

1 DRAFT

2 BOARD OF SELECTMEN

3 TOWN OF SANDOWN, NH

4 SANDOWN, NH 03873

5
6 **Meeting Date: June 19, 2017**

7 **Type of Meeting: Regular Meeting and Public Hearing**

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

9 **Meeting Location: Town Hall**

10
11
12 **Members Present:** Selectman Goldman, Selectman Cleveland, Selectman Brown,
13 Selectwoman Buco and Selectman Tombarello

14 **Town Administrator:** Lynne Blaisdell

15 **Recording Secretary:** Sue Reynolds

16
17
18 The meeting was called to order at 7:00pm and opened with the Pledge of Allegiance.

19
20
21 Selectman Goldman asked the Board to review the minutes of Monday, May 22, 2017.

22 Selectman Tombarello said the 20 & 21 should read 2017.

23 Selectman Goldman said line 32 Bogosh was spelled incorrectly.

24 **Motion by** Selectman Tombarello to accept the minutes of Monday, May 22, 2017 as
25 amended.

26 **Seconded by** Selectman Cleveland

27 **In Favor,** Selectman Goldman, Selectman Tombarello, Selectman Cleveland and Selectman
28 Brown.

29 **Abstain,** Selectwoman Buco

30 **Motion passes 4-0-1**

37 **Public Comment**

38 Ed Mencis came to the table to say that the SSATP is holding a fundraiser on Saturday, June
39 24th from 11am – 3pm. He encourages all to come out and support the event.

40
41 Tina Owens came to the table with Deb Hoadley to introduce Deb to the BOS as our new
42 library director. Deb also announced June 5th the library will be offering an ice cream social
43 on Wednesday, June 21st at 2:30 and 6:30 and she will be there to meet the residents of the
44 town.

45
46 **Ed Mencis, Health Officer and Paula Gulla, Selectmen's Office Assistant to discuss**
47 **water collection and testing day with Granite State Analytical**

48 Paula stated they received a letter from Granite State Analytical offering to do a water
49 collection and tasting day at a reduced rate. They are offering a 20% discount to Sandown
50 residents and would like to have a booth during OHD. Paula said there will be testing kits
51 available at town hall or at the table at OHD. She said the kits are free but the testing costs
52 between \$52.00 and \$200.00 for a reduced rate. It is important to test your water on an
53 annual basis especially because most of us in town are using well water. Results will be
54 available in 2-3 business days. Selectman Cleveland said he has done this in the past and
55 said they are very easy to work with. The Board is ok with this table during OHD.

56
57 Paula also said that OHD is taking place on Friday, September 8th and Saturday September
58 9th. They are looking for vendors, and bands to participate in the event. The nomination
59 forms are available for citizen of the year and young citizen of the year.

60
61 **Arthur Genualdo, Public Works Director to discuss 2017 Roadway Improvement**
62 **Plan**

63 Lynne said there were questions regarding the 2017 Road Improvement Plan and possibly
64 move forward without bidding. Lynne referred to the information in their packet she said
65 the original amount was \$506,250.00, which included Little Mill, Stage Coach and Love
66 Lane. She then referred to the Busby Proposals and said there was some additional work to
67 be done in the amount of \$28,080.00. Lynne referred to the bottom of the page with Option
68 1 which is the sealed bid option and then with Option 2 \$11,296.00 would have to come
69 from the Block Grant. Artie said regarding the changes on Little Mill Rd. back in 2006 the
70 road was done and some pipes weren't updated so when the road is done this time he
71 would like to change the pipes to plastic so he's not ripping up the road later. Artie also
72 said he'd like to run some underdrain along the road as well.

73 Selectman Brown asked if there was supposed to be more of a savings, and Artie said he
74 added extra work in so there is a savings but not as much. Selectman Tombarello said we
75 will save on the mobilization alone by choosing Option 1. Lynne explained the total savings
76 would be about \$23,000.00. Artie feels if they go out to bid for this Busby will come back
77 with 2017 rates and not the rates they are offering now. Selectman Cleveland asked what
78 the time frame is and Artie said he if they okayed this last month they would have done the
79 work in July, but at this point he can't say.

