

1 DRAFT

2 BOARD OF SELECTMEN

3 TOWN OF SANDOWN, NH

4 SANDOWN, NH 03873

5
6 **Meeting Date: October 19, 2015**

7 **Type of Meeting: Regular Meeting**

8 **Method of Notification: Public Posting at Town Hall**

9 **Meeting Location: Town Hall**

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11 **Members Present:** Selectman Devine, Selectman Treanor, Selectman
12 Goldman and Selectman Tombarello.

13 Not Present: Selectwoman Buco

14 Town Administrator: Lynne Blaidsell

15 **Recording Secretary:** Sue Reynolds

16
17 Selectman Devine called the meeting to order at 7:00pm.

18
19 Pledge of Allegiance was done.

20
21 Selectman Devine stated there was notification put out that there would be
22 discussion this evening in regards to Sandown withdrawing from the District
23 and that will not be taking place this evening but it is on the agenda for next
24 week.

25 Selectman Devine asked to review the minutes of September 28, 2015.

26 Selectman Goldman asked if the withdrawal item can be brought up at the end
27 of the meeting and Selectman Devine agreed.

28 Selectman Tombarello said lines 78 & 79 it should read Steve Meisner and
29 Selectman Goldman said line 324 he did not ask to adjourn the meeting. He
30 stated that he if he motioned to adjourn the meeting would there be a second
31 and Selectman Devine said there would be no second needed and he then

32 adjourned the meeting. There was discussion in regards to this and after
33 reviewing the tape, Selectman Goldman is correct. Selectman Goldman said
34 “would you ask for a second to a motion if I made a motion to adjourn the
35 meeting” and Selectman Devine said “I don’t need a second and the meeting is
36 adjourned”.

37 **Motion by** Selectman Tombarello to accept the minutes of September 28,
38 2015 as amended with the correction of Selectman Goldman not motioning to
39 adjourn the meeting.

40 **Seconded by** Selectman Golman.

41 **In Favor,** Selectman Tombarello, Selectman Devine, Selectman Goldman and
42 Selectman Treanor.

43 **Motion passes unanimously.**

44

45

46 **PUBLIC COMMENT**

47 Michelle Livingston resident of Sandown asked what the purpose is for having
48 the Minority Report on the agenda for next would be. Selectman Devine said
49 last week it was stated that any questions would be answered at the Public
50 Hearing on the 26th of October. Michelle asked if there would be a reason now
51 to have the meeting since the Minority Report is not being submitted and
52 states that she is concerned about that. She feels that there is no need to have
53 it on any further agenda since the BOS voted not to submit a report and
54 Selectman Devine said he doesn’t agree with that and feels that Selectwoman
55 Buco can write a Minority Report according to the law and feels the Minority
56 Report is in much better shape than the Majority Report. Michelle stated that
57 the Minority Committee was disbanded and Selectman Devine feels that was
58 not a legal move. Selectman Goldman stated that the BOS voted to create the
59 Minority Committee and the BOS also voted to disband the same Minority
60 Committee and at the last meeting the BOS made a successful motion that
61 withdrawal was not feasible nor suitable and also another motion was made
62 that the BOS would not be submitting a Minority Report. Selectman Devine
63 referred to the law being very clear and they need to follow the law.

64 Selectman Goldman argues the fact that last week the BOS voted by a vote of
65 3-2 not to submit the Minority Report and Selectman Devine stated that he
66 doesn’t agree with Selectman Goldman’s assumption. Selectman Goldman
67 referred to an email from Selectwoman Buco from September 14th stating that
68 any report submitted on behalf of the Town would have to be approved by the
69 BOS. Selectman Devine again refers to the law and feels a Minority Report can

