

1 **Town of Sandown, NH**
2 **Board of Selectmen**
3 **Minutes**
4

5 Meeting Date: Monday, July 15, 2013

6 Type of Meeting: Regular meeting

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

8 Meeting Location: Sandown Town Hall

9 Present: Selectpersons: Terry Treanor (Treanor), Brenda Copp (Copp), Tom
10 Tombarello (Tombarello), James Devine (Devine), Lynne Blaisdell, Town Administrator
11 and Cynthia J. Robinson, Recording Secretary

12 Absent:

13 Departed: Terry Treanor (Treanor) – 8:05 P.M.

14 Late to arrive: Hans Nicolaisen (Nicolaisen) – 7:15 P.M.

15 Call to Order: Chairman Tombarello called the meeting to order at 7:00 P.M.

16 Pledge of Allegiance
17

18 **Walk through at Train Depot to check status of clean up**
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- 20 • Chairman Tombarello noted the Board met at the Train Depot at 6:30 P.M. to
21 check on the progress of the clean up that has taken place. Selectwoman Copp
22 thanked the Historical Society for all the work they put into the clean up and how
23 nice it looks. Selectwoman Copp noted there is only a small area left to clean up
24 and she encouraged people to go and check it out.
25

26 **Review of minutes of previous meetings**
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- 28 • Board members reviewed the minutes of July 1, 2013. Selectwoman Copp
29 asked to add at the end of lines 119-120, “which would depend on how many
30 Town rentals we had”. **MOTION:** Selectwoman Copp moved to accept the
31 minutes of July 1, 2013 as amended. Selectman Devine seconded. Three ayes
32 [Treanor, Copp and Devine] and one abstention [Tombarello]. Motion passed.
33
- 34 • Board members reviewed the non-public minutes of July 1, 2013. **MOTION:**
35 Selectwoman Copp moved to accept the non-public minutes of July 1, 2013 as
36 written. Selectman Devine seconded. Three ayes [Treanor, Copp and Devine]
37 and one abstention [Tombarello]. Motion passed.
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39 **Public Comment**
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- 41 • Chairman Tombarello stated the Town Clerk gave him a list regarding the
42 warrant for dog licenses. Unfortunately there are still a large number of people
43 who have not registered their dogs. Chairman Tombarello stated the Board will

44 be signing the warrant tonight and it will be going out. Ms. Blaisdell stated the
45 fine is \$25.00 on top of the registration fee and if anyone has any questions they
46 should contact the Town Clerk.

47
48 **Correspondence**

- 49
- 50 • Progress Report from Dragon Mosquito for June 2013. The Report can be
51 viewed on the Town's website.
 - 52
 - 53 • A letter from Holden Engineering offering their assistance with bridge
54 improvements and replacements.
 - 55
 - 56 • Legal notice from the City of Concord regarding the replacement and installation
57 of telecommunication antennas.
 - 58
 - 59 • Letter from the Planning Board updating the Board of Selectmen on the status of
60 road bonds.
- 61

62 **Department Liaison Report**

- 63
- 64 • Selectwoman Copp discussed the new cable contract for Comcast. The Cable
65 Committee asked Attorney Epstein to look at the contract. Mr. Epstein sent an
66 email back stating the Cable Committee cannot sign the contract that it has to be
67 the Board of Selectmen so the Board will have to look over the contract.
68 Selectwoman Copp stated the Station Manager has looked it over and one item
69 has to be added [low income]. Where this is a basic contract Selectwoman Copp
70 would like to have town counsel look at the contract with some guidelines for its
71 review if that is acceptable to the Board. Selectwoman Copp will discuss the
72 contract and its review with the Cable Committee.
- 73

74 Selectman Nicolaisen arrived at this time – 7:17 P.M.

75
76 **Appointments**

77
78 **Rocco Piccirilli and residents of Balsam Lane and Spruce Lane**
79 **Discussion regarding status of right-of-way**

- 80
- 81 • Present for this discussion was Richard Watton. Mr. Watton is before the Board
82 to find out the status of Spruce Lane and whether they need a court order to
83 mark the historic right-of-way that has existed and been used for 73 years.
84 Chairman Tombarello stated the Board feels this is a civil matter. Mr. Watton
85 stated the right-of-way was blocked off and they were told the right-of-way would
86 have to be surveyed and when they tried to survey it the surveyors were asked to
87 leave the property, as they need a court order to do the survey.

