

New Durham Board of Selectmen
Minutes of Meeting ~ May 11, 2009
Town Hall

Members present: Ronald Gehl, David Bickford, Theresa Jarvis

Also present: Town Administrator (TA) April Whittaker, Road Agent (RA) Mark Fuller, Police Chief Shawn Bernier, Building Inspector/Code Enforcement Officer (BI/CEO) Arthur Capello, Fire Chief Peter Varney, Marcia Clark, Mike Davenport, Skip Fadden, Dwight Jones, Mary McHale, Cathy Orlowicz, Peter Rhoades, Beth Varney, Ryan Noonan

1. Call to Order – Chairperson Ron Gehl called the meeting to order at 7:04 p.m. and led the Pledge of Allegiance. Following that, he addressed the other Board members, stating that they called a meeting of the Board on the evening of May 4, 2009, when he was out of town. He stated that he felt the non-public meeting was more of a stunt than anything else, as he could not perceive any emergency had occurred. He said he reviewed the limited minutes of that non-public meeting and again stated, by no means, saw anything urgent about the issue. He said the meeting was called on Sunday and no attempt was made to contact him. He asked why the matter could not have waited one day until he returned. He said he found out about the meeting one hour after it was over, and that the situation irked him. He asked how the meeting came about.

Selectman Terry Jarvis said the item was brought to her attention and she believed it to be an emergency. She said she was under the impression that Chair Gehl was to return from his vacation during the day on Monday. Chair Gehl said he had made it clear in the Board's last meeting that he was not returning during the day, which is why the regularly scheduled meeting was postponed until May 11, 2009. Selectman Jarvis said she did not realize that he was returning Monday evening, and saw that Selectman David Bickford had sent Chair Gehl an email notifying him of the meeting. Chair Gehl discounted receiving an email while on vacation with no means to access it. Selectman Bickford said the meeting could not have been held on Tuesday, May 5, 2009 because of a Planning Board meeting. Chair Gehl stated the matter could have waited until tonight, as there was no urgency to it. He asked that in the future, he be contacted through his cell phone, and supplied that number to Selectman Bickford who said he did not have it. He said calling the meeting under those circumstances does not appear right.

Selectman Bickford said he posted the meeting on Saturday. Chair Gehl noted there was a posting put up previously that there would be no meeting on May 4. He cautioned the Board to be particularly careful with situations that do not rise to emergency status.

Peter Rhoades indicated that Selectman Bickford always campaigned that there would be a good reason for any non-public meetings. He said Selectman Jarvis ran her platform on the concept of open government and less dealings behind closed doors. He cited

Selectmen Jarvis and Bickford calling the meeting while the chair was on vacation, posting the meeting next to a posting that stated there was no meeting that evening, and posting it on the weekend with no agenda listed. He said his understanding of the purpose of posting was to notify the public as to what would transpire during the meeting and this posting had no agenda. He said there was no serious attempt to reach the chair. Mr. Rhoades indicated he was upset over the last-minute posting. He said Chair Gehl said neither Selectman Jarvis nor Bickford called him. He agreed with Chair Gehl that this surprise meeting gave the appearance of a stunt. He told Selectman Bickford that he could have called him for Chair Gehl's cell phone number if he did not have it after serving on the Board for two years. He said it looked like the other two selectmen did not want the chair there for the meeting.

He stated he was shocked that Selectman Jarvis encouraged a non-public meeting under those circumstances, which was the opposite of her platform. He said the townspeople wanted an explanation, and asked to be told what the matter was, since it was so important it warranted a last-minute meeting. He said the chair said the matter was not that important, so he wanted to know what was the purpose of the big rush. He expressed his disappointment over a secret, non-public meeting. He said during his four years on the Board, nothing ever came up that was so urgent that it demanded a last minute, non-public meeting. He said the meeting seemed sneaky. Selectman Bickford said he could not reveal details of the meeting, but following a non-public meeting the Board may be able to bring some information forward.

