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## Town of Sandown, NH Board of Selectmen Minutes

Meeting Date: Monday, March 14, 2011

Type of Meeting: Regular meeting

Method of Notification: Public Posting – Two locations at Town Hall

Meeting Location: Sandown Town Hall

Present: Selectpersons: Brenda Copp (Copp), Stephen Brown (Brown), Hans Nicolaisen (Nicolaisen), Tom Tombarello (Tombarello), James Devine, Lynne Blaisdell, Office Manager and Cynthia J. Robinson, Recording Secretary

Absent:

Late to arrive:

Call to Order: Vice Chairman Nicolaisen called the meeting to order at 7:00 P.M.

Pledge of Allegiance

### Review of minutes of previous meetings

- Board members reviewed the Minutes of February 28, 2011. **MOTION:** Selectman Tombarello moved to accept the Minutes of February 28, 2011 as written. Selectman Brown seconded. Four ayes [Copp, Brown, Nicolaisen and Tombarello] and one abstention [Devine]. Motion passed.

Board members reviewed the Minutes of March 2, 2011. Selectwoman Copp noted in line 272 part of Mr. Villella's statement was omitted, he also stated "...whether he is issued a permit or not" and she would like this entered into the Minutes. Selectman Brown stated he does not remember Mr. Villella making that statement. Vice Chairman Nicolaisen doesn't remember the statement either. Selectwoman Copp stated Mr. Villella said he had workers coming the next day and whether he got the permit or not he would be working. Vice Chairman Nicolaisen asked that before it is entered into the record, the tape be listened to in order to confirm that statement. Selectman Tombarello stated he does recollect Mr. Villella saying words to that effect. Selectman Devine also asked to have the tape checked for that statement. Majority of the Board agrees to listen to the tape and place the acceptance of the March 2, 2011 Minutes on the March 21, 2011 agenda.

**MOTION:** Selectman Tombarello moved to accept the Non-Public Minutes of February 28, 2011 as written. Selectman Brown seconded. Four ayes [Copp, Nicolaisen, Brown and Tombarello] and one abstention [Devine]. Motion passed.

44 **Public Comment**

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- 46 • There was no public comment.
- 47

48 **Swearing in of new elected officials**

- 49
- 50 • Vice Chairman Nicolaisen welcomed and thanked everyone for volunteering their  
51 time to the Town and being here to be sworn in. Town Clerk, Michele Short was  
52 present to do the swearing in. Following their swearing in [to which all stated “I  
53 do”] the newly elected officials that were present signed the official documents.
- 54

55 **Appointment of Chairman, Vice Chairman and liaison positions**

- 56
- 57 • **MOTION:** Selectman Brown moved to appoint Hans Nicolaisen as Chairman of  
58 the Board of Selectmen. Selectman Tombarello seconded. Motion passed  
59 unanimously.
- 60

61 **MOTION:** Selectman Devine moved to appoint Steve Brown as Vice Chairman.  
62 Chairman Nicolaisen seconded. Four ayes [Copp, Nicolaisen, Tombarello and  
63 Devine] and one abstention [Brown]. Motion passed.

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65 Liaisons appointments are as follows:

66

67 Finance Department – Nicolaisen  
68 Town Clerk/Tax Collector – Nicolaisen  
69 Website – Nicolaisen  
70 Old Home Day Committee – Tombarello  
71 Highway Department – Tombarello  
72 Sanitation Department – Tombarello  
73 Cable TV Advisory Board – Devine  
74 Recreation Commission – Nicolaisen  
75 Library Trustees – Devine  
76 Zoning Board – Tombarello  
77 Conservation Commission – Brown  
78 Fire/Rescue – Copp  
79 Budget Committee – Copp  
80 Joint Loss Mgt Committee – Copp  
81 Police Department – Brown  
82 Building Department/Code Enforcement  
83 Health Officer – Tombarello  
84 Planning Board – Nicolaisen  
85 Local Energy Commission – Tombarello  
86 RC Technical Advisory Committee – Devine  
87 Police Union Negotiation Team – Copp and Tombarello