88 Chief Gordon joined the meeting at this time. Chief Gordon stated there is a 30
89 foot right-of-way marked out starting at the corner of Balsam Lane and Hemlock
90 Circle called Spruce Lane. Chief Gordon stated he has maintained access
91 through there to the properties in the back. An alternative path has been
92 established for safety and police enforcement to the property out back. This
93 alternative is available to anyone else who wants to use it. Chief Gordon was
94 told by the County Attorney that police enforcement stops at Hemlock Circle, as it
95 is the police department's job to enforce the laws of the state regarding public
96 ways. Chief Gordon stated that the property owner told the surveyors to leave
97 her property and that they would need a court order to return.
98

99 Mr. Watton asked about the charges he filed for trespassing. Chief Gordon
100 stated the statute of limitations has run out and the Assistant County Attorney will
101 not prosecute. Chairman Tombarello told Mr. Watton there is nothing the Town
102 can do to help with this matter. Chief Gordon feels this matter has to go to court
103 to be resolved.
104

- 105 • Chief Gordon informed the Board he does not have an issue with the Senior
106 Affairs Transportation Committee parking the van being donated to them where
107 the cruisers are parked. The key will be kept at the Police Station. Ms. Blaisdell
108 asked how the Board wants her to respond to Mr. Piccirilli by letter or a copy of
109 the minutes. Consensus of the Board was a copy of the minutes would suffice.
110

111 **Jim George, Global Tower**
112 **Discussion regarding regional tower project**
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- 114 • Jim George is a contractor/developer for Global Tower. Mr. George stated there
115 is a tremendous amount of activity by wireless carriers in Rockingham County
116 who are upgrading to 4G and the area is lacking coverage. Mr. George is
117 working with municipalities in the area to find sites to locate towers in order to
118 increase coverage. Mr. George showed the Board the current coverage in the
119 area and how he hopes to improve it. Mr. George feels the Town's
120 telecommunication ordinance is receptive to locating a tower on Town property.
121

122 Mr. George feels a site at Miller Field would work for their purposes, but he has
123 reviewed other sites. Mr. George showed the many types of towers that are now
124 available. Selectman Nicolaisen stated he thinks Miller Field has stipulations on
125 it that would not allow a tower to be erected. Mr. George stated if that is the case
126 Chestnut Hill would be his second choice. Mr. George asked what process he
127 needs to follow to get this project started noting he is prepared to talk to town
128 officials and residents about his plans. Selectwoman Copp asked Mr. George if
129 he has gotten any other towns to agree to this and if so which ones. Mr. George
130 stated no but he has been having this same discussion with other towns. Ms.
131 Blaisdell noted RSA 41:11 (a) might restrict the Board of Selectmen from

132 entering into a long-term lease agreement. Mr. George feels he can work around
133 the RSA. Deb Brown, Recreation Director joined the meeting at this time and
134 stated Miller Field cannot be used for this purpose because it would violate the
135 grant that was used to establish the Field [no commercial allowed].

136
137 Selectman Treanor left the meeting at this time – 8:05 P.M.

138
139 **Jon Goldman, Rescue Captain**
140 **Review of proposed ambulance billing rates**
141

- 142 • Present for this discussion are Jon Goldman and Dick Strout. Mr. Goldman
143 started by giving a brief history on Sandown's emergency medical services,
144 which includes a contract with Trinity Emergency Medical Services for
145 emergency transport. Sandown has an ambulance that is licensed to transport at
146 the intermediate level. The Sandown ambulance does a minimal amount of
147 transporting; Trinity does the bulk of transports. Mr. Goldman gave reasons why
148 Sandown may transport. Currently, Trinity bills for the transport and Sandown
149 doesn't. Through a warrant article this past March the Town has given the Fire
150 Department permission to start the process for billing for its transport services.