Marcia Clark asked if information discussed in non-public remained in non-public and was not to be talked about in public. Chair Gehl said issues discussed in non-public are summarized for public posting. He said the Board could elaborate upon details in sealed minutes. She asked about revealing information, and Chair Gehl said it could be at the discretion of the Board. She asked specifically about Mr. Rhoades' article in *The Baysider*, saying it included information about the Solid Waste Facility that must have been discussed in non-public sessions. She asked if it should have appeared in the paper. Chair Gehl said those were largely issues discussed in public, and the publication of the information was not a matter for the Board to comment on.

Mary McHale said she was at the Post Office on Saturday and did not see the posting for the May 4, 2009 meeting. She requested postings at the Post Office. Alluding to the circumstances of the May 4, 2009 meeting, she said that was not the kind of board she is hoping they will be. Selectman Bickford replied, "Duly noted."

2. Citizens' Forum

Cathy Allyn said she has forgotten to bring up something that was said at Town Meeting that referenced the wage and salary review performed by Barry Cox of the Local Government Center. She said a gentleman spoke of the review and used the phrase "what they're not telling you is" when he indicated some salaries were listed as high. She said she took umbrage at that phrase, as the document is public knowledge and available to anyone. She said the use of that phrase made it sound as though Town Hall was being nefarious, when, in fact, the town government has been more open in the past few years, due to a real effort by the Board of Selectmen. She said some salaries

were listed as high because they reflected employees with years of experience. She explained she asked Town Administrator April Whittaker about the situation, and TA Whittaker said a more expensive study would have taken that into consideration and listed mid point salaries to length of experience i.e. mid point at 5 years, 10 years, 15 years, and 20 years etc. The study conducted did not take into consideration length of service in the listed positions, only providing a one-time snapshot of current salaries based on chosen communities comparable to New Durham. Ms. Allyn thanked the Board for not ordering the more expensive review, when it wanted only a ballpark idea of how New Durham town salaries compared to other like-sized communities to ensure employees were being paid fairly. Selectman Jarvis said some people may not know how to access public information documents, and asked if the wage and salary review could be put online. TA Whittaker stated that she would have to see if you could obtain a CD of the document in order to get the same on the town's computer. Chair Gehl requested she look into it.

3. Department Reports

Fire – Fire Chief Peter Varney reported six members in training to become EMTI's (Emergency Medical Technician Intermediate level). He said a medical training with the Alton Fire Department was taking place tonight.

Appoint burn permit-issuing agents – Mr. Varney asked the Board to sign appointments for burn permit issuers. Chair Gehl asked if they were just reappointments. Chief Varney indicated that Dwight Jones was new, and that he would be serving in the Second Division to facilitate residents.

Motion by Chair Gehl to appoint Dwight Jones, Jonathan Roy, and Amanda Jenckes as issuing agents for burn permits. Selectman Jarvis asked if Mr. Jones had completed forestry training. Chief Varney indicated Lee Gardner was tonight going over everything Mr. Jones would need to know to issue burn permits. Selectman Bickford said the Board should then wait before appointing. Chief Varney explained Mr. Jones would not be fighting fires. Selectman Bickford clarified that Mr. Jones would have all the information he needed to issue burn permits. **Second by Selectman Bickford. Gehl – aye, Bickford – aye, Jarvis – opposed, citing opposition to Mr. Jones only. The motion carried.**

Selectman Bickford asked Chief Varney to get such requests to the Board earlier. Chief Varney explained the department received a complaint this weekend about Second Division being too far from Town Hall for those residents to drive to, so the department wanted to get it done quickly. He said having Mr. Jones in that area would be very convenient for those residents.

Selectman Jarvis said the department gets an incredible deal from paramedic Kevin Jenckes on EMT training, saving from \$1,000 to \$1,500, and that it was nice of him to do so.

Results of straw poll fire chief vote – Chair Gehl said the Board acted upon a request by Selectman Bickford to repeat the straw poll at the fire department to determine the

members' choice for chief. He said he was pleased to report that the result was essentially unanimous to have Mr. Varney serve again as chief. He said one ballot indicated an unclear intention of the voter, as in addition to Mr. Varney's name, Mike Davenport's name also appeared. Selectman Jarvis asked how many members made up the department and Mr. Varney said there were 26. Mr. Davenport said some were inactive, and some were not present for the voting, although they were notified that they could vote at another time. It was noted that in all the straw poll voting produced 18 votes.

