

1 DRAFT

2 BOARD OF SELECTMEN

3 TOWN OF SANDOWN, NH

4 SANDOWN, NH 03873

5
6 **Meeting Date: November 13, 2017**

7 **Type of Meeting: Regular**

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

9 **Meeting Location: Town Hall**

10
11
12 **Members Present:** Selectman Cleveland, Selectman Tombarello Selectman Goldman,
13 Selectman, Brown and Selectwoman Buco arrived at 7:10.

14 **Office Assistant:** Paula Gulla

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 Selectman Goldman asked the Board to review the minutes of Monday, October 23, 2017.
21 Selectman Cleveland said line 101 should read facia boards. And Selectman Goldman said
22 line 105 should read sump pump and Selectman Brown said line 80 should read same as
23 last year.....

24 **Motion by** Selectman Tombarello to accept these minutes as amended.

25 **Seconded by** Selectman Cleveland

26 **In favor** Selectman Cleveland and Selectman Tombarello

27 **Abstain,** Selectman Brown and Selectman Goldman

28 **Motion passes 2-0-2**

29
30
31 **PUBLIC COMMENT**

32 Deb Hoadley came to the table to let the pubic know that the Sandow library and Sandown
33 Central School are partnering for a book fair running throughout the end of November and
34 the proceeds will benefit the Sandown Central Library. The books will be at the Sandown
35 Public Library. Deb also stated this Saturday, November 18th at 1pm there will be a
36 program entitled the Harvest Stories of Thanksgiving with master storyteller Odds Bodkin

37 at the Recreation building. Deb thanks the Friends of the Public Library for sponsoring the
38 event along with Sandown Recreation. Please call the Recreation Department or the
39 Sandown Public Library to register for this event.

40

41 Paula said the food pantry is looking for donations for Thanksgiving dinners this year such
42 as turkeys, chickens, stuffing, potatoes, carrots, brownie mixes and canned goods and if
43 anyone needs more information let Paula know.

44

45

46 Selectman Goldman stated that the tax rate has been set at \$30.78 and the bills will be
47 mailed on November 27th and will be due on December 28th.

48

49

50 **Review of 2018 budget proposals for Insurance and Library**

51 Library budget – 4550

52 Diana True, Deb Hoadley, Peter Stark, Tina Owens and Adrienne Skora are here to present
53 this budget.

54 Deb explained some major changes in the budget are due to funds being allocated under
55 different lines. Some lines increased, and others were decreased. She said a new budget
56 worksheet has been created.

57 Selectwoman Bucu arrived at this time.

58 Selectman Brown asked about the salary line increase and Deb explained this is for a
59 creation of a second full time position. This position is for the Assistant Library
60 Director/Cataloger. She already works 34 hours per week and they are proposing this
61 position become a full time exempt position, which means she will work the number of
62 hours necessary to get the job done. Deb said the responsibility of the Assistant Director is
63 to act on the Directors behalf when she is not in the library. Deb said they are moving the
64 library forward to a 21st century library, which means that Deb needs to be out of the
65 library more often and collaborating with other local entities such as PTA's, other school
66 libraries, etc. They are looking at how the library can best serve the Sandown community.

67 Deb pointed out what the proposed salary is within the notes of the spreadsheet.

68 Selectman Brown asked about this coming before the Board previously and Diana True
69 explained there was a warrant article a few years to add benefits to a position whose health
70 reimbursement was removed from the library budget.

71 Selectman Goldman asked about the current salary being based on 52 weeks.

72 Deb said the hourly rate for the assistant director currently \$20.45. Deb said she would
73 like to have the salary increases start January 1st. Selectman Goldman cautions the Library
74 trustees about having the increase start in January in the event that the budget doesn't
75 pass. Selectman Cleveland asked why the retirement line increased by 90% and Deb stated
76 they are changing the current part time position to a full-time position and also Deb was
77 hired at a higher rate than the previous director which will make an impact on the other
78 benefit lines. Selectman Goldman asked about the Library using 100% of their retirement
79 budget every year and it was stated that the Library gets a quarterly disbursement

80 allocated as such and it is up to them to use it as they see fit. Deb said they are only at 69%
81 for the retirement line.

82 Selectman Cleveland asked why they are asking for more under the Contract Professional
83 Services line and Deb said this is one of the lines that were combined within the budget.

84 Selectman Cleveland asked about the Benefits line going from \$18,600.00 to \$50,000.00
85 which is 169% increase. Deb said this includes 2 fulltime positions and the previous
86 director budgeted a much lower amount which is creating a large discrepancy. Selectman
87 Cleveland stated over the past 4 years the library's budget has increased by \$67,000.00,
88 which is about 23% and feels this is a large increase. Peter Stark said the only thing that
89 increased during this time were salaries and benefits and not the operating budget.