70 be submitted and the Minority Committee was set up at the School Board
71 level. Selectman Tombarello said that last week the BOS voted to send a letter
72 to the Board of Ed. saying they are no longer going to submit a Minority
73 Report and wants to be sure the letter goes out and doesn't feel it necessary to
74 continue with the Public Hearing. Selectman Goldman said if Selectwoman
75 Bucu wants to hold a meeting to answer questions he would be okay with that,
76 but the BOS have legally made motions to send the letter to the Board of Ed.
77 stating they are not in favor of withdrawing and there will be no Minority
78 Report being submitted. Selectman Tombarello also said they also agreed that
79 once the report was finished it could be posted on the Town website so
80 everyone can see the difference between the Majority Report and the Minority
81 Report. Selectman Tombarello asked again why would there be a meeting to
82 discuss this since the decision of the BOS is not in favor of supporting the
83 withdrawal. Selectman Devine again stated at last Thursday's meeting the
84 public was told they would have a chance to come back and ask questions in
85 regards to the Minority Report and Selectman Tombarello said that was
86 before the vote was made in favor of 3-2-0. Selectman Devine said it will be
87 part of the agenda next Monday night and Selectman Goldman asked if that
88 agenda has been posted yet and Selectman Devine said no, it is made up on
89 the Thursday before the meeting and Selectman Goldman suggested that it
90 come of the agenda and Selectman Devine said you can ask, but it is he and
91 Lynne who make the agenda together.

92 **Motion by** Selectman Goldman to not have a Public Hearing on this item on
93 October 26th.

94 **Seconded by** Selectman Treanor.

95 Selectman Devine said that he will be holding a Public Hearing on this item on
96 October 26th.

97 Selectman Devine asked for this discussion to continue towards the end of the
98 meeting when Selectwoman Bucu arrives and Selectman Goldman and
99 Selectman Tombarello both stated the didn't think Selectwoman Bucu was
100 coming to tonight's meeting. Selectman Tombarello referred to Selectman
101 Devine's comment that he makes the agenda so he feels this may end up on
102 the agenda even if there is a vote not to put it on. He also referred to the
103 motions made at last week's meeting and feels that this should be a discussion
104 of the past so the Board can continue with Town business. Selectman Devine
105 said that he doesn't agree with the motions that were made last week by the
106 BOS in regards to not withdrawing from the District and sending a letter to
107 the Board of Ed. stating so. Selectman Tombarello reminded him that both

108 motions made last week passed 3-2-0. Selectman Tombarello offered to
109 deliver the letter to the Board of Ed. in the morning. Selectman Goldman is
110 concerned even though the BOS made a legal motion to send a letter to the
111 Board of Ed. to let them know that the BOS feel it is not feasible nor suitable
112 for Sandown to leave the District that Selectman Devine is ignoring the
113 motions made and is continuing with he wants to do. Selectman Devine keeps
114 referring to the law being very clear that the meeting needs to take place.
115 Selectman Goldman called the question.

116 ***In Favor***, Selectman Tombarello, Selectman Goldman and Selectman Treanor.

117 ***Opposed***, Selectman Devine.

118 ***Motion passes 3-1-0.***

119

120 Michelle Livingston asked about future meetings and if this is over and
121 Selectman Devine said will look into legal opinion. Michelle is concerned that
122 more tax payer's money will be spent on this.

123 Selectman Goldman asked who was going to call the attorney and Selectman
124 Devine said he will have Selectwoman Buco call and Selectman Goldman is not
125 in favor of that since she is on the losing end of the vote and feels the Town
126 Administrator should be making the call. Selectman Tombarello is
127 disappointed that we are continuing to spend tax payer's money. Selectman
128 Goldman refers to the Town attorney's letter saying that the Town does not
129 need to file a Minority Report and Selectman Tombarello asked if the BOS are
130 in agreement that the letter will be going to the Board of Ed. regarding last
131 week's motion and Selectman Devine said as soon as he gets his question
132 answered from the attorney as to who is legally correct in this matter. Lynne
133 Blaisdell asked if the letter should go out and both Selectman Goldman and
134 Selectman Tombarello asked that the letter go out as soon as it is signed and
135 ready. Selectman Tombarello refers to the motion at last week's meeting and
136 feels the letter should go out as it was a legal vote of the BOS and said he will
137 be very disappointed if this is not followed through.

138

139 **Darlene Simmons, Health Trust**

140 Presenting health coverage with Health Trust

141 Darlene explains that this is a 5B Risk Pool and is non-profit and they partner
142 with Anthem. She reviewed 2 plans with the BOS with groups under 50
143 employees but starting in December and January pools. She explains the first
144 plan is a Site of Service Plan with a \$1,000.00 deductible and \$3,000.00 per
145 family and the second option has a \$3,000.00 deductible and \$9,000.00 per

