompson is the only one who can attend; he will discuss this further with Principal Dembowski as he may not be able to make the 4 p.m. time.

Tish Hamlin noted the Whitney Center Committee would like a member from the Selectmen attend, too. The Committee meets four to five times a year; around 4 pm. But can be flexible with the start time. Selectman Lockard will take this Committee seat.

Tish would also like to point out that every school in the Valley has a declining population; it doesn't take that many children; one family could make the difference.

- **Building Matters – Andy Chalmers, Building Inspector**

- **Town Hall Renovation Building Permit** As the town is the owner; it is not necessary to have a motion to approve the permit. The Selectmen signed the permit, as recommended by the Building Inspector.
- **Update on Francis Ave. Terry** Inspector Chalmers has met with the owner; the denial letter has been sent and the owner is headed to the ZBA for a variance.
- **Update on Black Mt Rd., Evans** The denial letter went out and the owners are already working with the ZBA to apply for a variance.

The Huntley's would like to know what the status of the project on Green Hill Road is; this is on the agenda further down but was moved up to accommodate the public's concern.

- **New Business Part #2**

- **Update on Green Hill Rd., Couture** Arthur Couture (Sonny) is committed to meet any of the town's concerns; he wanted to put a face to the issue. Selectman Thompson noted this cropped up because some folks were wondering what the status is. Engineer Burr Phillips noted Sonny has been working on this project for a while; Sonny has submitted an Alteration of Terrain permit to the state; a wetland permit has been submitted to the state and has been passed on to DES. The driveway permit needs to be completed; this is a tricky access; it might be better for him to submit a plan that meets town regulations then one that is reasonable and then look at how to build it. This property also has a frontage issue; there's no frontage on a town road; and the state RSA prevents building without road frontage; this means another trip to the ZBA. Sonny has an easement but that doesn't count; it's a steep site so there will be a lot of cuts and fills; Engineer Phillips hasn't seen the plan. Only a roughed in logging road has been cleared; Sonny had a wetland scientist out there; he made sure he stayed out of all the wetlands. The application is in and accepted as complete by the state; it's been taking up to three months but they don't have a lot going on right now; Sonny got a date of thirty days. So far, Engineer Phillips has had some phone calls and minimal involvement; he wondered if the Selectmen want him to review the application. Sonny also recognizes that the Conservation Commission had concerns; Sonny has hired two environmental engineers to look at his site. From Engineer Phillips point of view; this permit and application will cover anything the town would require.

Larry noted the Conservation Commission got an expedited permit; they didn't sign it because they hadn't seen the permit application; after seeing all the documents involved, he knows DES will make sure it's done right and Sonny has gone above and beyond what was required.

Sonny noted the site will also be monitored when there is a rain event; so the work can be tweaked if necessary.

- Permission for Library to go ahead with garden project as proposed at December 6, 2012 meeting The Selectmen have the proposal; at the last meeting there were a couple of trees that Thom Perkins thought might infringe upon the ski trails. Roger Aubrey went out to the present ski trail and marked it on the Library plan; they know that they will not be infringing on the trail. Chairman Allen asked if this has been run by Thom; Joyce will touch base with him. Road Agent Henry had no particular concerns. **Selectman Thompson, seconded by Selectman Lockard, made a motion to give permission for the Library to go ahead with the garden project as proposed at the December 6, 2012 meeting. The motion passed unanimously.**
- Valley Vision Administrative Assistant Cressy asked if the Selectmen want someone from Valley Vision to come to a meeting to discuss this. Hank would like to know if he would still be doing the filming. Chairman Allen doesn't see why not; Selectman Thompson noted that's what they need to discuss with Valley Vision. Administrative Assistant Cressy will have them for the next meeting.
- \$75 request for flags from Bartlett VFW This item was passed at the last meeting; Bill Wogisch would like to pay for this for Jackson's cemeteries.
- Board openings Administrative Assistant Cressy has a list from the Town Clerk, however as she reviewed the list it became clear the list was not accurate. This is what Town Clerk Heidmann is ready to submit to the state; she needs local input; Larry noted the Chairs were not asked about openings. Selectman Thompson noted the Board needs to identify what the town's needs are and post it in the paper; Administrative Assistant Cressy noted Town Clerk Heidmann handed this to her today; it states the Town Clerk certifies these openings. The Board will give this form back to Town Clerk Heidmann and request she contact the Chairs.