90 Selectman Tombarello asked about the warrant article to add 1 extra hour to make an
91 employee full time and Tina Owens explained that was in the past with a different director
92 and a different direction of the library. Tina explained that the library is designed to gather
93 information and collaborate with each other and in order to move forward they need to be
94 proactive within the community. They are looking for the Assistant Director to help run
95 the library while Deb is in the community. Tina acknowledges this is a risk, but they have
96 to start somewhere, and they are doing the same thing the BOS did with the salary surveys
97 and feels it is time for them to move forward with this. Tina also explained that being vital
98 to the community costs money and they have been holding their operations of their budget
99 the same for the past several years. She understands the impact of the school budget to our
100 taxes but feels strongly that it is time to move the library in a more proactive direction.

101 Selectman Goldman he is not in favor of a 14% increase. Selectman Cleveland asked if that
102 position were not increased what would be the increase of the budget and Deb said about
103 4% and they have looked at several different scenarios within their budget. Selectwoman
104 Buco feels what the library is trying to do is beneficial to the community but feels it might
105 not be the right time. Selectman Goldman said he would be comfortable with a 4% increase
106 and put the additional 10% increase in a warrant article. Selectman Tombarello is
107 concerned that if this was approved and the budget didn't pass how would the position be
108 funded. Tina said it could go back to a part time position. Tina asked what Selectman
109 Goldman's cap would be and he said 5%. Selectman Brown said that he supports the
110 library but can't support the 14%. Diana True said the trustees have a vision for the library
111 and the Director has visions too and asked how they can do this. Selectman Brown said it
112 would be more understandable if the library was open an additional day. Selectman
113 Cleveland said he supports the vision but is not in favor of the increase. Deb explained that
114 in order to do what the library needs they need this full time exempt position.

115 There was discussion about the Library trustees going before the Budget Committee as the
116 budget stands and them coming back to the Selectman. It was then suggested to have this
117 put back on the agenda for next week. The trustees said they have a meeting on
118 Wednesday and will look at ways they can decrease their increase and will plan to come
119 before the BOS next week.

120 Deb stated it is important to have this dialog because it is the vision of the library to be a
121 community outreach center and feels the success of Sandown's citizens falls heavily on
122 their shoulders. Tina reminded the Board of their comments stating they don't see a need
123 for the library and that is the exact reason why they have a different vision and want to get

124 out into the community more. She said they need to have the tools and resources to
125 support this change and then be able to get messages out to the community to let them
126 know they have what they need.

127

128

129 **Insurance budget – 4196**

130 Cheryl Eastman is here to present this budget.

131 Cheryl stated this is the life and accident, workers comp, etc., and does not include the
132 health insurance. She said she and Lynne worked on this budget. Selectman Goldman
133 asked why the workmen’s comp was reduced by 4% and Cheryl said they signed a multi-
134 year contract which created the discount.

135 Selectman Cleveland asked if that was going to be enough and Cheryl said yes, she and
136 Lynne feel comfortable with that number.

137 **Motion by** Selectman Tombarello to recommend the Insurance budget to the Budget
138 Committee with gross Expenses of \$101,599.00, Revenue of \$0.00 and Net Expenses of
139 \$101,599.00.

140 **Seconded by** Selectman Cleveland.

141 **Motion passes unanimously.**

142

143

144 **Motion by** Selectman Brown to go into non-public session under RSA 91A:3 II (d) property

145 **Seconded by** Selectman Tombarello

146 **Roll Call** Selectman Brown – yes, Selectman Cleveland – yes, Selectman Goldman – yes,
147 Selectman Tombarello – yes and Selectwoman Buco – yes.

148 **Motion passes unanimously**

149

150

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

152 **Seconded by** Selectman Brown

153 **In favor** Selectman Brown, Selectman Cleveland, Selectman Goldman, Selectman
154 Tombarello and Selectwoman Buco.

155 **Motion passes unanimously**

156

157

158 **Richard Towne – regarding request to unmerge lots located at Tax Map & lot 28-2**

159 Richard Towne and Marie Sapienza, Richards attorney came to the table to discuss this.

160 Marie stated they are here to formally request that these lots be unmerged, which are
161 located at 10 Lakeview Drive. She refers to RSA 674:3-8A restoration of involuntarily
162 merged lots. She states under the RSA the BOS are the governing body that decide if the
163 lots can be unmerged. She said they used to be 6 separate parcels years ago and are now 2
164 lots. Marie refers to the tax lot cards dated 1977 that are in the files. There are 2 tax cards
165 that refer to the 2 separate lots and notations on both stating, “are contiguous land”. She
166 also said that “void see #2” is written on 29-2-1. Marie also stated that missing from the
167 files is anything from the owner of the parcels asking the town to merge them. She said

168 there is no evidence of a voluntary merger. She continued to say that according to the
169 statute the governing body shall break up the lots at the request of the current owner.
170 Selectman Goldman said this was originally sent to the Board by mail and the BOS typically
171 discuss this on their own, but Mr. Towne asked that he be present with his attorney for the
172 discussion. Selectman Goldman stated the Town attorney does not recommend that the lot
173 be unmerged as the town record does support a conclusion that a previous owner merged
174 all 6 lots to build a permanent home. It was mentioned that Kathleen Black was applying
175 for a building permit and septic approval for all 6 lots combined. He stated the attorney
176 does not recommend the unmerging of the lots as Kathleen Black and another party asked
177 to have the lots merged in 1977.