80 **Motion by** Selectman Tombarello to grant Busby Construction Little Mill Rd, Stage Coach
81 and Love Lane for the 2017 Roadway Improvement Plan in the amount up to \$517,546.30
82 with an additional \$11,296.30 coming from the Highway Block Grant money.

83 **Seconded by** Selectman Brown

84 Selectman Cleveland stated he originally voted against this and he has had time to speak
85 with Artie about this and look at it further and feels it is a good deal and thinks we should
86 go out to bid sooner rather than later if possible next year.

87 **In favor,** Selectman Tombarello, Selectman Goldman, Selectman Cleveland, Selectman
88 Brown and Selectwoman Buco.

89 **Motion passes unanimously.**

90

91 Artie said he met with Michael Hanson Construction regarding the Fremont Rd. Bridge
92 repair and the paperwork is on its way and the project will be starting the middle of July.
93 He will close Fremont Rd. from Sargent Rd. to Phillips Rd. for about 1 week and there are
94 about 30 triaxle loads of rock coming in and feels it's best to close the road for this. He has
95 received the permit from DES and is waiting for 1 more permit to proceed.

96

97

98 **Cheryl Eastman Finance Director to discuss proposed changes to town's Internal**
99 **Control Policies**

100 Cheryl stated it has been about 10 years since this has been updated and it is a
101 recommendation from the auditors to bring them up to date. She said she and Lynne
102 reviewed them and most of the changes are in the format of the way it is written and some
103 job title changes as well. Selectman Cleveland referenced the Purchasing Policy regarding
104 an oral request and feels that this should be removed. Lynne said there are sometimes that
105 an oral request could be made regarding lights being changed, etc. Bruce said he
106 understands this more and is okay with leaving it the way it is written. He then referred to
107 page 10, bid specs 9.3.8 and would like to add "substitutions can only be made after the
108 approval of the BOS". Lynne said most of her drafts indicate that final approval is up to the
109 BOS. Lynne said this is the Town's right to consider and not the vendor's right to make a
110 change. Bruce then referred to page 11, 9.3.12 and wondered why the town will be notified
111 within 15 days.

112 **Motion by** Selectman Goldman to change 9.3.12 to read the town must be notified within 1
113 day instead of 15 days.

114 **Seconded by** Selectman Tombarello

115 Selectwoman Buco asked what triggered the change in the gap and Lynne said this was
116 originally in the policy. She feels that a lot of times if someone receives notification of
117 cancellation they have a week to pay it, and the town receives that notice as well and feel
118 like this could be due to timing.

119 **In Favor** Selectman Tombarello, Selectman Goldman, Selectman Cleveland, Selectman
120 Brown and Selectwoman Buco

121 **Motion passes unanimously**

122

123

124 Bruce referred to page 18, Section 4 Minimum Level of Unassigned Fund Balance
125 And asks what our balance is currently and Cheryl said it is \$1,016,565.00, which is 5.7%.
126 Lynne explained that every October the BOS decide how much of the fund balance is
127 retained.

128
129 Bruce referred to page 19 Debt Policy and asked what the current bond rating is and Cheryl
130 said she doesn't know but she will call to find out.

131
132 Selectman Tombarello referred to page 12 section 9.6 and asked about the \$25.00 fee and
133 said we don't charge fees and Lynne said that we do charge for this for some items.

134
135 **Motion by** Selectman Tombarello to accept the Internal Fiscal Controls Policy effective
136 today with the changes that were made with previous motions.

137 **Seconded by** Selectman Cleveland.

138 **In Favor** Selectman Tombarello, Selectman Goldman, Selectman Cleveland, Selectman
139 Brown and Selectwoman Bucu

140 **Motion passes unanimously**

141 Jon thanked Lynne and Cheryl for taking the time to get this done. Lynne said employees
142 will be trained on these policies shortly.

143

144

145 **Further discussion regarding town owned property located at Tax Map/Lot 25-21-1**
146 **Pillsbury Road**

147 Lynne stated that she received information from the attorney. Lynne said the question that
148 keeps coming up is what is the definition of access that is in the deeds that didn't have
149 water front property. There is deeded access of lot 7 on Angle Pond.

