

New Durham Board of Selectmen
Minutes of Meeting ~ April 6, 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, Solid Waste Facility Foreman Joe Bloskey, Town Clerk Carole Ingham, Fire Chief Peter Varney, Mike Davenport, Dave Stuart, Jon Roy, Mark Behr, Myranda McGowan, Marcia Clark, Peter Rhoades, Katie Tohill, 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.

2. Citizens' Forum – Marcia Clark expressed concern over the cable gate erected by Steven Edwards across a Class VI road off of Birch Hill Road, a subject discussed at the March 16, 2009 Selectmen's meeting. She said Mr. Edwards put up the gate because of a theft from a trailer on his property, but that the trailer was unlocked. She said a person could be killed because of the construction of the gate, as it does not break away. Further she asked if any Town personnel had been all the way up Birch Hill Road to Mr. Edwards' home to see that he has a full-sized business there. She said there were no warnings regarding the gate. She said she did not believe others who live near the dirt road want a gate. She said she tried to get the gate to break away, but was unable to. She described conditions at the end of the road, and Chair Gehl said there is no obligation on the part of the Town to maintain that dirt road. He said Mr. Edwards reported vehicles getting stuck in the portion of road by his home. He said since Class VI roads are subject to gates and bars, and the Board's concern was safety, the Board asked Road Agent Mark Fuller to work with Mr. Edwards regarding the gate during mud season.

RA Fuller said he spoke with Mr. Edwards, indicating the gate needed signage before the gate, markings on the gate, and that it must be breakaway. Selectman David Bickford said the cable was down when he visited the site. Ms. Clark said a new cable was up, attached to a cement post and a tree. The Board asked RA Fuller to double-check on the situation. Chair Gehl said any gate at a Class VI road must be capable of being opened and closed by those who pass, per state statute. Ms. Clark asked if that gave Mr. Edwards reason to close off the road for his own use. Chair Gehl said Class VI roads were barred to prevent damage to the roads. Ms. Clark asked if it was okay for a construction business to exist up there. Town Administrator April Whittaker made a note to check on the situation, and Building Inspector/Code Enforcement Officer (BI/CEO) Arthur Capello stated he just sent out an email.

Ms. Clark asked if Mr. Edwards was allowed to erect a gate because he was wealthy. Chair Gehl stressed that was not the case. He explained a past Board gave Mr. Edwards permission to improve the road that accessed his property, and that too many Class VI roads get damaged in mud season by travel.

Selectman Theresa Jarvis asked if the Board could order Mr. Edwards to remove the gate if it is not breakaway. Chair Gehl said the Board had now directed RA Fuller to ensure the gate was safe. He said at the March 16, 2009 meeting, the Board did not expect it to be a safety issue and asked RA Fuller to speak to Mr. Edwards. Selectman Bickford pointed out that Mr. Edwards offered to erect the gate at his expense. Chair Gehl said the Board understood Ms. Clark's concern, but that according to the information it had, the Board thought it was appropriate to allow the gate to save the road. The Board has the authority to allow gates and bars. RA Fuller asked if it would be helpful for those walking along the road to have an area to go around the gate. Ms. Clark indicated it would, and said other people have the right to use the roads. Selectman Bickford said the issue of off road traffic needs to be addressed with ATV Clubs. Chair Gehl concurred that off road traffic is a major problem in New Durham. Selectman Jarvis said the Board has requested corrective action.

3. Appointment

The Board was to have met with Cynthia Copeland of Strafford Regional Planning Commission, but instead met with Myranda McGowan of that agency to discuss New Durham's part in the development of the DOT's 10-year plan. Chair Gehl indicated he'd served as an SRPC Commissioner in the past. Ms. McGowan said every two years the DOT asks for projects towns and regions think of as priorities to be included in the 10-year plan. She said the SRPC also likes to see how town priorities relate to regional priorities. She asked the Board to rank 18 transportation-planning projects identified on a form she provided according to the town's priorities and how the town perceived the regional priorities.

TA Whittaker advised her that the Town has raised the issue to the Commission of a sidewalk to the New Durham Elementary School and a bike path, and that Chair Gehl did a presentation on the topic, but the Town only scored ninth per the last Transportation Enhancement Funding Cycle. She said taxpayers have established a sidewalk CRF, but the Town has heard nothing. Chair Gehl said the Town's projects need to rise to the top of the list, but noted New Durham is not cited in any planning per the current listing for a long time. Ms. McGowan said now was the opportunity to bring up the sidewalk project again.