146 family. She said there are paired with Prescription Drug plan with no
147 deductibles. She referred to the rate sheets that she supplied the BOS with.
148 Darlene explained the Slice of Life is a preventative care savings that offers
149 incentive rewards. She stated that deductibles only apply to certain events.
150 She also said the town can fund 50% deductible in an IRA trust. Lynne said
151 tonight was just an informational night and she and Cheryl are planning to put
152 together a spreadsheet to compare plans. Selectman Goldman asked if he had
153 to have an MRI that was not work related would he be responsible for the first
154 \$1,000.00 and Darlene said yes the then the plan would kick and pick up the
155 balance for the rest of the year. Lynne said currently they have a December 1st
156 renewal rate and Health Trust has a January start date so there are 2 rate
157 sheets. The Town would pay 1 month at the 2015 rate then begin to pay the
158 2016 rate in January 2016. Lynne said she asked for the presentation so the
159 Board can look at the option of risk pools as they only have 11 employees on
160 the insurance. Selectman Goldman said he has experience with Health Trust
161 and would like to see the spreadsheet and the options available. Lynne said
162 she will put a letter out to the employees to invite them to next week's
163 meeting. She said she will also try to have the spreadsheet ready for review
164 prior to next week's meeting. Lynne reminded the Board they have to give a
165 30 day notice of plan changes to the employees, which would be November 1st.
166 Selectman Goldman stated he will not be present at next week's meeting.

167

168 **Library budget - 4550**

169 This budget is being presented by Diana True, Pete Stalk, Tina Owens, Kirsten
170 Corbett, Adrene Skora and they asked permission for Patty Sarcione to be
171 present at the table as she is not a Sandown resident. The Board is okay with
172 this.

173 Kirsten said there is a zero increase on this budget from last year other than
174 the possible 2% increase in salaries and she also said the workmen's comp
175 numbers came in the mail today, which are now \$508.00 instead of the
176 \$500.00 that was originally submitted.

177 Selectman Goldman asked about the Books, Magazines, Tapes & Videos line as
178 to why they are only at 60% and Kirsten said this line will be expended by the
179 end of the year.

180 **Motion by** Selectman Tombarello to recommend the Library budget to the
181 Budget Committee with Gross Expenses of \$293,512.00, Revenue of \$0.00 and
182 Net Expenses of \$293,512.00.

183 **Seconded by** Selectman Goldman.

184 ***In Favor***, Selectman Tomabrello, Selectman Devine, Selectman Treanor and
185 Selectman Goldman.

186 ***Motion passes unanimously.***

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188

189 **Insurance budget - 4196**

190 Lynne Blaisdell is presenting this budget.

191 Lynne explains that the Employee Life, Police Life, Firefighters Life, and Police
192 Accidental lines will be left as is until the current rates come in. She said she
193 may need to make an adjustment to the Unemployment line as she just got the
194 new rate and that is \$1,421.00 however Workman's Comp has increased
195 significantly which is now \$50,116.00. She said they went out to bid for
196 Property Liability Insurance at this time. The new Gross Expenses amount is
197 currently \$102,837.00.

198 Selectman Goldman temporarily left the meeting at this time.

199 ***Motion by*** Selectman Tombarello to forward this budget to the Budget
200 Committee with Gross Expenses of \$102,837.00, Revenue of \$0.00 and Net
201 Expenses of \$102,837.00.

202 ***Seconded by*** Selectman Treanor.

203 ***In Favor***, Selectman Tomabrello, Selectman Devine, Selectman Treanor
204 (Selectman Goldman not currently present)

205 ***Motion passes unanimously.***

206

207 Selectman Goldman returned to the meeting at this time.

208

209 **Government Buildings budget - 4194**

210 Lynne Blaisdell is presenting this budget.

211 Lynne stated she left the Payroll line at the same for now and she budgeted
212 the position at 30 hours per week opposed to 25 as there have been a number
213 of instances where the custodian needs to open the Town Hall on the weekend
214 and she is not able to take that time off during the week. She said the
215 weekend shift is a 2 hour minimum. Lynne also said some of the department
216 heads said they can use extra hours of cleaning during the week too. Lynne
217 said there are no salary increases in this budget yet. Lynne said the Oil line
218 will be totally expended and she reduced the Gas/Propane line to \$5,000.00
219 and she will be ordering the rest of the supplies soon. Lynne said under
220 Equipment Maintenance it has zero expended and she will check with the
221 Finance Director as she feels there should be some expenditures from that