Motion by Chair Gehl to appoint Peter Varney as fire chief for a three-year term; second by Selectman Bickford. Selectman Jarvis asked if the Board was taking things out of order from the agenda. Chair Gehl said the fire department personnel were due in training and he was trying to finish fire department business so that fire department personnel present could return and attend. Selectman Jarvis said she had questions for the chief. She asked what his vision for the next 5 years was for the department. Chief Varney replied that the department budget sustained substantial cuts this year, especially in the new equipment line, so they would be doing maintenance and testing for the next six months. Selectman Jarvis asked if he anticipated full-time day people within the next five years, based on run numbers. Chief Varney said that was probable. He noted that 6:00 a.m. to 9:00 a.m. was a difficult time to cover. He added that the department is covering 98% of its runs. Selectman Jarvis said as the numbers grow, it becomes harder to cover. She asked if he anticipated two paid members. He said the administrative assistant is medically and fire trained, so can take over during those times. He said the paramedic does it, but is not there every day. He cited Jon Roy as a real asset. **The motion carried unanimously.**

Chair Gehl thanked Chief Varney for offering his services and swore him in. The Board signed the appointment papers for the burn permit-issuing agents.

Police – Chief Shawn Bernier asked the Board for authority to accept a Fish and Game OHRV grant to patrol all Class VI roads. He said the amount of the grant has dropped throughout the years and is now at \$1,350, which will pay for 30 hours of patrol time.

Motion by Selectman Jarvis to authorize Chief Bernier to enter into a contract with New Hampshire Fish and Game regarding an Off-Highway Recreation Vehicle grant for 2009-2010 in the amount of \$1,350; second by Selectman Bickford. The motion carried unanimously.

TA Whittaker announced that the police department has also been awarded a state highway safety grant. Chief Bernier said the money would go to speed enforcements in coordination with Alton, Farmington, and Rochester.

He told the Board that within the last month, two non-resident vehicles were noted with old New Durham dump stickers. He asked if the Board wanted him to set up a detail at the Solid Waste Facility to check stickers. Chair Gehl asked for input from Road Agent Mark Fuller. RA Fuller said he would welcome all help with the situation. He said he had been pushing the employees to check the stickers. Selectman Jarvis said perhaps the

people were taxpayers, even though non-residents. Chief Bernier said they were not taxpayers and that they both stated they do not remember how they got the stickers. He said the stickers are used to determine eligibility to park at the Town Beach and to use the Solid Waste Facility. Chair Gehl asked the chief to work in a couple of stints at the Solid Waste Facility to make people aware. Selectman Bickford stated that the cars could have been second hand. Selectman Jarvis said car dealerships remove all stickers, but that might not be the case in a private sale. The Board was in consensus for the police department to check stickers at the SWF. Chief Bernier said officers would check if people with stickers were residents or taxpayers during two four-hour blocks. He said they would warn residents without stickers to get one at Town Hall. TA Whittaker said vehicle registrations were down, which affects revenue, and asked if the officers could check vehicle registrations, also. Chief Bernier said he would report back.

Highway – RA Fuller said the new part-time employee at the SWF has left for a full-time job. He said he was awaiting background check results on two candidates for the position.

He reported that a lake resident said a granite bench was broken and wondered if the Town would pay for it. He said he indicated the Town would probably not. He said the seat was located four feet off the edge of the pavement and could very well have been in the right-of-way. He said people are notified to erect markers so snowplow operators are aware, but snow covers them very quickly in the event of back-to-back storms. Selectman Bickford said it might be wise to see pictures of the lot and placement of the bench. Chair Gehl said there was not much to be done, since the bench was placed so close to the road. RA Fuller said he would supply pictures.

RA Fuller said his crew has been grading and doing ice storm clean up. He told the Board he applied for a Hazard Mitigation grant to clear a culvert on Valley Road, and the prospects were good.