Selectman Jarvis said all bus service stops at Rochester, and wished the SRPC would look at the communities north of there. TA Whittaker pointed out that the state owns the property at the intersection of Route 11, Ridge Road, and Depot Road, and that would be an excellent spot for a "Park and Ride" with an all season bus shelter building. A Park and Ride at this spot would meet the spirit and intent to mitigate air pollution and truly serve as a gateway for car pooling in the furthest point of Strafford County.

Motion by Selectman Jarvis to have Myranda McGowan relay to the Strafford Regional Planning Commission the Board's proposal to use state property at the intersection of Route 11 and Ridge Road as a Park and Ride with a bus shelter; second by Chair Gehl. The motion carried unanimously.

Selectman Bickford noted Carroll County is getting buses. Ms. McGowan said it was a transit project. Selectman Bickford said if the state was pushing home care, buses would have to go to the people's homes. Selectman Jarvis said all populations have a need for transportation. TA Whittaker said a Dial-a-ride situation has been suggested in town, which could be a volunteer organization. Ms. McGowan said a church in Wakefield does that. Chair Gehl said it was a fairly important priority.

Ms. McGowan announced a meeting to report on public transportation on April 17, 2009 at Great Bay Gallery, to which the Board is invited. Chair Gehl said when he was a Commissioner, it was difficult for New Durham's priorities to be heard. He asked if the Town just gets outvoted. Ms. McGowan said there are monthly TAC meetings where issues are voiced. Chair Gehl noted that Mike Clarke and RA Fuller serve as New Durham's representatives on that committee. Ms. McGowan said that is where you learn about grants and how projects move forward. She said the SRPC would work with New Durham on a grant application through Safe Walks to School. Chair Gehl said sidewalks were the Town's number one priority. Selectman Jarvis said she disagreed, indicating bike routes were. Ms. McGowan said the first step is to develop a task force.

Chair Gehl said he was unaware Ms. McGowan wanted the Board to assign priorities this evening. He asked that the Board think about them and let her know. She said she needed the results by the last week of April, as the final list is to be approved May 15. Chair Gehl asked members to assign priorities, and have TA Whittaker collate the results to be discussed at the next meeting. Ms. McGowan said the Town's top five priorities would guide projects. She said no New Durham projects are possible in 2009 or 2012 in the long-range project list. Chair Gehl said the Board may pose some of the questions to the Planning Board. Ms. McGowan said the Commission wanted to know what the Town's issues and concerns are. TA Whittaker added, how we can get the state portion to get done? She said she would write up the top five priorities, per the form. Ms. McGowan told the Board to think of projects wanted on the long-range project list. TA Whittaker said establishing a "Park and Ride" would be addressing the headwaters. The Board requested that materials be sent electronically for distribution.

4. Public Hearing

Chair Gehl opened a public hearing pursuant to RSA 31:95-b at 8:02 p.m. to accept the following grants:

1. \$16,653.50 Awarded to the Fire Dept for a Skid Unit. Grant is 95% supported by Homeland Security, remaining 5% (\$876.50) obligation of the Town.
2. \$265,055 Awarded to Town for reconstruction of the Davis Crossing Road + \$8,068 for administrative allowance. Grant is 75% federal FEMA funding, 25% obligation of the Town.
3. \$164,353 Awarded to Town for reconstruction of parts of Birch Hill Road, Old Bay Road, and Old Route 11 + \$4,383 for administrative allowance. Grant is 75% federal FEMA funding, 25% obligation of the Town.
4. \$107,374 Awarded to Town for culvert crossings on Kings Highway, and Copples Crown Road + \$2,863 for administrative allowance. Grant is 75% federal FEMA funding, 25% obligation of the Town.

He said the latter three are items the Town has been trying for years to gain assistance for and that we are fortunate to get the money to minimize flood damage and flood threat. He said Mike Davenport and Dave Stuart headed the effort to obtain the first grant for the fire department.

Mr. Davenport said the application process for grants starts now for the next year. He said last year the fire department applied for two grants, a forestry truck, which made the final cut, and a skid unit, which was awarded at the end of 2008. He said "CET", the company the department wants to purchase from, is reputable. The final price of the skid unit and accompanying items is \$17,530. He said the bid requests went to four companies and only two responded; one of which did not meet the specifications that the fire personnel had cited.