222 line. Lynne said there is a Misc. repair line under the Building Maintenance
223 line of \$4,000.00 and the Highway Dept. has asked that a small fence and gate
224 be put in to prevent from driving into the sand and salt area and the cost for
225 this is \$2,300.00. She said she has been asked to get lighting in the back of the
226 Town Hall parking lot, and there are some repairs such as to add railings.
227 Lynne said the Police Dept. requested a new dehumidifier for the basement
228 and the cost of that is \$1,336.00, and he also needs to do the final coat on the
229 driveway and she is waiting for a cost on that. She said there is also a request
230 to put in VCT tile for the conference room and there is a request for gutters in
231 the amount of \$1,300.00. Lynne suggests increasing this line to \$20,000.00.
232 Lynne also mentioned the Town Hall is leaking on the Town Clerk side entry
233 way. She said every time it rains there is leakage which is staining both
234 offices. She said she needs to look into either fixing or replacing the roof and
235 that was part of the addition in 1991 but she is not sure that part of the roof
236 has ever been redone. She feels repairing it may not fix the problem and she
237 will look into pricing for fixing it or replacing it and should it be in the
238 Government Buildings budget or should it be placed on a warrant article.
239 **Motion by** Selectman Tombarello to recommend this budget to the Budget
240 Committee with Gross Expenses of \$87,406.00, Revenue of \$1,000.00 and Net
241 Expenses of \$86,406.00.

242 **Seconded by** Selectman Goldman.

243 **In Favor,** Selectman Tomabrello, Selectman Devine, Selectman Treanor and
244 Selectman Goldman

245 **Motion passes unanimously.**

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248 **Executive Budget - 4130-01**

249 Lynne Blaisdell is presenting this budget.

250 Lynne said she left the Legal line at \$20,000.00, she decreased the Services
251 (Deeds) line to \$170.00 from \$400.00, the Website Supp/Maint line was
252 decreased from \$2,700.00 to \$2,100.00, the Town Report line was increased
253 by \$500.00 to \$2,500.00 as this is year 3 and property listings need to be
254 included in this addition. Lynne said the Dues should be increased from
255 \$5,000.00 to \$5,100.00 and the Computer Software line can be reduced from
256 \$6,000.00 to \$2,730.00. Lynne said there are no payroll increases on this
257 budget either.

258 **Motion by** Selectman Tombarello to recommend this budget to the Budget
259 Committee with Gross Expenses of \$226,248.00, Revenue of \$350.00 and Net
260 Expenses of \$225,898.00.

261 **Seconded by** Selectman Goldman.

262 **In Favor**, Selectman Tomabrello, Selectman Devine, Selectman Treanor and
263 Selectman Goldman

264 **Motion passes unanimously.**

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267 **School Board/Budget Committee Monthly Update**

268 There was no one present to give an update.

269

270

271 **Motion by** Selectman Devine to go into non-public session under RSA 91-A:3
272 II (c) reputation.

273 **Seconded by** Selectman Goldman

274 **In Favor**, Roll Call Selectman Tombarello – yes, Selectman Devine – yes,
275 Selectman Goldman – yes, Selectman Treanor – yes.

276 **Motion passes unanimously.**

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278 Selectman Devine stated that while in the non-public session the non-public
279 minutes were sealed.

280

281

282 **NEW BUSINESS**

283 **Review of 2015 budget**

284 Lynne said she wanted the Board to review where they are with their current
285 expenditures. She said they should have 22% of the budget left to spend to
286 date. She said the Legal line has gone over in the Executive budget and she
287 said there are more bills expected to come in. In regards to the Benefits line
288 there is \$60,000.00 left in this budget as the custodial position was open for a
289 while. She said there will probably be a \$30,000.00 surplus in this line item
290 but reminds the Board this is the line they were looking at for the final change
291 order for the Police Station. She said the Health Reimbursement line may
292 have about \$20,000.00 left depending on what is submitted by the end of the
293 year. The Government Building payroll line has some left in as it was
294 budgeted for 40 hours and it is now a 25 hour a week position. She stated the
295 Electrical Inspectors budget has gone over but this is a fee based budget so