88 **New Business**

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90 **Discussion regarding correspondence from Sandown Postmaster on the**  
91 **status of mail delivery at Holts Point Road**  
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- 94 • Ms. Blaisdell stated that over the past couple years the Postmaster has sent out  
95 a letter to the residents of Holts Point Road informing them mail delivery will be  
96 stopped due to the condition of the road. This year it took effect on March 9,  
97 2011. The Postmaster spoke with Paula Gulla, Selectmen's Secretary, to find  
98 out what is going to be done regarding the condition of the road. Ms. Blaisdell  
99 stated this is a Town road and she proceeded to explain what is involved in the  
100 reconstruction process. There was also discussion about moving the mailboxes  
101 to the end of the road as a temporary fix. Chairman Nicolaisen stated he is  
102 unsure why the Post Office stopped mail delivery since Fremont Road isn't any  
103 better. Ms. Blaisdell stated residents are not happy with the idea of their  
104 mailboxes being placed at the end of the road. Chairman Nicolaisen stated that  
105 because of the wetlands along Holts Point Road any work would require a  
106 wetlands permit.

107 Roger Barczak asked the Board if anyone has spoken directly with the  
108 Postmaster to find out exactly what the problem is that results in mail delivery  
109 being stopped. Chairman Nicolaisen stated during the winter it is the snow  
110 banks and this time of year it is the potholes. Mr. Barczak suggested the Board  
111 consider a warrant article to amend the Roadway Improvement Plan to include  
112 the paving of Holts Point Road. Chairman Nicolaisen stated he believes the  
113 Public Work's Director is presently looking into that possibility. Selectman Brown  
114 stated he thinks it is more than just paving the road because the road is so  
115 narrow and the houses and fences are so close to the road the snow is still going  
116 to be covering the mailboxes. Mr. Barczak stated it is the responsibility of the  
117 homeowner to make their mailbox accessible.

118  
119 Thomas Stachulski stated it is the potholes that are the problem noting the road  
120 is lower than the sides so that water cannot drain off. Mr. Stachulski also noted  
121 some of the homes along the road are pumping water into the road. Mr.  
122 Stachulski is not in favor of moving the mailboxes, he feels the problem itself has  
123 to be addressed. Dawn Nicolaisen suggested the use of a multi-mailbox unit.  
124 The cost of this type of a unit was discussed.  
125

126 **Discussion regarding Volunteer Appreciation Day**  
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- 129 • Chairman Nicolaisen recapped last year's Volunteer Appreciation Day. Ms.  
130 Blaisdell suggested putting items left over from last year in a gift bag and have  
131 the department liaison deliver the bags to their committees or possibly provide  
coffee and donuts in the office and invite the volunteers to stop by on a given

132 day. Selectwoman Copp liked the idea of the liaison delivering the gift bags.  
133 Selectman Brown noted that some volunteers are not on the different  
134 committees. Ms. Blaisdell stated the office doesn't always know who the  
135 different volunteers are.

- 136
- 137 • Ms. Blaisdell announced the Health and Human Services Salem Office would be  
138 closing. Those served out of that office will now be served out of Nashua. Ms.  
139 Blaisdell will be attending a meeting on March 23, 2011 at 6:00 P.M. at the  
140 Salem Boys and Girls Club. Selectmen are invited to attend.

## 141 **Old Business**

### 142 **Further review of grant application and RFP for renovations** 143 **to Old Meeting House**

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- 147 • Ms. Blaisdell stated that Paula Gulla and Sonia Silva have worked out more of  
148 the details on the grant application and the RFP noting the application is due as  
149 of March 31, 2011. Ms. Blaisdell asked the Board if they have any questions she  
150 can obtain the answers and bring back the answers next week, if not, they would  
151 like to move forward and send the application in. Consensus of the Board is they  
152 are all set with the application. Ms. Blaisdell will put the application in the  
153 signature folder for signing.