150 The research shows that the BOS can't define "access" and may have to be determined in
151 the court of law. Based on case law the attorney is providing information as to how the
152 Board should move forward. Lynne also said Chief Gordon had questions regarding what
153 he can and can't do.

154 Lynne said those that have deeded rights have the right to maintain their rights over their
155 deeded property. Chief Gordon said he followed up with a letter to the property owners
156 that have voiced their concerned. Chief Gordon is looking for consistency as to when access
157 will be allowed and not allowed. He is looking for specific guidelines regarding access to
158 this property so that all residents and officers are aware of the decision.

159 Selectman Goldman asked how is the chain working and Chief Gordon said he hasn't heard
160 of any issues. Selectman Brown asked what the issue is and Selectman Goldman said that
161 all residents have access to it because it is town property. There are property owners that
162 have deeded access and the question is can boats be launched on this property.

163 Selectman Brown referred to another case from the Supreme Court and doesn't feel they
164 can overrule this decision. Lynne said that was another specific case and not this case.

165 Selectman Cleveland asked how many deeds are we talking about and Lynne said she doesn't
166 know without doing a title search. Selectman Cleveland feels the people that have the
167 deeded access should be able to launch their boat. Lynne said the Board can decide tonight

168 that those with deeded rights can come get a key and have access and times should be
169 regulated but recommends listening to the members in the audience.

170

171 Chris Edris, resident of the town read into the record and support people using the beach
172 responsibly. He is asking for the rules that are in place to be enforced. He said there are a
173 number of times when the rules were broken and the residents were threatened.

174 Second for the record they don't think they are wrong for expecting the rules and
175 ordinance of the town be followed and whatever the end result of the meetings are they
176 will support and follow the rules and expect everyone else to do the same. He said that
177 there are people openly having sex in the water while there are children on the beach and
178 at times people have been having sex on the beach as well. He also stated that out of state
179 vehicles have been launching boats and is concerned about milfoil in the lake. He is asking
180 for the help from other residents to keep these things from happening. In moving forward
181 if there is a desire from the Board and stakeholders to have a reasonable discussion he
182 would gladly be part of that for the Board to approve their recommendations.

183

184 Jerry Terreau 54 Pillsbury Rd., said he grew up on this property. He's been away for a
185 while and back now and is noticing changes. He said anyone can go down including
186 Hampstead residents using the beach. He would like to propose to maintain the property
187 with mowing the area, he owns a landscaping company and is fully insured. Selectman
188 Goldman appreciates the offer but doesn't want to jump into this at this time. He feels that
189 this should be a boating beach as it always has been.

190

191 Bill Fleischman, 49 Pillsbury Rd., purchased home in 2007 said he was waterfront property
192 and a wall and has no access to put his rowboat in. He said according to the letter of the
193 law he is wrong but he is in compliance with the spirit of the law by being on the beach
194 launching his rowboat.

195

196 Peter Kirk, 52 Pillsbury Rd, deeded property rights. He sees 2 issues, property granted to
197 town for recreational purposes in 1995 and the town has the right to determine how the
198 property is used. He also referred to the deeded rights when the property was created and
199 said the deeded right owners have always wanted to work with the Town. He said he
200 would be willing to work with the hours of before 9am and after 7pm to launch his boat.
201 He offered the history of this property as well if the Board needs to hear it.

202

203 Ray Cane, 53 Pillsbury Rd. Said he's been there for 23 years. He said the beach is not
204 respected and it is used as a storage unit and trash is left there all the time. He said he
205 wasn't welcomed on the first day he moved in and put his boat in the water.

206

207 Stanley Wade, 3B Summer St. he's been putting his boat in and out for the past 22 years
208 being respectful of those using the beach. He said his boat is in the water now and is
209 looking for a way to get his boat out. He said he does not have deeded rights but he has
210 water front property. Selectman Goldman said they will get back to him regarding getting

211 his boat out of the water. Stanley asked about the launches in the Lake Shore Drive area
212 and Lynne will look into it.