296 there is revenue to offset the expenditures. Lynne referred to the Highway
297 budget being over budget but there is about \$80,000.00 left in the Highway
298 Block Grant but who knows what the weather will be in the next few months.
299 Selectman Tombarello mentioned the Equipment Maintenance and Repair line
300 being over budget by \$17,000.00 and wondered if this line was increased for
301 the 2016 year. There was also a question in regards to the Sand line and
302 Lynne said the amount expended was \$4,900.00, not \$49,000.00. Lynne said
303 there was money expended from this line in error. Lynne said there is 88%
304 left in the Community Assistance line and there she is currently housing 1
305 resident in a hotel. The Tan Note has not been expended and we are waiting
306 for the tax bills to be issued. Lynne stated that previously the Fire Chief asked
307 to increase the insurance coverage on the fire vehicles and Lynne said there
308 should be money left over in this budget to do that. She did say that the police
309 vehicles are not eligible for replacement cost nor is anything over 10,000
310 pounds in weight. Lynne said the additional cost would be an additional
311 \$4,000.00. The consensus of the BOS is to do the amendment for the fire
312 vehicles.

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314

315 **CORRESPONDENCE**

316
317 Lynne said she received an email from a homeowner in town that would like
318 to purchase two additional parcels, 26-44 and 26-45 and asked how he should
319 proceed. Lynne said the recent warrant article gave the BOS permission to
320 purchase and sell town property as long as it went to the Planning Board and
321 Conservation Commission. Lynne said these lots were taken for tax deeding in
322 1991 and they are not buildable lots. She said she had the assess or take a
323 look at the properties as well and agrees that they are not buildable even if
324 someone were to purchase both lots and join them together. She said the
325 person looking to purchasing these lots owns the corner lot and the lot that
326 his property sits on so he would own 4 lots in a row and is purchasing them so
327 there is no building in that area. Lynne said the assessor is willing to do a
328 memo in regards to his opinion of what that properties are worth, but Lynne
329 does warn the BOS that he typically assesses lower than the actual property
330 value. The consensus of the Board is to use the assessor's recommendation.
331 Lynne said she will look into the process of the purchase. Selectman Goldman
332 asked that just the BOS are talking about it doesn't mean it is okay to go ahead

333 with the sale and Lynne said no she will bring this up again probably in non-
334 public.

335

336

337 **Update from Dragon Mosquito Control**

338 Lynne said this is the 2015 Autumn update stating it was a quiet year and
339 there were no positive reports in Sandown.

340

341 **Rockingham Planning Commission**

342 Letter from the RPC informing the Town of their dues in the amount of
343 \$6,016.00, which is paid through the Planning Board budget.

344

345 **Email from a resident in regards to reconditioning the cannon to full
346 restoration.**

347 Lynne said she received an email asking if it is ok for this person to
348 recondition the cannon to full restoration. She said this is owned by the Town
349 and he would like to restore the cannon so future generations will be able to
350 enjoy this piece of history. His intent is to refinish it so that it can be fired
351 without projectiles. He is requesting the Town release the cannon into his
352 possession and he will keep a log of all of the parts and their locations during
353 the process. Selectman Goldman said he spoke with a member of the
354 Historical Society and that person said it is not theirs. Selectman Tombarello
355 said he would be in favor of this just for safety reasons alone. Selectman
356 Goldman suggested a 30-60 day update. Lynne said she will look into putting
357 something in writing in regards to him doing this. The consensus of the Board
358 is ok with this.

359

360 **Letter from Xfinity**

361 Lynne said Xfinity is letting the Board know of the emergency reporting of
362 issues and asks the Town contact them if they are having any issues in regards
363 to the weather.

364

365

366 **Letter from SW Regional Refuse**

367 Lynne said they are letting the Board know they have done some reorganizing
368 the past year and outlining some of the items that were changed. She said
369 they are polling Towns in regards to future Hazardous Waste days and Lynne
370 said she would pass it along to the Highway Director for him to answer the

371 questions. Selectman Devine asked that Selectwoman Buco be aware of this
372 as well as she is the liaison to the Highway Dept.

373

374 **Letter from the Regional Economic Development Center**

375 Lynne said the letter is to inform the Board of the 5 year economic
376 development strategy for the southern NH region and are in the process of
377 putting together a steering committee and asked that if they would like to
378 nominate anyone to let them know no later than October 23rd.