### 154 **Discussion regarding payment for fence at 603 Main Street**

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- 157 • Chairman Nicolaisen noted that the job has been completed and paid for by the  
158 homeowner and now the Town needs to reimburse the homeowner. Chairman  
159 Nicolaisen noted the issue is according to the Minutes this is not the way  
160 payment was to be made. Ms. Blaisdell explained that because of the way the  
161 Board agreed to pay the invoice and for auditing purposes the check needed to  
162 be paid to the contractor. The contractor returned the check because the bill was  
163 already paid and he cannot show the bill as having been paid twice. Ms.  
164 Blaisdell stated the Board now must authorize the payment to go to the  
165 homeowner. Board members reviewed the documents provided in this evening's  
166 packet.

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168 Selectwoman Copp asked who wrote the "Pay the fence company directly". Ms.  
169 Blaisdell stated she did when she gave the initial bill to the Finance Director.  
170 Selectwoman Copp has a concern with the homeowner's check not being made  
171 out to the fence company. Ms. Blaisdell stated the name on the check is the  
172 owner of the fence company. James Kiessling [homeowner] stated when the job  
173 was completed the owner of the fence company asked Mr. Kiessling if he would  
174 pay him personally. Mr. Kiessling agreed because the work was completed and  
175 he had the money not thinking it would be an issue. Selectman Tombarello

176 stated the way the check is indorsed it looks like the check was cashed for the  
177 money not deposited into the business account. Selectwoman Copp does not  
178 feel this was handled correctly and does not want anything to do with this. There  
179 was discussion as to why it took so long for this issue to come up. Chairman  
180 Nicolaisen stated knowing the fence company owner returned the check to the  
181 Town he is comfortable that the bill has been paid. Chairman Nicolaisen further  
182 stated he believes the Finance Director is looking for the Board to say it is okay  
183 to pay Mr. Kiessling thus creating a paper trail. **MOTION:** Selectman Devine  
184 moved to pay James Kiessling for the job completed [fence] in the amount of  
185 \$850.00 and void the check issued to Sturdy Fence. Selectman Tombarello  
186 seconded. Four ayes [Brown, Nicolaisen, Tombarello and Devine] and one nay  
187 [Copp]. Motion passed. Selectman Devine asked who did the work. Mr.  
188 Kiessling stated Charles Williamson owner of Sturdy Fence.  
189

190 **Chose next sections of revised personnel policies and procedures**  
191 **to discuss on March 21, 2011**  
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- 193 • Selectman Brown recapped for Selectman Devine what the Board has done so  
194 far with regards to the revised personnel policies and procedures. Board  
195 members discussed the length of the next two sections and consensus was to  
196 work on Section IV at the March 21, 2011 meeting.  
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198 **Review of Correspondence**  
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200 Chairman Nicolaisen stated he has asked Ms. Blaisdell to take over the correspondence  
201 portion of the agenda.  
202