March's Pond Dam – RA Fuller reported on a monthly dam meeting he attended. He said attorneys and property owners will have an on-site meeting at a later date and are planning on some roadwork. He said the compressive strength of the footings and retaining walls is 3,000 lbs. per square inch, which the engineers feel is adequate. Chair Gehl indicated possession of the engineers' analysis and confirmation that the difference between the expected 4,000 lbs per sq. inch as opposed to the pour of 3,000 lbs per sq. inch was defensible and acceptable. RA Fuller said a 2,000 pound pouring hardened to 3,000 pounds. Cosmetic edge cracking on the spillway will be repaired, and a chain link fence will be erected across the access to the spillway on one side. He mentioned a suggestion of erecting another fence on the other side for safety. Chief Bernier asked if "No Trespassing" signs would be posted in that area after completion of the project. TA Whittaker asked if that was his recommendation, and he said it was. Chair Gehl said it made sense to post the area. TA Whittaker said it would also give the police department authority. Chief Bernier said there should also be "no alcohol or dog swimming" signage. Cathy Orlowicz asked if that would be only at the spillway. RA Fuller said at the edge of the spillway. Chair Gehl directed RA Fuller to post signage as discussed.

RA Fuller further advised discussion for a three-foot wide gravel walkway which could be laid down to grant 5 abutters to the Dam access to the water. He said Town Counsel recommended that easements be drawn up. He said if Dam abutters wanted a float, they would have to apply for a permit, but there could be no attached docks. He said the Town could donate the ¾ inch stone and the dam crew would install it. Chair Gehl said a walkway would address some concerns the Board has heard, without structurally impacting the project. He said he liked the idea. RA Fuller said there were also concerns raised about getting a boat in the water on the Chalk Pond side, and the construction company agreed to spread the Town's stone in a twelve-foot wide swath to facilitate a ramp for launching and access purposes. He said the March's Pond side was used as a swimming area, and he suggested a concrete ramp, as sand spreading would not be validated at State Wetlands Board. He indicated the engineers agreed it would work. He described the pre-cast concrete planks as twelve foot long, interlocking, and with a rough surface. He said the state uses them for boat ramps.

Chair Gehl asked if the structure would impact the Town's permitting. RA Fuller said he had to see if the Board agreed to the idea, before pursuing it. He said the ramp would cost between \$2,000 and \$3,000. Building Inspector/Code Enforcement Officer Arthur Capello asked if the Dam Bureau and Shoreland Protection have communicated about these changes. RA Fuller said all the engineers felt this solution would work without having to go through another round of approval processes. He said they were looking into it. Chair Gehl said the Board gives its approval, recognizing that review is necessary. He said wetlands and Shoreland Protection are one and the same. BI/CEO Capello said he was concerned about the concrete ramp. RA Fuller said a ramp was called for. Chair Gehl again said the Town would need all the proper approvals. Selectman Jarvis said she was in favor of the concept. Selectman Bickford asked if there was an issue with sand, and Chair Gehl replied, "Big time." BI/CEO Capello said only raised beaches are allowed, known as perched beaches. Chair Gehl clarified that what was under discussion was a water access point, not a beach. Chief Bernier recommended posting "No Lifeguard on Duty" signs. RA Fuller described a parking area and boat launch area on the Chalk Pond side.

Police Cruiser bid – TA Whittaker reminded the board that the Town had conducted a Surplus Sale Bid advertisement in which the 1999 Police Cruiser was listed, but at the time of bid opening she received no bids, but had now received one today for \$200.

Motion by Chair Gehl to accept the bid of \$200 for the 1999 Crown Victoria police cruiser; second by Selectman Bickford. The motion carried unanimously.

Building/Code – BI/CEO Capello said the number of permits has picked up, citing eight in the three days. Regarding home occupation matters, he said he sent out informational letters and two did not come back. He expected most to be in compliance. Regarding the long-standing issue on South Shore Road with the camper, he reported that the camper has been registered and will be removed. He said the owner has been notified that the camper can be used six calendar days a month. He noted a report of tornado damage to a concrete pier on the North Shore. He said the size of the pier is being increased and he did not believe the tornado caused the damage.