213

214 Heidi and Jeff Chaput, 46 Pillsbury Rd., said they agree with the no parking regulations and
215 they have maintained the property for the past 28 years. They have been launching their
216 boat for the past 28 years as well. Jeff said at a prior meeting launching times were set 7-9
217 am and 7-9pm. Heidi said there is a Hampstead resident that come to the beach on their
218 golf cart. Jeff also said if there is such a big disturbance is it possible to get extra patrols in
219 that area? Heidi said maybe the town can look into the waterfront property owners
220 receiving boat launching permission if they can prove it's a hardship for them because they
221 don't have access to the water from their property.

222

223 Timothy Flanagan ,1 Spring Lane understands that it is a public beach and the deeded
224 property owners take care of the beach and would like to have the key. He understands the
225 concerns of both sides. He said it's not the residents with the deeds that are abusing the
226 rules such as parking, etc. Lynne said this is not a town beach it is town owned property.

227

228 Selectman Goldman proposes that this is not a town beach and should be used for town
229 residents with deeded rights and says a key tag should be provided. He said this could take
230 some enforcement but feels this will work. He suggested boat launching before 9am and
231 after 7pm. He said according to the town attorney they can't take away the deeded
232 property owners rights, however they can tell everyone else in town that they are not
233 allowed to be there.

234

235 Amanda Greco, 40Pillsbury Rd., said that she doesn't have deeded rights and has 2 small
236 children and they spend a lot of time there. She said she has no interest in launching a boat
237 but enjoys using the pond as it is a special place for her and her family.

238 Selectman Goldman said that he is not trying to slight residents but a determination needs
239 to be made.

240 Selectman Brown asked about creating an association with the neighbors and Lynne said
241 they relinquished their rights and it would have to be taken to court to have this happen.

242 Lynne said the property was gifted to the town and becomes a different issue.

243

244 Chief Gordon came back to the table and said he and Selectman Cleveland drove by about
245 10 - 12 properties and said this isn't the only piece property that it is going to come up
246 with other access rights. He said there are about 6 more areas that will come up when a
247 decision is made with one.

248

249 Selectman Cleveland is noticing that there are non-Sandown residents that should not be
250 using the bridge, but feels like something should be allocated for town residents with
251 waterfront property without launching access. He said nothing should be stored on the
252 property and parking should be restricted and he likes the launching times of before 9am
253 and after 7pm. Selectman Cleveland asked the question if these homeowners have friends

254 come over can they launch their boat as well and Jeff Chaput said yes,, they have the same
255 rights as he does if he goes on their boat with them.

256

257 Vera Girk, 54 Pillsbury Rd. said it would be nice to be able to have the children and families
258 on Pillsbury, Spring and Summer Streets be able to use the beach for recreational
259 swimming. She doesn't want this right taken away from those families that use the beach.

260

261 Tricia Edris, said all the lakes are changing and neighborhoods are growing and asks the
262 town look at the lakes and determine a proper boat launch for residents to use. She refers
263 to keeping milfoil at bay.

264

265 Vera Girk said she is concerned about milfoil in the lake as well.

266

267 Selectwoman Bucu said rules should be built in and enforced and may not be just for the
268 deeded individuals and would rely on the residents to suggest recommendations and speak
269 with the Chief and possibly create a policy. She's not sure that she would want to go to the
270 extreme of limiting everyone and just allow deeded people access.

271

272 Selectman Tombarello said that he's not sure that the cable should be up and feels the
273 residents should be able to use the beach to swim with their families.

274

275 Selectman Goldman responded by saying the cable should stay until they figure out what
276 the Board decides to do. He said whatever they do could be changed in March.

277

278 Selectwoman Bucu asked about the keys that have been given out to the deeded property
279 owners and asked if they can be duplicated. Lynne said Chief Gordon was asked to respond
280 to this quickly, so he used a lock he already had and had 3 keys. Two keys have been given
281 out and one is at the Town Hall that Lynne can make copies of if needed.

282

283 Lynne said she created a letter so when a homeowner comes to get a key they sign the
284 letter stating they are receiving the key and they are not to lend it out. She said the
285 homeowners need to prove they have deeded property.

286

287 Selectman Brown feels the cable should be left up and allow residents that live in the area
288 and don't have to park use the beach for swimming purposes. Selectman Goldman asked if
289 it made sense to put these rules to the voters and Lynne said she and the Chief talked about
290 that this am but she would have to check with counsel on this.