379

380

381 **OLD BUSINESS**

382 Selectman Goldman asked if he can bring up the Minority issue again and
383 asked Selectman Devine what his intent is in regards to letter the BOS voted to
384 send last week. Selectman Devine said he intends to get a legal opinion in
385 regards to which one of the laws the BOS needs to follow. Selectman Goldman
386 said they BOS have legal opinion stating they do not need to file a Minority
387 Report and the vote that was taken just reiterated that vote that was taken
388 last week in regards to not sending a report. Selectman Goldman said with all
389 due respect he has concerns as the Chairman of the Board has gone
390 completely against the will of the Board and decreed things that are not his
391 place do to so. Selectman Devine said he does not agree with Selectman
392 Goldman and feels that the Minority Board was set up and working and made
393 its opinion known and the Committee has a right to file a Minority Report and
394 can file it regardless of what the BOS says. Selectman Devine said that all
395 along Selectman Goldman has disagreed with him on this and now he is
396 disagreeing with Selectman Goldman. Selectman Devine feels he needs legal
397 opinion in regards to who is correct. Selectman Goldman stated again that the
398 Minority Committee was created by the Sandown BOS and it was also
399 disbanded by the Sandown BOS and they also have received legal opinion that
400 the BOS does not need to file a Minority report and it isn't necessarily the
401 Chairman's opinion, this was passed by a 3-2 vote. Selectman Devine said he
402 does not agree that the BOS had the right to disband the Minority Committee
403 and the School Board also make a Minority Committee and appointed Cindy
404 Buco to be the Chairman of that Board and Selectman Goldman disagrees. He
405 said the School Board would not discuss the Minority Committee and the BOS
406 created the Minority Committee and appointed Selectwoman Buco as the
407 Chairman of that Committee. Selectman Goldman said he asked to contact the
408 attorney to get a legal opinion on Selectman Devine refusing to accept his

409 motion and the BOS agreed that he should not be contacting the attorney.
410 Selectman Goldman then stated Selectman Devine decreed that anything that
411 needed an expense outside of a regular business meeting need to go through
412 the Chairman, which is different and A typical of what has been done forever.
413 Selectman Goldman says not even a week later he received a phone call in
414 regards to a resident that needed financial assistance that was outside of the
415 BOS meeting and thinks that was taken care of. He is concerned that
416 Selectman Devine keeps referring to his opinion when this has nothing to do
417 with his opinion, but in fact a vote of the BOS that was passed 3-2 last week
418 and another vote that was taken tonight that passed 3-2 this week in regards
419 to not holding a public hearing next week in regards to the minority issue.
420 Selectman Goldman again said with all due respect is not up to Selectman
421 Devine to call the attorney because the votes that are taken keep passing in
422 favor of the motions. Selectman Devine stated that Selectman Goldman has
423 called attorneys in the past for his opinion and that is all he wants to do at this
424 time. Selectman Goldman said that he has called LGC, which is a free service
425 to the Town. Selectman Goldman said the BOS has already received legal
426 opinion from the Town's paid attorney that says they do not need to submit a
427 Minority Report. Selectman Devine said he is not ignoring the votes of the
428 BOS he is simply asking for legal opinion. Selectman Goldman asked when he
429 can expect the letter to go out to the Board of Ed and Selectman Devine said as
430 soon as he gets his opinion the letter will go out. Selectman Devine said that
431 he already asked Selectwoman Bucu to contact the attorney and Selectman
432 Goldman said he's not in favor of having her do this to find out if she is in the
433 right or the wrong for a vote that she didn't win. Selectman Tombarello said
434 there was a motion to send a letter so if the letter is ready he is willing to take
435 it tomorrow to the Board of Ed. He said when the public left last week they
436 expected the letter to go to the Board of Ed. Selectman Devine asked if
437 Selectman Tombarello opposed him getting legal opinion and Selectman
438 Tombarello said no he is ok with this but the letter still needs to go and not
439 wait. Selectman Tombarello feels that the Town has no business having their
440 own school business. Selectman Goldman said that is concerning to him as
441 there was no mention of legal opinion last week and Selectwoman Bucu was at
442 the fire station about a month ago during the Minority Report meeting she and
443 Cathy Gorman said in no uncertain terms they are putting in a Minority Report
444 and it didn't matter what anyone said and then a few days later send a letter
445 to the BOS that stated that any report submitted on behalf of the Town would
446 need to be approved by the BOS. He then continued to say again that last