151
152 Mr. Goldman is before the Board to discuss the billing rates. Mr. Goldman went
153 over the proposed billing amounts with the Board. Mr. Goldman stated the rates
154 are based on what Medicare would pay plus 25%. Ms. Blaisdell stated it is closer
155 to 30%. Chairman Tombarello asked how old the ambulance is. Mr. Goldman
156 stated it is a 1995 ambulance. Mr. Goldman stated that funds for transport and
157 hopefully a grant would go towards a new ambulance or other emergency
158 equipment. Chairman Tombarello asked if the Town would continue the contract
159 with Trinity. Mr. Goldman stated yes there are no plans for the Town to expand
160 their services. Mr. Goldman stated the rates are Hampstead rates. Mr. Goldman
161 explained how the process would work; Comstar would do the billing per the
162 direction of Fire Department. If a Sandown resident used the Sandown
163 ambulance their insurance company would be billed and any remaining balance
164 would be billed to the Sandown resident but they would not have to pay the
165 amount. Exceptions to this would be the billing of auto insurance and out of town
166 residents. The process would be at the end of the month Comstar will send the
167 Town the checks collected then bill the Town 10% of what was collected. Mr.
168 Goldman explained the reasons why Sandown does not have emergency
169 medical services 24/7 [cost].

170
171 Mr. Goldman is looking for the Board to accept the rates and sign the contract as
172 they are looking at a September 1, 2013 start date. Ms. Blaisdell asked about
173 the number of agreements to be signed and the reference to following the laws of
174 the Commonwealth of Massachusetts. Mr. Goldman is okay with all agreements
175 being signed and he is only assuming the laws deal with business law.

176 **MOTION:** Selectwoman Copp moved to enable Chairman Tombarello to sign
177 the billing rate, Comstar Agreement and Business Associate Agreement as of
178 today's date pending confirmation of the Massachusetts law question.
179 Selectman Devine seconded. Motion passed unanimously.

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

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- 182 • **MOTION:** Selectwoman Copp moved to go into non-public session per RSA
183 91A:3 II (c) Reputation. Selectman Nicolaisen seconded. Roll call: Copp – aye,
184 Tombarello – aye, Nicolaisen – aye and Devine – aye. Motion passed
185 unanimously.
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187

188 **MOTION:** Selectman Nicolaisen moved to come out of non-public session.
189 Selectwoman Copp seconded. Motion passed unanimously.

190

191 Chairman Tombarello left the table at this time.

192

193 Vice Chairwoman Copp announced while in non-public session the Board voted
194 to seal the minutes.

195

196 **Senior Affairs Transportation Committee**
197 **Discussion regarding request to accept donation of vehicle**

- 198
- 199 • Present for this discussion were Kathleen Richardson and Joan Park. Vice
200 Chairwoman Copp read the letter from the Sandown Senior Affairs
201 Transportation Program Committee (SSATP) dated July 2, 2013 regarding the
202 donation of a Dodge Caravan.
203

204 Chairman Tombarello returned to the table at this time.

205

206 Ms. Richardson stated the vehicle is being donated for the sole use of the
207 SSATP and the only cost to them will be parts. Ms. Richardson is here tonight to
208 see if the Board will accept the donation on behalf of the SSATP. Ms.
209 Richardson gave an update on the services they have provided since April; they
210 have 21 registered residents, provided 54 trips (total of 662 miles) and they have
211 10 drivers (6 active). Selectwoman Copp asked about the types of rides
212 provided. Ms. Richardson stated mostly medical but some just general trips.
213 Selectwoman Copp asked about the costs to maintain and operate the vehicle.
214 Ms. Richardson stated they use gas cards; insurance would be through the
215 Town. Selectwoman Copp expressed her concern that a volunteer program was
216 going to end up costing the Town money and that possibly a budget would have
217 to be created to cover the car expenses. Ms. Blaisdell didn't think a budget
218 would have to be created because the insurance and registration lines already
219 exist. Selectwoman Copp stated these lines are for existing Town vehicles.