Chair Gehl asked what vehicle the department would attach the skid unit to. Mr. Davenport said there are two options. It can be attached to the old rescue truck, unless by May 4, 2009 another vehicle can be secured by donation or through military surplus. The May 4 deadline is designed to give Equipment Mechanic David Valladares sufficient time to install the unit before fire season begins. Chair Gehl asked where the money for the second option would come from. Fire Chief Peter Varney said no money would be needed if a vehicle were donated. Otherwise, the fire department budget could be split with the Equipment Mechanic's budget, but that nothing like that is on the table now. He said state surplus has a beaten up truck the department decided against. He said the skid pad would slide right in to a regular pick-up truck. TA Whittaker said RA Fuller's truck would become available next year per CIP vehicle turnover recommendations. Chair Gehl summarized that the department is still exploring options, but does not expect anything beyond its budgets. Mr. Davenport said the department would pursue a grant for a truck in the next round. Selectman Jarvis asked if there would be additional monies expended from the department's budgets to install the skid unit. Mr. Davenport said there could be incidental expenses, such as hose, but he couldn't say at this time.

Motion by Selectman Jarvis to accept the \$16,653.50 awarded to the Fire Dept for a Skid Unit, said grant is 95% supported by Homeland Security, remaining 5% (\$876.50) obligation of the Town; second by Selectman Bickford. The motion carried unanimously.

Chair Gehl said the next three grants were received under Hazard Mitigation grant funding. He said he met with the Town Engineer, RA Fuller, and TA Whittaker about them, and scheduled another meeting for April 16, 2009 at 1:00 p.m. at Town Hall. He said the Board could accept these grants with the understanding they could increase slightly. Selectman Jarvis asked if there were sufficient funds for the matches. Chair Gehl said a reserve has been set aside for the Davis Crossing Road project, and the funding to complete the rest of the projects is covered in other places per the memorandum in the Board's packets. TA Whittaker said she would post the April 16 meeting, in case more than one selectman attended.

Chair Gehl reviewed the Hazard Mitigation projects funding breakdowns, including the FEMA carry-over funds and budget allowances. He indicated some funding is in the highway department's budget. Regarding the Davis Crossing Road project, he said some engineering work is still to be permitted, and the wetlands permit is not yet done. He said some adjustments may occur.

- ❑ **Motion by Selectman Bickford to accept \$265,055 awarded to Town for reconstruction of the Davis Crossing Road plus \$8,068 for administrative allowance. Grant is 75% federal FEMA funding, 25% obligation of the Town; second by Selectman Jarvis. The motion carried unanimously.**
- ❑ **Motion by Selectman Bickford to accept \$164,353 awarded to Town for reconstruction of parts of Birch Hill Road, Old Bay Road, and Old Route 11 plus \$4,383 for administrative allowance. Grant is 75% federal FEMA funding, 25% obligation of the Town; second by Selectman Jarvis. The motion carried unanimously.**
- ❑ **Motion by Selectman Bickford to accept \$107,374 Awarded to Town for culvert crossings on Kings Highway, and Copple Crown Road plus \$2,863 for administrative allowance. Grant is 75% federal FEMA funding, 25% obligation of the Town; second by Selectman Jarvis. The motion carried unanimously.**

Chair Gehl said that concluded the public hearing part of the acceptance of funds, and closed the public hearing at 8:25 p.m.

Mr. Davenport continued his report on the bid process, saying "CET" was a reputable company and "Darley's" quote missed many items, thereby making it incomplete. Selectman Jarvis asked if the fire department asked the other companies to re-bid, when the other items (stainless steel manifold, fire grade valves rather than standard ball valves, lighting all around the skid unit, 20 feet of suction hose, barrel strainer, and nine five-gallon buckets of class A foam) were added. Mr. Davenport replied they did not, as the companies never responded, even though they were aware the department had the grant and was in the market to buy. He said he did not say to "CET" that the department was going to change the specifications of what it wanted because the meat and potatoes of it stayed the same. Selectman Jarvis said the Local Government Center is specific about following whatever policies are in effect, which would include publishing in the newspaper and giving 14 days notice. She said she did not think that this met that criteria. She asked if the purchasing policy addressed the Internet age, and TA Whittaker affirmed that it did. Selectman Jarvis said that was totally different, but that the LGC was quite specific that once a bid is issued, you can't negotiate anything else until after you've awarded the bid. She said she therefore had concerns that negotiations went on before the bid was awarded and that the companies that didn't respond were not given the opportunity to bid on the changed specifications.