291

292 Chief Gordon said the warrant article needs to be specific to all water access and not just the
293 Pillsbury area. He said this is much bigger than just the Pillsbury area. Lynne said this lot
294 is defined as town owned property and not every area in town is this defined.

295

296

297

298 Selectman Goldman recapped by stating that Sandown residents that live within walking
299 distance can use the beach to swim and those with deeded rights are allowed to use the
300 boat launch prior to 9am and after 7pm.
301 Selectwoman Buco feels keys should be given out to deeded property residents, thinks the
302 boat launching should be regulated and if someone lives on the water and doesn't have a
303 way to access it then they should be granted access through the beach. Selectman Goldman
304 agrees.

305
306 Lynne said there is already ordinance in place but it's not relative to the discussion taking
307 place. Lynne suggested to create a new Selectman's ordinance this evening before leaving
308 the meeting.

309
310 There was a 5- minute recess to draft a new ordinance at this time.

311
312 **Motion by** Selectwoman Buco that there will be no boat launching or mooring from or
313 parking on Map 25 Lot 21-A, 51A Pillsbury Rd., Boat launching for those with deeded rights
314 access only. Boat launching will not be allowed between the hours of 9am and 7pm. Those
315 residents with deeded access may obtain a key to the gate at the Selectman's office by
316 providing proof of deeded rights. Those living directly on the lake and can prove hardship
317 can seek permission for a permit to launch from the Selectman's office to be approved by
318 the Board of Selectman. Access to Angle Pond from said lot is limited to Sandown residents
319 and their guests. Violators of this Selectman's Ordinance will be subject to a \$50.00 fine.

320 **Seconded by** Selectman Brown.

321 **In Favor** Selectman Tombarello, Selectman Goldman, Selectman Cleveland, Selectman
322 Brown and Selectwoman Buco

323 **Motion passes unanimously**

324 Lynne said this is effective immediately.

325 Selectman Goldman said the Board with meet with the Police Department in the future to
326 come to a more concrete decision moving forward.

327

328

329

330 **NEW BUSINESS**

331 **Review request by Recreation Commission for new hires**

332 **Motion by** Selectman Brown to hire Hunter Conway at \$12.00 per hour pending a success
333 background check.

334 **Seconded by** Selectwoman Buco

335 **In Favor** Selectman Tombarello, Selectman Goldman, Selectman Cleveland, Selectman
336 Brown and Selectwoman Buco

337 **Motion passes unanimously**

338

339

340

341

342 **Discussion regarding upcoming police union negotiations**

343 Lynne wanted to mention to the Board that they will need 2 Board members early fall to
344 start negotiations. She said the meetings take place during the day and wanted to know
345 who would be interested in this. Selectman Cleveland, Selectman Goldman and Selectman
346 Brown all said they are interested in this. It was decided that Selectman Cleveland and
347 Selectman Goldman will do this.

348
349 Selectman Goldman asked Selectman Cleveland if he would be attending the meeting to
350 discuss the upcoming Special Election and he is planning to attend.

351
352 **Discuss possible shutting off street lights**

353 Chief Gordon came to the table for this discussion. Lynne said this needs to be discussed
354 because this budget is close to being over budget already. Selectman Goldman said he is
355 very disappointed that the Budget Committee cut this budget by \$2,000.00. Selectman
356 Brown said a member of the Budget Committee felt some of the street lights didn't need to
357 be on and made a motion to cut the budget. Selectman Brown said he was on the
358 committee at that time but doesn't remember how he voted and Selectman Tombarello said
359 he was the liaison to the Budget Committee last year and was not in favor of decreasing the
360 budget. The consensus of the Board is to remove the light on Brookside, the light at the
361 beach and the light at town hall.

362 **Motion by** Selectman Tombarello to remove the lights across from the library, across from
363 town hall and the one at Brookside Drive.

364 **Seconded by** Selectman Goldman

365 **In Favor** Selectman Tombarello, Selectman Goldman, Selectman Cleveland, Selectman
366 Brown and Selectwoman Buco

367 **Motion passes unanimously**

368
369 **Motion by** Selectman Tombarello to accept the non-public minutes of Monday, May 22,
370 2017 as written.