220 Ms. Richardson stated all they are asking the Board is to accept this vehicle as a
221 Town vehicle and to register and insure it as such. The SSATP will take care of
222 the rest. Selectman Devine would like the vehicle looked at by a certified
223 mechanic.

224
225 **MOTION:** Selectman Nicolaisen moved to accept the 2002 Dodge Caravan
226 under the condition it cost the Town of Sandown no other money except to insure
227 it. Selectman Devine seconded. Selectwoman Copp raised the question
228 whether this motion commits other Board's to a motion. Selectwoman Copp
229 asked who would be liable if a driver gets into an accident. Ms. Blaisdell stated
230 volunteers are covered under the Town's policy but she would want to verify her
231 answer. Selectman Devine repeated his request to have a certified mechanic
232 check out the vehicle. Chairman Tombarello stated he would like to get the
233 answers to these questions before voting and recommended continuing the
234 discussion in two weeks. Selectman Devine withdrew his second and Selectman
235 Nicolaisen withdrew his motion.

236
237 **Jimmy Beucler, Eagle Scout**

238 **Further discussion regarding proposal for walking trails off Morrison Lane to**
239 **Cub Pond and Punch Pond**

240
241 • Jim Beucler returned to update the Board on his walking trail project. Present
242 with Mr. Beucler were Mr. Chaput (Scout Master), Ms. Foss (NHDES) and Ms.
243 Goodrow (abutter) on Morrison Lane. Mr. Beucler stated he has walked the
244 trails again to get an idea where the trails will be, talked to Mr. Butler of the
245 Conservation Commission about the easement on Curtis Springers land and
246 visited with Ms. Goodrow and Mr. Saltalamacchia the two abutters to the land.
247 Both expressed some concerns. Mr. Beucler would also like to hear the
248 concerns of Board members and discuss the wetland information.

249
250 Mr. Beucler is asking the Board for permission to use Town owned land for part
251 of his walking trail. Mr. Beucler stated parking was a concern of the abutters and
252 he has some ideas. Mr. Beucler's time line requires he get this approved by the
253 Boy Scout Council as soon as possible. Mr. Butler told Mr. Beucler that the land
254 in question is not land trust property, the land abutting the neighbors is owned by
255 Mr. Springer and it is a conservation easement. While not confirmed by Mr.
256 Beucler he was told Mr. Springer would allow some cars to park on his property.
257 Signage limiting the number of cars and prohibit the blocking of driveways or
258 mailboxes could be an option. Parking would be on the pavement. Selectman
259 Nicolaisen doesn't think limiting cars is an option. Ms. Goodrow supports the
260 project. Mr. Beucler stated a sign would be put up with information pertaining to
261 the walking trail.

262

263 Ms. Blaisdell presented the legal letter from Local Government Center regarding
264 the Board of Selectmen giving permission to create a walking trail on Town
265 owned property. Mr. Beucler was given a copy of the letter. Mr. Beucler stated
266 he is doing this project through the Conservation Commission and all he came
267 before this Board for was permission to use the Town property. [Inaudible
268 discussion by Ms. Blaisdell]. Chairman Tombarello stated Mr. Beucler has the
269 blessing of the Board of Selectmen to go forward with the project and hold the
270 public hearing. Mr. Beucler and Ms. Foss walked the site and it was determined
271 no state permits would be needed. Mr. Beucler stated other concerns mentioned
272 were hours of operation and he would like the troop to be able to camp on the
273 site during construction and there is a concern about animals on the trail. Ms.
274 Blaisdell stated Sandown does not have a leash law they follow the state law.
275 Trash will be carry in/carry out. The project will begin late summer early fall. Mr.
276 Beucler provided the Board with a copy of the old easement deed for the
277 Springer property.