TA Whittaker explained that the Town's purchasing policy allows waiver of the policy to fit these types of circumstances. Selectman Jarvis said the policy does say the Town

can reject all bids. Chair Gehl indicated rejection of bids was not the issue, but it was the waiver aspect that the Board would need to look at. He also said that adding the other items was not negotiation. He said the department had a solid bid, and should it choose to expend more and get more items while still falling within the grant amount, that was fine. He said "Darley", (the only other bidder) did not meet the specs, and that the additional items do not have to be added. He said the Board could waive the policy because there were not three bids. Selectman Jarvis stated the department went out to bid and then, before awarding that bid, altered the bid package.

Mr. Davenport said Selectman Jarvis' use of the word "re-negotiate" was incorrect. He said the department got prices on individual items and chose which ones it wanted, and will get them from CET. He said the fire department did not say to CET - "this is the package we want to go to; we changed your bid". TA Whittaker described it as "accessorizing." Selectman Jarvis noted the department did not go out to Darley, the other company. TA Whittaker said again that the other company did not meet the specs. Chair Gehl said it was therefore an unresponsive bid. Mr. Davenport said he was a little afraid of "Darley". Selectman Jarvis said all potential bidders should have been given the list of items. She said the bidders had only eight calendar days to respond. She said she was uncomfortable giving multiple waivers to the policy, unless the Board had already discussed them. Chief Varney said the department has lost some equipment due to having to follow the bid policy, as it can be time consuming.

Chair Gehl said the department followed a process with the intent to get as many bids as possible. He said the skid unit is specialized equipment. He noted that time is of the essence to acquire the equipment, due to approaching forest fire season. He said the department met the intent and goals of the purchasing policy and the policy to have three responsive bids can be waived. Selectman Jarvis said there were other aspects of the policy she was uncomfortable with. She said the bid specs were over \$15,000, so that bids should have been posted in the newspaper. Chair Gehl said that would be appropriate for construction or a commodity item, but this is specialized equipment not generally available. Mr. Davenport pointed out that the bid on the pump was \$14,725, so it was less than \$15,000 before the "accessorizing."

Mr. Stuart said he could not guarantee that the department was set for the fire season, as forestry unit could break down. He said the department has a plan for the skid unit when it arrives. Selectman Bickford said the delay would be too great if it went out to bid again. Selectman Jarvis said the policy calls for 14 days. She asked RA Fuller what he does for bids. RA Fuller said he contacts three companies. Chair Gehl said the fire department did that. RA Fuller said he does not advertise paving projects in the newspaper because he needs a large paving unit, not small "driveway" units. Selectman Jarvis said this policy does not work. TA Whittaker said she was doing what the auditors ask for, and the policy does work. She said to just waive the policy in this case. Chair Gehl said advertising in the paper would waste money, as only a few companies can bid on this. Selectman Bickford confirmed it was specialized equipment. Selectman Jarvis asked what the final price is, and Mr. Davenport said the mid-range pump is \$14,725 and the final price with other items is \$17,530.

Chair Gehl explained that the price of the skid unit was less than the grant total, so the department was using the balance to purchase other items. He asked why would they take the cost of the other items out of the forestry budget, when they can get it paid for 95 per cent. He said the bid came in under \$15,000. Selectman Jarvis said the total price is more than \$15,000 according to the e-mail she received. Selectman Bickford pointed out the Board does not need a waiver because the bid is under \$15,000. Selectman Jarvis said the Board would be awarding a purchase of \$17,530. Chair Gehl explained that the bid response met specs under \$15,000. He described the additional items as gravy, using funds provided by the grant.

Selectman Jarvis stated, again, she thought there was a problem with the policy. Chair Gehl said the board has identified this as a special item. TA Whittaker explained it is easier to have a blanket waiver, rather than trying to be specific. She said it's a get-out-of-jail card, and what the auditors want. She advised not to get too nit-picky. Chair Gehl said it was clear we've gone to efforts to get responses. TA Whittaker pointed out that it is not an appropriation, but grant money. Mr. Davenport said he could break it out as two purchases. Selectman Jarvis said two purchase orders would be egregious. Chair Gehl told Selectman Jarvis they were trying to make it more palatable to her. He stated this was an open pursuit of bids. He said we have accepted the money, so let's get it over with. Selectman Jarvis said this shows there is a major problem with this policy. Chair Gehl said the Board could deal with it universally, and not at this meeting. Selectman Jarvis said the policy is only for the auditors.