Larry noted the Boards and Committees are behind the gun; he feels the Board should give Administrative Assistant Cressy or Town Clerk Heidmann the authority to post the openings; Larry is going into the Conservation Commission's first meeting missing a person. Selectman Thompson doesn't see a reason not to wait until May to fill these. Larry noted the RSA asks that the positions be filled in April. Selectman Thompson would rather be thorough than quick; the Board can call a special meeting if necessary to make sure this is done right.

Administrative Assistant Cressy pointed out there is an error in the Clerk's amendment to the article; Selectman Thompson will go over this with Town Clerk Heidmann.

- **Old Business #1**

- Shaw & Chase water drainage matter: Shaw reaction to draft Susan Chase provided email discussions, pictures and drafts that have gone back and forth. Engineer Phillips is concerned that the town is considering signing a release; the Board reviewed the situation. Engineer Phillips doesn't believe the town should enter into this agreement as written. Engineer Phillips noted the town doesn't want to be responsible if there's a failure; he's tried to do everything properly but he wouldn't see any other town signing a release. Susan noted Brian doesn't want to be held responsible for damage to her property if his system design fails; her attorney says absolutely do not sign it. This has nothing to do with Susan as it is an agreement between Brian and the Town of Jackson. Selectman Thompson feels the contract should be reviewed by Counselor Malia. Chairman Allen noted this whole release is contingent on the pond working properly; he would think not maintaining the pond would void the agreement. Engineer Phillips noted the Selectmen shouldn't have the town take on the liability for something on town property; the town owns the maintenance of the water from the culvert; with Susan's permission. Susan noted the Board approved the project and Brian is saying he can do anything he wants. The Board hopes to have an update for the next meeting. Susan will be notified by email if she is on the agenda.

- **New Business #3**

- Sign Town Meeting Minutes Administrative Assistant Cressy has reviewed these; the minutes are fine but the warrant article total at the end has to be redone. Administrative Assistant Cressy's figure is the same as she got when she went through the warrant with MRI. Selectman Thompson would like to read the minutes first; this was tabled.
- Sign MS2 and MS6 **Selectman Thompson, seconded by Selectman Lockard, made a motion to sign the MS2 document for the DRA. The motion passed unanimously.**

Selectman Thompson, seconded by Selectman Lockard, made a motion to sign the MS6 document for the DRA. The motion passed unanimously.

- Northtown Associates 2013 Assessing Services contract This is the contract with Jason; the five-year re-evaluation is due in 2014. **Selectman Thompson, seconded by Selectman Lockard, made a motion to approve the Northtown Associates 2013 Assessing Services contract. The motion passed unanimously.**
- Investment Policy for 2013 signatures **Selectman Thompson, seconded by Selectman Lockard, made a motion to sign the Investment Policy for 2013 as recommended by Treasurer Schomaker. The motion passed unanimously.**
- Health Inspector (added) Police Chief Meyers and Fire Chief/Road Agent Henry submitted a letter to the Board; it is as follows:

Dear Selectmen Town of Jackson, N.H.

Possible New Appointment

This letter is being submitted on behalf of the Jackson Town Department heads which have signed below. We would like to make the recommendation that the Town of Jackson combine the duties of the Health Officer and the Emergency Management Director (EMD) into one new position and job description. As demonstrated by recent storm and fire events, greater demands are being placed on these positions, and continued State and Federal requirements demand extensive documentation and enforcement of rules and regulations which require a high level of qualification and experience to deal with.