- 203 • Memorandum from Municipal Resources, Inc. (MRI) regarding three  
204 condominium projects that appear to have assessment ratios out of line with the  
205 Town's overall assessment ratio of 115.5%. MRI is recommending the Town  
206 undertake a more in-depth analysis to determine and to make the appropriate  
207 adjustments to bring the condominium projects in line with the Town overall. This  
208 will require an additional agreement at a cost of \$2,500.00 over their original  
209 contact. Selectwoman Copp asked if these projects have been done as part of  
210 the 25% review. Ms. Blaisdell stated she believes they were and this report was  
211 the result. Selectman Devine asked why they aren't just adjusted down. Ms.  
212 Blaisdell stated she is unsure and recommended the Board invite MRI to a  
213 meeting and discuss this with them.  
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- 215 • Letter from NH Department of Environmental Services regarding an  
216 Administrative Order on a property in Sandown for a wetlands violation.  
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- Letter from Public Service of NH informing the Town of a meter change at the Highway Garage due to the increased use of electricity. Ms. Blaisdell noted this is not a bad thing, it may actually save the Town some money.
  - Letter from Lycott Environmental, Inc. informing interested parties they have entered into an agreement with Phillips Pond Association to manage the milfoil in Phillips Pond. Treatment will be undertaken on or about June 9, 2011 with an alternative date of September 7, 2011. Certain actives and water use might be temporarily restricted as a condition of the permit. Ms. Blaisdell will contact the Recreation Commission.
  - Letter from the Local Government Center Health Trust is asking to be considered next year when the Board reviews their health plan coverage.
  - Letter from Fred and Marilyn Murray regarding Yoga Matters. Chairman Nicolaisen stated abutters have had the opportunity to voice their opinion at past meetings. Selectman Copp noted that they Board did not go along with what the Board's legal counsel recommended. Ms. Blaisdell stated that three recommendations were presented to the Board. Selectman Brown stated he does not feel the Board has to respond to every letter.
  - Letter from Hartigan Company regarding the maintenance of wastewater and stormwater systems. Ms. Blaisdell will give the letter to the Public Works Director.
  - Letter from Donna Martin notifying the Board she is stepping down from the Old Home Day Committee due to the fact she is moving out of state. Selectman Tombarello stated Ms. Martin was an asset to the Town and wished the family well. Selectman Devine asked Ms. Blaisdell to send a letter to Ms. Martin stating what has been expressed tonight. Board members agreed.
  - Letter from University of New Hampshire informing the Town that Arthur Genualdo has achieved the status of Roads Scholar One. Board members congratulated Mr. Genualdo.
  - Ms. Blaisdell stated the next letter requesting Town assistance should be discussed in Non-Public Session. Selectwoman Copp asked if all of these have to go into Non-Public Session. Ms. Blaisdell stated they don't have to be but Board members would have to be very careful about what they mention. Selectman Brown stated there is specific information in this letter that if mentioned in public could divulge whom the letter is from. Ms. Blaisdell will contact this person for more information.

262 **Department Liaison Report**

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- Selectwoman Copp as liaison to the Fire Department thanked the voters for seeing the need and approving the need of the tanker.
- Selectman Tombarello as liaison to the Police Department thanked the voters for contributing to the fund for the new police station.
- Chairman Nicolaisen as liaison to the Highway Department thanked the voters for approving the Road Improvement Plan.
- Ms. Blaisdell thanked the voters for approving the budget.
- Ms. Blaisdell asked the Board if any of them are interested in the Antioch University. If they are please let Ms. Blaisdell know.

279 **Non-Public discussion under RSA 91A:3 II (c) Reputation**

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- **MOTION:** Selectman Tombarello moved to go into Non-Public Session per RSA 91A:3 (e) Litigation. Selectman Brown seconded. Roll call: Copp – aye, Brown – aye Nicolaisen – aye, Tombarello – aye and Devine - aye. Motion passed unanimously.

**MOTION:** Chairman Nicolaisen moved to come out of Non-Public Session. Selectman Brown seconded. Motion passed unanimously.

Chairman Nicolaisen announced that while in Non-Public Session the Board voted to seal the Minutes.

292 Chairman Nicolaisen asked Cable if they could broadcast the meeting again. Cable  
293 made the attempt but because they were already copying the earlier meeting to a disk  
294 they were unable to do so.

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**The tape recorder did not record. These minutes are based on the Recording Secretary's hand written notes.**

299 **Discussion on 9 Montana Drive**

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- Selectman Tombarello informed the Board he spoke with Ken Sherwood, Building Inspector/Code Enforcement Officer regarding the after the fact permits for 9 Montana Drive. Mr. Sherwood would like the Board's support for issuing the after the fact permits and to assess a fine to Robert Villella. Selectman Brown stated it is not up to the Board to tell Mr. Sherwood whether to issue the permits

306 or not. Selectman Devine would prefer the responsible parties apply for the  
307 permits and pay the fine. Selectwoman Copp does not feel this is the Board's  
308 call to make, it is Mr. Sherwood's because he is the Building Inspector/Code  
309 Enforcement Officer. The Board feels they have already stated their viewpoint,  
310 they cannot tell Mr. Sherwood what to do or not do. Consensus of the Board was  
311 they would stand behind Mr. Sherwood's decision.

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314 **MOTION:** Selectman Tombarello moved to adjourn at 9:09 P.M. Selectman Devine  
315 seconded. Motion passed unanimously.

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Respectfully Submitted,

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Cynthia J. Robinson  
Recording Secretary

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