Motion by Selectman Bickford to waive the purchasing policy regarding the skid unit; second by Chair Gehl. The motion carried unanimously.

Motion by Chair Gehl to award the bid for the forestry skid unit for a total amount of \$17,530 to CET; second by Selectman Bickford. The motion carried unanimously.

Selectman Jarvis requested future discussion on the current policy for the next meeting ~ she felt the old one worked. TA Whittaker noted, however, that the old policy was not followed. Chair Gehl said he had had concerns with the old policy, and the current one was a re-work to provide what the auditors wanted to meet new accounting standards. Chief Varney addressed Selectman Jarvis, clarifying his earlier statement regarding the policy to say it is only cumbersome if dealing with time sensitive issues. He explained that was why the Board could waive it.

Fire Station Addition Flooring – Chair Gehl said the last piece to complete the fire station addition was flooring. The Board reviewed four bid options from four vendors per the Purchasing Policy. Chief Varney said some carpeting in the training room would be preferable, as members must do a lot of kneeling during training. Chair Gehl, speaking from experience, said ongoing maintenance necessary for VCT increases overall costs. Discussion ensued regarding porcelain and quarry tile.

Motion by Selectman Jarvis to award the bid to Alton Flooring and Tile for floor coverings at the fire station addition, including part carpet and other materials to be determined by the fire chief, subject to seeing products placed at the front door for a

total not to exceed \$5,500. TA Whittaker said that would not work, as what the product at the door will be is unknown. Chief Varney said quarry tile could be used because the steel door swings out, so height of the flooring did not matter. The motion was suspended.

Motion by Selectman Jarvis to award the bid to Alton Flooring and Tile for floor coverings at the fire station addition, including part carpet, for a total not to exceed \$5,018; second by Selectman Bickford. The motion carried unanimously.

5. Department Reports

Highway – Used Fire Truck - RA Fuller reported a bid of \$1,200 for the used fire truck. He said the fire chief agrees to let it go. Selectman Bickford said the tires are worth more than that. Chair Gehl asked if the truck should be carved up. Discussion indicated the tires were not radials, thereby making the tires useless for current vehicles.

Motion by Selectman Jarvis to sell the old fire department tanker to Alfred Graymont Trucking for \$1,200; second by Selectman Bickford. The motion carried unanimously.

Bids for Recycling Building Roof – RA Fuller reported two bids per the Purchasing Policy received for replacing the screws on the recycling building roof. He said the low bid arrived late by a few hours, but that may have been due to mail pick-up. The higher bid specified closing in the soffets with two-inch screws, and the lower bid indicated one and one-half inch screws for the 2x6. BI/CEO Capello suggested two and one-half inch screws would be better. RA Fuller cautioned that the lower bid could increase due to using the correct screws.

Motion by Chair Gehl to award the Solid Waste Facility roof improvements to William Dahl for a total not to exceed \$1,350; second by Selectman Bickford. The motion carried unanimously.

Debris Bags – RA Fuller told the Board a private contractor brought in a sample tote bag to hold construction debris up to 300 pounds, and asked about the Town advertising them to contractors. The vendor rents the bags and hauls them away, so the Town would not have to remove the demo. Selectman Bickford asked if that would pose competition to Waste Management. RA Fuller replied it would not, as Waste Management does not have roll-offs that small. BI/CEO Capello indicated some towns require dumpsters on site. Selectman Bickford questioned if it was appropriate to direct people to a vendor. BI/CEO Capello suggested a bulletin board at the Solid Waste Facility where such information could be posted. Chair Gehl said it would be okay to indicate it as an option, but not promote it. The consensus of the Board was to not abide by the request.

Generators – RA Fuller said he spoke with electrician Dana Doyon about moving the old fire station generator to the police station. Mr. Doyon said it could not be used inside, but a portable generator on wheels with a transfer switch would work. RA Fuller said sufficient monies remained in the generator grant fund to take care of that. Police Chief Shawn Bernier was in favor of going the suggested route by the electrician. RA Fuller

said an engineer could recommend what size generator would be necessary. It could be stored in the police garage and wheeled outside when in use. The Board was in favor of moving forward with the idea.

FEMA funds – RA Fuller said the Town will receive approximately \$33,000 from FEMA toward ice storm clean up costs.