Fire, EMS, and Police, need a qualified and experienced individual to better coordinate, pre-plan and execute complex responses to larger scaled emergency events. Health officer duties are often needed to insure that food service, and lodging establishments are actively being inspected to insure that the public health is protected and to coordinate the proper handling and disposal of any items that be questionable as a possible result of a fire, or loss of power incident common in a weather related emergency.

As a result, we the undersigned feel that a single individual qualified to function as both the Health Officer/EMD would be extremely beneficial to a town of this size; it would offer better coordination, easier communication, more accountability and result in better service to citizens of Jackson.

As Department Heads for the Town of Jackson, we feel it would be appropriate to combine these two position(s) and have several candidates in mind. It is difficult to predict the quantity of hours necessary for this position to work, as it could range from several hours a month to several hours in one large scale incident. It is therefore our recommendation that Mr. Tom Greig be Appointed (*sic*) as the new Town of Jackson Health Officer/Emergency Management Director. Mr. Greig is a retired State of Rhode Island EMS director and has extensive experience in emergency services and Public Health related fields. His experience and qualifications and willingness to serve make him a prime candidate.

In closing, we hope that you will consider our recommendation and interview Mr. Greig for the position.

Respectfully
Karl Meyers
Jay Henry

Bill Wogisch asked who the current Health Officer is; it has been Jim Davis. Selectman Thompson noted the town has run into issues with not having a health inspector available when needed.

Selectman Lockard noted he and Road Agent/Fire Chief Henry had spoken about this; he thinks it is fine; but the Selectmen should understand who the person is so they have some basis to understand why he's a better option. Selectman Thompson feels this should be posted; the Board doesn't know the level of Mr. Greig's interest. This will be tabled to the next meeting; Larry suggested the Board get guidance from the LGC on combining these positions.

• Old Business #2

- Board Policy There is nothing new on this tonight.
- Job Descriptions Selectman Thompson thanked Larry for the input regarding going to the LGC about the combined Health Office/EMD; there will be a new job description needed for that; as soon as town staff are up to speed the Selectmen will be able to move forward with this. They have Job Descriptions for the Department Heads. Chief

Meyers is really interested in moving forward with creating job descriptions for his officers. Selectman Thompson would like to see the Board set a goal to have all of these in place by the first of June.

- **Hiring of new employee** Selectman Thompson, seconded by Selectman Lockard, made a motion to hire Julie Atwell as Town Administrative Assistant. Chairman Allen noted the Board had two committees that interviewed four applicants; Julie Atwood was the recommended applicant; she is very excited to start working; she is from Seattle originally and lives in Glen; her husband is a local boy; she has worked for a CPA firm for a while; she doesn't have much municipal experience but has good computer knowledge. Larry asked when she would start; Chairman Allen noted it would be two weeks from today. MRI will come down to train her and get her up to speed; it's a good fit and she has a great personality; she is very outgoing, open and knowledgeable. Bill asked who she will be "assisting" and was informed Julie will work for the Board. There was no further discussion. **The motion passed unanimously.**

- **Public Comment** Huntley asked how the Board can sign the COO for someone that didn't follow the rules then have someone like the Bensons who did everything and the Selectman wouldn't sign that one. It was explained that the Building Inspector will be signing COOs from now on based on the Article that was passed at town meeting.

Bill noted the Shaw/Chase issue has been dragging out too long; he's tired of hearing about it; there has to be give and take; he's worried about the town getting too involved in something that is not its responsibility. Bill feels Susan and Brian need to work this out. Sue wants to be paid and hold Brian responsible forever; Brian has tried to be reasonable about this; Brian shouldn't be married to Susan about this and it's costing the town enough money for something that has been dragged out; Susan is being a bit unreasonable; this needs to be resolved.

The Board went into Non-Public Session in accordance with RSA 91-A3, II(e) at *6:15 p.m. to discuss litigation.

Respectfully submitted by:

Martha D. Tobin

Recording Secretary