4. Administrative Review

Meeting with Town Counsel - TA Whittaker said the Board needed to set a meeting date with Town Counsel to discuss litigation. She said Town Counsel needs the expert witnesses for the Dudley case by July 1, 2009. BI/CEO Capello said Town Counsel would have come tonight, and that the meeting needs to be called as soon as possible. The Board set the meeting for *May 18, 2009 at 6:00 p.m.* It is considered a non-meeting under RSA 91-A:2 I (c).

Timber Tax Abatement – TA Whittaker reported that Town Forester Dennis Thorell suggested a 50% abatement on timber tax for an individual who suffered tornado damage in his forested area. Chair Gehl said the Board had been disinclined to grant an abatement, but Mr. Thorell stated 50 per cent corresponds with the decrease in value, due to the tax being figured on volume. He said it was low quality material being taken off. Selectman Jarvis asked if the tax equaled in proportion what the owner can now sell it for. Chair Gehl explained that it was not precise. Selectman Bickford said the tax is not based on receipts, but on what the State of New Hampshire says it's worth.

Motion by Chair Gehl to abate 50 per cent on the amount of \$592.87 for a timber cut on lots 7, 11, 13, and 14 of Map 26 of the Roger F. Murray Trust and Linda T. Murray Trust; second by Selectman Jarvis. The motion carried unanimously.

Welfare Lien Request – TA Whittaker said she received a request from a Title Company to waive the interest on a welfare lien placed on a New Durham property in 1993. She said under RSA 165:28, the Board had the authority to do so. Chair Gehl said he was against doing so, and TA Whittaker said traditionally the Board has not done it. She said the interest was annually 6 per cent.

Motion by Chair Gehl to deny the request for abatement of the interest on the referenced welfare lien; second by Selectman Bickford. The motion carried unanimously.

Copple Crown property buy back – TA Whittaker said she wrote Eric Guenard on April 23, 2009, informing him that if he was allowed to buy back his lot lost through non-payment of taxes and then applied for a building permit, he would be responsible for constructing a road (monetary figures provided); and that she had not heard back from him.

Next meeting – The Board scheduled its next meeting for **May 18 at 7:00 p.m. at Town Hall.**

5. Old Business

Street Mapping and Street Name Changes – Chair Gehl said the Board agreed to map out its plan of attack regarding the matter of altering some street names for E-9-1-1, and develop a schedule to proceed with the process. TA Whittaker said if the Board decided to change some names, she would then alert residents on the affected roads. Chair Gehl said Selectman Bickford's research illuminated him as to what sorts of names should be

altered and why. Selectman Jarvis said the Board could set up the process, but if it reached a consensus on those everyone agreed on, the list would be shortened. She informed TA Whittaker that the links on the website to 2008 are gone. TA Whittaker said the link would be restored. Selectman Bickford said he was not interested in discussing the street name changes at a regular meeting, and he did not like setting a deadline. Chair Gehl said the matter could be folded into the 2009 goals, as that would be a separate meeting. TA Whittaker pointed out that Cartographic's new maps will come out in the fall, and they should reflect any new names so a deadline was looming. She said the Board could decide by the end of July for that to happen.

Selectman Jarvis said signposts on Route 28 call that road Suncook Valley Highway, and asked Chief Bernier about Route 11 and Old Route 11. Chief Bernier said dispatch uses the names Route 28 and Route 11. Selectman Bickford observed the state does not seem concerned about similar sounding names. Chair Gehl said the goals meeting traditionally is held in the afternoon, and that he did not mind taking time off from work. The Board scheduled the goals meeting for *May 27, 2009 at 7:00 p.m. at Town Hall*, and agreed to include street naming in the discussion.