Police – SPOTS TERMINAL - Chief Bernier indicated a reduction in the Strafford County Dispatch fee. The department budgeted \$9,416 and the fees are \$4,611.20, resulting in a balance availability of \$4,804.80. He requested the balance to join the SPOTS (state police on-line telecommunication system) which gives instant access to information including motor vehicle and driver's license information, NH firearms permits, in-state warrants, as well as access to the National Law Enforcement Telecommunications System providing communication with other states, federal agencies and Canada, and access to the National Crime Information Center operated by the FBI. He said a SPOTS terminal would allow his department to communicate for criminal and motor vehicle checks and would help with in state warrants and pistol permits. He said it could be handled from a computer at the department with a terminal, rather than faxing all over. With an available grant, the first year would be free. There is a one-time license fee of \$268, and an annual fee of \$4,500 after the first year. He said the system could start in August. He said running a dedicated line into the station would be included in the fee. Chief Bernier pointed out that the system would save Town Hall the criminal background check fee of \$35 for each individual. He said he felt it was more important than installing the carpeting.

TA Whittaker suggested that with the money left, Chief Bernier look into regular carpeting, rather than the more expensive rubberized carpeting. Chair Gehl said it is this year's budget money. Chief Bernier said the dispatch fee would remain lower for several years. He said the patrolmen's room and booking room need carpeting badly. TA Whittaker said to contact Alton Flooring and Tile for a quote.

Motion by Selectman Jarvis to authorize the Police Chief to pursue the SPOTS program and spend \$268 on the one-time licensing fee, and obtain a grant of \$4,500 for the first year leasing; second by Selectman Bickford. The motion carried unanimously.

OHRV – Chief Bernier reported stopping seven four-wheelers in the Copple Crown area. He said the fine for riding on property without the landowner's permission is \$120. He said a previous Board gave permission to use Class VI roads. Chair Gehl said some of the roads are now completely impassable.

Building/Code – BI/CEO advised that his department is status quo per last meeting
6. Administrative Review

Work Plan and Goals – TA Whittaker presented a wrap-up package as to the status of last year's work plans and goals, and asked the Board to bring their goals to the next meeting for the 2009-year. She advised that she is now currently working on the 2009 work plan following Town Meeting.

Insurance quotes – TA Whittaker provided information from Primex and the Local Government Center for property liability rates. She said a decision needed to be made regarding the Town's property liability policy as the policy ended at midnight June 30, 2009. Further Primex requires a 45-day notice of termination prior to the June 30 date. She recommended going with the Local Government Center because all three insurances can be bundled into one package to save \$5,649.61. She said the Town currently has two packages with LGC, not three, as it was under contract with Primex. Selectman Bickford said the LGC does not require advance notice to change. TA Whittaker said the Town would go with the LGC for an interim six months, to get to the calendar year but would confer with LGC as to how this would be handled.

Motion by Selectman Jarvis that the Town proceeds with securing a property liability insurance policy with the Local Government Center, so that property liability, workers' compensation, and health insurance are under one entity, for a cost of \$34,705; second by Selectman Bickford. The motion carried unanimously.

Property buyback – TA Whittaker provided the Board with a request from a former property owner to buy back his property for \$2,699.80 in back taxes and fees. Chair Gehl said the area where the lot is located is overburdened and deficient to provide adequately for septic. The Board asked for input from the Cople Crown Village District commissioners, and that the landowner be notified of the amount owed. Selectman Bickford said he was not in favor of granting the request. Selectman Jarvis said it had only been two months since the tax deeding, and that the person should be able to get the land back. Town Clerk Carole Ingham confirmed the commissioners had been notified that the land was deeded.

Special Detail rates – TA Whittaker said the police department charges \$45 an hour for an officer and car for special details. In order to recoup retirement pay and equity pay raises, she recommended the charge be \$47. The Police Chief concurred following discussion.

Motion by Chair Gehl to increase the detail rate to \$47 an hour, effective immediately; second by Selectman Jarvis. The motion carried unanimously.

Street Names – Chair Gehl tabled the issue of street renaming to the next meeting, due to the late hour.

Statistical Update of Town Property Values Pre-bid meeting – TA Whittaker presented the bid proposal for a revaluation statistical update of town property values scheduled by the state's certification program for 2010. She reported a pre-bid meeting for the vendors as recommended by DRA as meeting their professional guidelines scheduled for May 12, 2009 at 10:30 a.m. at Town Hall. Mr. Estey, town assessor would be present.