371 **Seconded by** Selectman Cleveland

372 **In Favor** Selectman Tombarello, Selectman Goldman, Selectman Cleveland, Selectman
373 Brown.

374 **Abstain** Selectwoman Buco

375 **Motion passes 4-0-1**

376
377 Lynne said that LHS is their voting machine provider and they are offering a deal on a back-
378 up machine in the amount of \$750.00. Lynne said the machines cost \$3,500.00 new and is
379 looking for the Board's decision by the end of July. Lynne said she thinks that Michelle will
380 have money in the budget and the consensus of the Board is okay with it if the money is
381 found in this budget.

382
383
384
385

386 **OLD BUSINESS**

387 Lynne asked if the workshop next week should be televised and the Board agreed because
388 they are discussing employee salaries it can be televised if cable is available.

389

390

391

392 **CORRESPONDENCE**

393 Letter from Waste Management stating the anniversary date is July 1st and the contract
394 increase is 3% this year.

395

396 Letter from DOR with 6 assessment areas in general review of how documentation is
397 maintained and there are 2 current use areas that the town is missing applications or maps
398 but after looking into this further the information was found but in a different area.

399

400 Lynne asked if the Board is okay with her responding after they receive the assessors
401 feedback. Selectman Goldman said the response needs to be made prior to June 13th and
402 we should ask MRI.

403

404 Letter from Department of Safety stating their annual audit was done in the Town Clerk's
405 office and everything was in compliance.

406

407 Letter from Vision Government Solutions letting the town know they are rolling out a new
408 product for 2018 in the amount of \$25,000.00. Lynne said she is going to ask the assessors
409 opinion regarding this as well. Selectman Goldman is curious as to what happens in year 2.

410

411 Letter from ZBA regarding Mr. Bernier's concern on 25 Pillsbury Rd. stating that the
412 variances that were granted were followed.

413

414 Letter from the SAU regarding what their payments should be.

415

416 Letter from Bedford NH regarding a hearing on a cell tower going in.

417

418 Budget Committee schedule is out and Lynne will follow up with all department heads to
419 notify them of their meetings with the BOS and Budget Committee as well.

420

421

422

423 **LIAISON REPORT**

424 Selectman Brown – Budget Committee met tried to consolidate budgets and have a few
425 open dates and Jim Devine was appointed to the open seat.

426

427 Selectman Cleveland – the fundraising event at the police station was a big success raising
428 over \$20,000.00.

429 Selectman Goldman –Conservation – Leave no trace program and 2 people stayed at the
430 town forest and ran some clases.

431

432 Selectman Tombarello – fire dept started the construction on the back of the building.
433 There are still 192 dogs that aren't licensed and fines will be applied on July 1st. He urges
434 residents to license their dogs and not waste the police officer's time.

435

436 Selectwoman Buco – Met with Deb Brown, recreation director regarding the open life
437 guard position and the OHD committee talked about their needs for the events. They also
438 talked about the beach access and permits or key tags for residents. They also talked about
439 a recreation information Facebook page. She said the OHD committee talked about rec and
440 the permit needed for the bounce house and splitting the cost between the vendor,
441 recreation and OHD.

442

443

444 **Motion by** Selectman Tombarello to go into non-public session under RSA 91-A3II (c)
445 reputation – Multiple letters/private correspondence

446 **Seconded by** Selectwoman Buco

447 **Roll Call** Selectman Brown - yes, Selectman Cleveland - yes , Selectman Goldman- yes ,
448 Selectman Tombarello -yes, Selectwoman Buco - yes .

449 **Motion passes unanimously**

450

451

452 **Motion by** Selectwoman Buco to seal the minutes of the non-public session.

453 **Seconded by** Selectman Cleveland

454 **In Favor**, Selectman Tombarello, Selectman Goldman, Selectman Brown, Selectman
455 Cleveland and Selectwoman Buco.

456 **Motion passes unanimously**

457

458

459

460

461 Respectfully Submitted,

462

463

464

465 Sue Reynolds