Recreation Department Background Check Policy – The Board reviewed the final version, with modifications recommended by Town Counsel. Selectman Bickford said he wanted to remove the statistics noted on the first page, as it dates the policy. Selectman Jarvis said her opinion differed, saying the statistics were relevant and laid the groundwork of why the policy was necessary. Chair Gehl suggested adding the phrase, “as of 2009” in conjunction with the cited statistics. TA Whittaker said the phrase “...and that millions of other vulnerable citizens are involved in volunteer-staffed activities” could be removed. She said she could ask when those statistics were determined. Chair Gehl said the Parks and Recreation Department wants a policy in effect. He suggested removing the statistics, and then amending the policy when the date is determined.

Motion by Selectman Jarvis to approve the Parks and Recreation Commission's background check policy, with deletions made at the May 11, 2009 meeting, and to implement the policy as soon as possible; second by Selectman Bickford. The motion carried unanimously.

Building Permit Application on a Private Road – Chair Gehl said no deed has been produced regarding Stephen Smith's application.

Appointments 2009

Parks and Recreation Committee - Chair Gehl said slots were available on the Parks and Recreation Commission, the Ethics Committee, the Zoning Board of Adjustment, and the Conservation Commission. He said 4 impressive candidates came forward for the Parks and Recreation Commission, as well as the sitting member who expressed interest in continuing. He commented that Ryan Heath had a relevant background.

Motion by Chair Gehl to appoint Ryan Heath to a three-year term on the Parks and Recreation Commission. Selectman Bickford said the Board generally received a

recommendation from the Commission. Selectman Jarvis said she favored someone who was currently on the Commission, and said the Board should consider Lucinda Erwin. Chair Gehl said the Board has appointing authority. He said he appreciated someone who is interested in continuing to serve, but it would be good to provide an opportunity for new people to get involved. He said the Commission had given no formal recommendation, but the assumption was that it supported Ms. Erwin. Selectman Bickford said he would prefer to get a recommendation from the Commission. Chair Gehl said getting recommendations from boards and commissions had not been consistently followed, although on occasion the Board took recommendations. **There was no second.**

Mary McHale said if a board always made a recommendation, that board could get clique-ish and it could prove difficult to conduct business. She said it was important to put in new blood, or people would not volunteer. Chair Gehl said it helps to have fresh faces. Selectman Bickford said the Board should then change the by-laws of the Commission. Chair Gehl said those by-laws did not change the Board's appointing authority as they are the ultimate authority. He said the Board would explicitly ask the Commission for a recommendation.

Chief Bernier asked if there had ever been a time when a person who wanted to continue on a board was not allowed to do so. Selectman Jarvis replied to her knowledge, there had not been. Chair Gehl said that was why this situation was so refreshing, as four new people had come forward.

Ethics Committee - Regarding the Ethics Committee, Selectman Jarvis said she was unaware there was an opening. She said she would like to see if someone else is interested and wait another two weeks. She said someone spoke to her who was interested in serving, but could not make Tuesday night meetings. Chair Gehl said he did not think the Board needed to wait two weeks, as Skip Fadden had come forward and met with the Board on April 20, 2009, and he was not currently on any other board. He said applicants have not broken down our doors. TA Whittaker said resolving what night the committee met had been arduous in the past.

Motion by Chair Gehl to appoint Skip Fadden to the open position of a three-year term of the Ethics Committee; second by Selectman Bickford. Gehl – aye, Bickford – aye, Jarvis – nay. The motion carried.

ZBA – Chair Gehl said Paddy McHale expressed interest in the open position, as did alternate Helen Wellman. TA Whittaker asked if she still spent winters in Florida and if this was a problem. Selectman Jarvis said Ms. Wellman travels to Florida in the winter, but the ZBA seldom meets and she had not missed a meeting due to her traveling.

Motion by Selectman Jarvis to appoint Helen Wellman to the Zoning Board of Adjustment; second by Selectman Jarvis. Chair Gehl said he would love to see Mr. McHale on the ZBA, but Ms. Wellman had worked on the ZBA for years. Mrs. McHale said she was sure her husband would have been here to discuss the appointment with

the Board if he had realized the decision was to be made tonight. **The motion carried unanimously.**

Chair Gehl said the Board could ask Mr. McHale if he would serve as an alternate. Selectman Jarvis said a ZBA alternate is an active participant in the hearings. TA Whittaker advised there is a learning curve to the ZBA. Selectman Jarvis said perhaps Jaime Brulott, who came forward for the Parks and Recreation Commission, but who indicated she would serve elsewhere, might be interested in becoming a ZBA alternate.