Junkyard License renewal – TA Whittaker indicated Mrs. Cameron is renewing the junkyard license for clean up. RA Fuller asked if a bond of no more than \$1,000 could be posted when cars are being hauled out. BI/CEO Capello stated the items taken out must

go to a licensed junkyard. TA Whittaker said Mrs. Cameron was a very responsible woman, and she would speak to her.

Reimbursement Request – TA Whittaker said Solid Waste Facility Foreman Joe Bloskey had to pay a deductible of \$250 for a broken window on his truck, which was involved in an accident at the Solid Waste Facility. She requested the board's approval of the same.

Motion by Chair Gehl to reimburse Joe Bloskey \$250 for the deductible per his insurance policy; second by Selectman Jarvis. The motion carried unanimously.

Roof extension – Selectman Bickford asked about the roof extension. RA Fuller said it was not being considered at this point. He said looking at redoing the transfer station was to be handled first. Staff also confirmed that budget cuts had made it impossible in 2009 to extend the roofline.

The Board scheduled its next meeting for *April 20, 2009 at 7:00 p.m.* at Town Hall.

7. Old Business

Setting employee compensation ~ Non Public Session – Chair Gehl stated that due to the lateness of the hour, and his desire not to be rushed in the requested interview with a town employee, he asked if fellow board members were agreeable to tabling the same to the next meeting.

The Board took a brief recess at 10:25 p.m. and reconvened at 10:32 p.m.

Mobile sign ~ Recreation Commission – Chair Gehl said the Recreation department would like to use the mobile sign at the Solid Waste Facility. In the board's packet was a clarification from LGC attorney conveying that Selectmen are the sole decision makers with regards to use of town property and that presentation before a Zoning Board was therefore moot. Selectman Jarvis said it could be used on Town property provided the Board waives the zoning ordinance. BI/CEO Capello said a variance could be granted. Selectman Bickford said it would be acceptable if used at the transfer station and not on a road. Chair Gehl modified that statement to not being seen from a traveled way. RA Fuller suggested both the Recreation department and the Solid Waste Facility could use it. Selectman Bickford said the Recreation department would be in charge of what is on it. RA Fuller said he could work with Recreation Director Jessica Bailey. Selectman Bickford said we should ensure the Recreation Commissioners are on board with the idea. BI/CEO Capello suggested making the motion site specific.

Motion by Chair Gehl to reject the bid received for the Recreation Department's mobile sign; second by Selectman Jarvis. The motion carried unanimously.

Motion by Chair Gehl to authorize the Recreation Department, in consultation with RA Mark Fuller, to place the mobile sign on the Solid Waste Facility property out of sight of the traveled way of Old Route 11; second by Selectman Jarvis. The motion carried unanimously.

Emergency lighting Bid – Per the Purchasing Policy, TA Whittaker said she contacted six businesses and advertised in The Baysider for bids on emergency lighting at Town Hall, the highway building, and police station. She said she received two quotes; \$5,182 from Rines Electric and \$6,285 from Doyon Electric LLC enclosed in the board's packets.

Motion by Selectman Jarvis to award the bid for emergency/exit lighting to Ricky Rines Electric, not to exceed \$5,182; second by Selectman Bickford. The motion carried unanimously.

Smith building permit on a Private Road – Chair Gehl said the Board may need to revisit a building permit request on property owned by Stephen Smith in the CCVD. He said the CCVD protested that Mr. Smith did not own the property and court action had been instigated by the Village District. TA Whittaker said if the Town receives the legal documents, she has compiled all the minutes regarding the situation.

Recreation Department background check policy – TA Whittaker said the document needs a signature block, and had been reviewed by town counsel. She said she would add Town Counsel's notes and forward a cleaned up document to the Recreation Commissioners, so the Board can take it up at the next meeting. Discussion ensued by the board as money has not been budgeted to cover the costs of the proposed background checks for coaches etc.

2009 Appointments – Chair Gehl said TA Whittaker had contacted all whose terms expired per the e-mail enclosed in packets.