278
279 **Other**

- 280
- 281 • Chairman Tombarello allowed Richard Watton to briefly speak about the
282 Balsam/Spruce Lane issue discussed earlier pertaining to his question about the
283 trespassing complaint he filed and the statute of limitation having expired. Mr.
284 Watton noted the date the complaint was filed is still less than a year [July 19,
285 2012]. Mr. Watton was directed to speak to the Chief of Police or the Assistant
286 County Attorney Tom Reid.

287
288 **New Business**

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290 **Opening sealed bids for construction of basement egress at Public Library**

- 291
- 292 • Ms. Blaisdell stated three bids were received, two before the deadline and one
293 after. Chairman Tombarello opened the two bids received before the deadline.
294 They are as follows:

295
296 Michael Sullivan - \$6,280.00
297 Pica General Contracting - \$5,300.00

298
299 Ms. Blaisdell stated the amount budgeted was \$4,900.00. Ms. Blaisdell stated
300 the Board could chose a contractor and discuss with them what items could be
301 eliminated to reduce the cost. Consensus of the Board was to review the bids
302 more closely to see what each had submitted for costs.

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304 **Old Business**

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306 **Further discussion regarding comment to storm water management permit**

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- [Inaudible, these minutes are based on hand written notes taken by the Recording Secretary]. Ms. Blaisdell provided the Board with information relating to the Town joining one of several coalitions to address concerns with the new storm water management permit [MS4]. Ms. Blaisdell asked the Board how they want to move forward with this, join a coalition or possibly wait to see what happens down the road. Selectwoman Copp stated the Town has always had to submit the MS4 this is a revised version. Selectwoman Copp feels New Hampshire is being used as a test case for this region and this being the case, Sandown will have to hire personnel to do the measuring of salt use. Sandown needs to send a letter by August 15, 2013 stating why Sandown will not be able to do some of these things. Attendance is needed at a meeting to be held on July 17, 2013. Selectman Devine stated he would attend. Consensus of the Board was to go with a coalition. Selectwoman Copp and Ms. Blaisdell will work together to find money to cover the cost of joining a coalition.

Follow up discussion regarding Train Depot Museum and possibility of agreement between Town and Historical Society on for use of property

- Ms. Blaisdell asked the Board if they want to draw up an agreement between the Board of Selectmen and the Historical Society regarding the use of the property. Selectwoman Copp supports drawing up some type of an agreement stating what the Historical Society can and can't do with the Depot property. Ms. Blaisdell stated the agreement should be for one year at a time. Ms. Blaisdell will draft an agreement for the Board to review.

Other

- Ms. Blaisdell stated the Old Home Day Committee would like Anthony LoConte and Beatrice Donahue appointed to the Committee. **MOTION:** Selectman Nicolaisen moved to appoint Anthony LoConte and Beatrice Donahue to the Old Home Day Committee for a term of one year. Selectwoman Copp seconded. Motion passed unanimously.

Ms. Blaisdell stated the Committee is asking permission to use the water at the library for the inflatable slide. Consensus of the Board is they are okay with it but someone should check with the library to make sure they are okay with it.

Non-Public discussion under RSA 91A:3 II (b) Hiring and (c) Reputation

- **MOTION:** Selectman Devine moved to go into non-public session per RSA 91A:3 II (b) Hiring and (c) Reputation. Selectman Nicolaisen seconded. Roll

These Minutes are subject to approval at a regularly scheduled Board of Selectmen meeting at which time the above minutes are corrected or accepted and become permanent

350 call: Copp – aye, Tombarello – aye, Nicolaisen – aye and Devine – aye. Motion
351 passed unanimously.

352
353 **MOTION:** Selectman Nicolaisen moved to come out of non-public session.
354 Selectwoman Copp seconded. Motion passed unanimously.

355
356 Chairman Tombarello announced that while in non-public session the Board
357 voted to seal the minutes and the Board hired Morris Hicks at \$12.42/hr and Jeff
358 Bodge at \$17.84/hr to work for the Highway Department.

359
360 **MOTION:** Chairman Tombarello adjourned the meeting at 11:05 P.M.

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362 Respectfully Submitted,

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366 Cynthia J. Robinson
367 Recording Secretary