6. New Business

Use of Town Beach application – TA Whittaker said she had gotten no feedback from the fire department, but Chief Bernier was not in favor of allowing the beach to be shut down for private functions. She said the Recreation department would discuss with the Board that it wants to be part of the decision, and wanted a joint meeting with the fire and police departments. She said she received a request for use of the beach on August 1, 2009 from 10:00 a.m. to 12:00 p.m ~ letter produced for Select board purposes.

Chair Gehl mentioned a request to use 10 spots in the beach parking area on June 27, 2009, which the Board felt would be very problematical. RA Fuller said cars could park at the Merrymeeting marsh launching area. Chief Bernier said he has had calls about parking at the Town Beach and he tells the people to contact Town Hall. Selectman Jarvis said she would be irate if she were a resident who went to the beach and then could not use it. Chair Gehl asked the Board if they should even consider these requests. Selectman Bickford said he would consider a request if the Recreation Commission came before the Board with one. TA Whittaker raised the question of equal treatment for everyone. Chair Gehl said the Board should not just hand off this prudential authority to another party. He said it would be problematic to have anything there in the summer. He suggested TA Whittaker report back to the individuals that the Town cannot accommodate them due to heavy use of the beach, and to suspend further consideration of this application process. RA Fuller said the Town did not take any outside money to buy the beach, and it was to be for only Town residents and their guests.

Acceptance of money less than \$5,000 – TA Whittaker indicated the Board had two donations to accept under RSA 31:95-b III b. Chair Gehl said a separate public hearing is not needed to accept unanticipated monies less than \$5,000.

Motion by Chair Gehl to accept the generous donation of \$100 to the Parks and Recreation Department from Wilson and Judith Breen; second by Selectman Jarvis. The motion carried unanimously.

Motion by Chair Gehl to approve the acceptance of a \$2,500 grant from the New Hampshire Electric Co-operative Foundation to support the Creative Kids kindergarten/pre-school program; second by Selectman Bickford. The motion carried unanimously.

Auditor's Report – Selectman Jarvis asked when the final 2008 auditor's report would be available. TA Whittaker said probably not until next year, as the Town had only recently

received the final 2007 report. She said that was why the auditors made recommendations when they were here given the report writing now required under Government Accounting Standards Board 45 (GASB 45). Selectman Jarvis asked if the Board could establish a method to discuss recommendations with the affected department. TA Whittaker advised that she had already implemented the recommendations and that departments had copies. Chair Gehl remarked that could be discussed at the goals meeting.

7. Approval of Minutes

Motion by Chair Gehl to accept the minutes of April 20, 2009 as submitted; second by Selectman Bickford. The motion carried unanimously.

8. Any Other Business

Chair Gehl said he would prefer to take up the non-public April 20th, 2009 minutes Selectman Jarvis mentioned at next week's meeting.

9. Non-public Session

Chair Gehl indicated the Board would take up no other business following the non-public meeting. Selectman Bickford said he had told Mr. Rhoades that there would be more information regarding the May 4, 2009 meeting. Chair Gehl suggested that be covered at the start of the next meeting.

Motion by Chair Gehl at 9:21 p.m. to enter into non-public session under RSA 91-A:3 II (a) and (c); second by Selectman Jarvis. A roll call was taken. Gehl – aye, Bickford – aye, Jarvis – aye.

The board discussed Town Counsel's response to a letter written in the Baysider regarding a town employee.

10. Adjournment

There being no further business, motion Bickford, second Jarvis to adjourn, vote 3-0. The Meeting adjourned at 10:11 PM.

Respectfully submitted,
Cathy L. Allyn

A video recording of this meeting is on file with the Office of Town Clerk, is available for public viewing during normal business hours, and will be retained in accordance with the New Hampshire Municipal Records Board rules established under RSA 33-A:4, or for a minimum of 24 months.