- ❑ **Motion by Chair Gehl to reappoint Dwight Jones as emergency management director, Janet Thorell as Town treasurer, Dennis Gagne to the Conservation Commission, William Malay as an alternate on the Conservation Commission, and Jennifer Nyman to the Parks and Recreation Commission, and to appoint Annaleen Loughlin to the War Memorial Committee. The motion carried unanimously.**
- ❑ **Motion by Chair Gehl to re-appoint and appoint Arthur Hoover, Susan Hoover, Fred Quimby, Cynthia Quimby, Lee Ann Beals, Mike Downs, Michelle Downs, Tom Goss, Aline Goss, Don Holm, Cindy McIntyre, Wayne Glidden, and Alan McQuiston to the Milfoil Committee; second by Selectman Jarvis. The motion carried unanimously.**
- ❑ **Motion by Chair Gehl to confirm the appointment by the Planning Board of Scott Drummey as an alternate member of the Planning Board; second by Selectman Bickford. The motion carried unanimously.**
- ❑ **Motion by Selectman Jarvis to appoint Mary McHale to the 1772 Meetinghouse Restoration Committee; second by Selectman Bickford. The motion carried unanimously.**

The Board asked TA Whittaker to invite Talent Bank respondents Jeff Kratovil and Matt Rabideau to attend the next meeting.

- ❑ **Motion by Chair Gehl to reappoint Christopher LaPierre as one of the at-large member of the CIP; second by Selectman Bickford. The motion carried unanimously.**

The Board signed the appointment forms.

8. New Business

Use of Town Beach Draft Application – The Board reviewed a draft of an application for the use of the Town Beach for different functions, such as weddings or fundraisers. Chair Gehl said such use could be appropriate. Selectman Bickford felt the Recreation Department could run this. TA Whittaker reminded the board that the ultimate authority is the Board of Selectmen. He said the Town purchased the beach for recreation. TA Whittaker said the guidelines for use, included in the application, have been sent to the respective departments i.e. Recreation, fire, and police departments.

Historic barn easement request – Chair Gehl said the statute governing discretionary easements for historic agricultural buildings came into being in 2002. He said this kind of thing is a part of the Master Plan and is encouraged. If the Board chose to grant an easement, however, how is the amount to be determined? TA Whittaker said the Board's vote would be based on a site visit to work through a checklist she will draw up that follows state guidelines, and that the assessor will calculate the credit according to the board's criteria. Selectman Bickford asked if it was a question of preservation or fixing-up. Chair Gehl said there has been no rhyme or reason as to how it has been applied. TA Whittaker said again, that the assessor needs direction if the property is suitable for conservation, then he would judge the amount. She said she would e-mail Bob Estey for information on how he would apply values. Chair Gehl said RSA 79-D: 3 should determine if it's a qualifying structure. The Board scheduled a site walk for Monday, April 13, 2009 at 6:30 p.m. at Cheryl Cullimore's property.

Audit 2008 – The Board received the recommendations from the auditors for cited deficiencies.

9. Approval of Minutes

The Board made the following amendments to the minutes of March 16, 2009:

- ❑ Pg. 2: 2nd paragraph, 8th line, add "Construction Foreman Jim MacElvoy" to Jim; 19th line, after Birch Hill add ", early morning only."; 5th paragraph, 1st line, add "a month ago" after RA Fuller said.
- ❑ Pg. 5: 4th paragraph, 4th line, delete Article and replace with Town Center District proposal, Article 2, Amendment 1; 9th line, delete ask about and replace with question.

Motion by Chair Gehl to approve the minutes of the business meeting of March 16, 2009, as amended; second by Selectman Bickford. The motion carried unanimously.

The Board made the following amendments to the non-public minutes of March 16, 2009: that the minutes of the non-public session be unsealed only in regard to that portion that dealt with legal matters, with names redacted as needed.

Motion by Selectman Jarvis to approve the non-public minutes of March 16, 2009, as amended; second by Selectman Bickford. The motion carried unanimously.

The Board made the following amendments to the minutes of March 30, 2009:

- Pg. 1: third paragraph, next to last line, add "in 2001," following "the program"
- Pg. 2: second paragraph, 8th line, following take care of children., add the sentence – Creative Kids Club is open during early dismissals, delays, and school vacations
- Pg. 3: second line down, add "Creative Kids Club" following "expand the"

Motion by Selectman Jarvis to approve the minutes of March 30, 2009, as amended; second by Chair Gehl. Gehl – aye, Jarvis – aye, Bickford – abstain. The motion carried.

10. Any Other Business

Selectman Bickford shared with the Board a "Wanted" poster he appeared on as one of several Republicans who voted for the increase to the gas tax, HB 644.

11. Adjournment

Motion by Selectman Jarvis to adjourn at 11:57 p.m.; second by Selectman Bickford. The motion carried unanimously.

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.