447 week the vote was in favor 3-2 to submit the letter to the Board of Ed and feels
448 that the letter has been drafted and signed and the Chairman is deciding that
449 it is not going out until he received legal opinion. Selectman Devine said he
450 does not agree with Selectman Goldman's approach and will continue to seek
451 legal opinion by a reputable lawyer that does this type of work. Selectman
452 Goldman stated it was legal when the BOS wrote the letter to the Board of Ed
453 to establish the Minority Committee and doesn't understand why it's not legal
454 now. Selectman Devine said he signs a lot of things, but that doesn't make
455 them legal and Selectman Goldman said then what's wrong with send this
456 letter if it's not legal and Selectman Devine said "nothing". Selectman
457 Goldman asked if he can expect the letter to go to the Board of Ed in the
458 morning and Selectman Devine said that Selectman Tombarello granted him
459 permission to receive legal opinion through Selectwoman Bucu. Selectman
460 Goldman said that Selectwoman Bucu is out of town and would like the letter
461 go out immediately. Selectman Goldman refers to the vote of not holding the
462 public hearing next week and Selectman Devine is still adamant that that will
463 happen as well and asks at what point does this discussion stop? Selectman
464 Tombarello said that any contact with legal counsel should come from the
465 \$1000.00 already agreed upon and he feels the letter should go out in the
466 morning but Selectman Devine can still get the legal opinion he is looking for.
467 Selectman Tombarello said he will deliver the letter to the Board of Ed in the
468 morning. Selectman Tombarello asked again about the Public Hearing on the
469 26th and Selectman Devine said there were several questions that were not
470 answered during last week's meeting and the presentation didn't show how
471 they arrived at their recommendation. Selectman Treanor asked why the
472 presentation didn't show the detail of the recommendation and Selectman
473 Devine said that part of the presentation wasn't ready. Selectman Goldman
474 asked how much more time is the BOS going to dedicate to listen to something
475 they have already voted on ending. He said there was a vote taken earlier this
476 evening that passed in regards to not having a public hearing next week. He
477 stated that he was not planning to attend the meeting but if it is something
478 that will be discussed he will cancel his business trip so that he can be present.
479 Selectman Devine said he should have his answers by Monday and Selectman
480 Goldman said that is not good enough. He also stated that if Selectwoman
481 Bucu was asked last week to call the attorney she should have done so then
482 contacted Selectman Devine right away and at this point he feels like games
483 are being played. Selectman Goldman mentioned that there are a lot of
484 residents looking for Selectman Devine to resign and Selectman Devine

485 replied stating this is a no recall state so it doesn't matter how many people
486 are asking for it. Lynne Blaisdell states that if they are going to get legal
487 opinion it needs to be specified as to who is "the Town"? It was suggested
488 from former legal opinion that "the Town" could be the BOS as
489 representatives of the Town and Lynne wonders if it can be the
490 representatives on the Majority Committee that represent Sandown and can
491 they file a Minority Report. Selectman Goldman says whoever contacts the
492 attorney should ask what has to be done to put an end to this. Selectman
493 Treanor suggested that Lynne Blaisdell call the attorney tomorrow and Lynne
494 asks what exactly should she ask. Selectman Devine asks if the BOS should
495 follow the RSA or can the BOS eliminate the filing of the Minority Report and
496 Selectman Goldman wants to know if the BOS can create the Minority
497 Committee and eliminate it as well and does the BOS have the right to say
498 there will be no Minority Report to be filed on behalf of the Town. Selectman
499 Devine feels the Majority Committee has to provide a feasibility study and
500 provide information as to why it is not possible and he doesn't feel the
501 Majority Committee did that.

502

503 **LIAISON REPORT**

504 Selectman Tombarello had nothing to report.

505 Selectman Devine said the Chicken BBQ from the Fire Department made about
506 \$400.00 and he said one of the fire trucks is in Gerry LaChance's barn and has
507 a mechanical problem and the ambulance is repaired and back in service.

508 Selectman Goldman said he has nothing to report but here was a small code
509 enforcement issue that he was going to update the BOS on but the code
510 enforcement officer talked to the individuals and the issue is dropped for now.
511 Selectman Treanor had nothing to report.

512

513 **Motion by** Selectman Tombarello to adjourn.

514 **Seconded by** Selectman Treanor.

515 **In Favor,** Selectman Tombarello, Selectman Devine, Selectman Goldman,
516 Selectman Treanor.

517 **Motion passes unanimously**

518

519 Meeting adjourned at 9:30pm

520

521 Respectfully submitted

522 Sue Reynolds