178 Maria asked the BOS how they support this and Selectman Goldman read further from the
179 letter in the packet stating in 1976 Kathleen Black applied for a building permit to raise the
180 existing camp with a new septic approval of a 2 bedroom home, lot size is approximately
181 34,000 feet. The septic approval was based on the 1977 plot plan of the sewage disposal
182 system and depicts all 6 lots and lists a total area of 34,000 feet. He refers to the dashes on
183 the plan indicating the lot lines have been abandoned. He continued to read further from
184 the attorney's letter and stated that there is enough evidence to support that the lots were
185 voluntarily merged. Marie is asking the Board to consider if this was appealed can they
186 prove that this happened and asked if they have enough evidence to determine the
187 timeline.

188 Selectman Goldman said that their attorney would be there to defend them in the appeal
189 and she believes the lots were voluntarily merged and if that is the case they can not be
190 unmerged.

191 Richard Towne said the engineer at the time merged the lots, but he didn't have to. Richard
192 asked who was it merged by? Paula said Kathleen Black wanted this to be a year-round
193 home and the dotted lines on the plan are voluntarily merged and Maria said that picture
194 could have been drawn due to the information at the town hall. Michael Higgins came tot
195 the table and asked if the lots were owned by Alice Banks and asked if there is any place
196 that shows that Alice Banks allowed Kathleen Black to include them in her subdivision or
197 septic system. Selectman Goldman stated that in June of 1977 Kathleen Black and Alice
198 Banks combined al 6 parcels on 1 deed. At that point Kathleen Black became an owner to
199 lots 57, 58, 59 and 60 on September 30, 1976 and shortly thereafter Fred Black was on the
200 agenda. October 1976 Planning Board meeting requested information on rebuilding the
201 present cottage into a permanent home. Selectman Tombarello said he is not seeing any
202 evidence either way and would like to see something. Selectwoman Buco said he letter
203 stated all 6 lots were voluntarily merged to build a permanent home specifically by the
204 actions of Kathleen Black applying for a building permit. The lots were merged, and the lot
205 lines were abandoned.

206 Maria stated the deed is irrelevant and it comes down to the application for the building
207 permit, which was a seasonal conversion and a septic design.

208 Selectman Goldman asked what the consensus of the Board is, and Selectman Cleveland
209 stated he finds the evidence to be strong and not in the favor Richard Towne.

210 **Motion by** Selectman Brown to deny the request by Mr. Towne and Mr. Espinola to
211 unmerge lots currently part of tax map lot 28-2 based on the past actions of previous
212 owners to voluntarily merge all lots.

213 **Seconded by** Selectwoman Buco

214 Selectwoman Buco stated based on the information provided from legal counsel she is in
215 favor of this motion.

216 Selectman Tombarello asked how does the land become unlocked and Paula said if the
217 previous owner voluntarily merged the lots they cannot be unmerged as there is no
218 process. Maria said there is an appeal process that can be pursued if the request is denied.

219 **In Favor**, Selectman Brown, Selectman Cleveland, Selectman Goldman and Selectwoman
220 Buco.

221 **Opposed** Selectman Tombarello

222 **Motion passes 4-1-0**

223

224

225

226 **NEW BUSINESS**

227 **Acceptance of donation for Sandown Senior Affairs Transportation Program and**

228 **Acceptance of donation for tree lighting from Sandown Historical Society**

229 **Motion by** Selectman Tombarello to accept the donation of \$8,625.00 to be deposited
230 SSATP Fund account.

231 **Seconded by** Selectwoman Buco

232 **In Favor** Selectman Brown, Selectman Cleveland, Selectman Goldman, Selectman
233 Tombarello and Selectwoman Buco.

234 **Motion passes unanimously**

235

236

237 **Motion by** Selectman Brown to accept the donation of \$100.00 from the Historical Society
238 and Museum for the tree lighting ceremony.

239 **Seconded by** Selectman Tombarello

240 **In Favor** Selectman Brown, Selectman Cleveland, Selectman Goldman, Selectman
241 Tombarello and Selectwoman Buco.

242 **Motion passes unanimously**

243

244

245 **OLD BUSINESS**

246 **Review of last week's discussion regarding health insurance**

247 Cheryl referred to the information the Board has with the correct information in the yellow
248 highlighted column. She stated last week there was an error in the calculations for the
249 family plans and the increase stated last week was \$19,547.00 but the actual increase
250 would be \$31,778.00. Cheryl said this was an oversight in the calculations that were
251 previously given to the Board.

252 Selectman Cleveland said last week several Board members said they would support a 1%
253 increase, but the vote didn't reflect those comments and he left the meeting perplexed.

254 Selectman Brown said the difference is \$12,000.00 and asked how this will affect the tax
255 rate and for less than one cent per thousand he would be willing to stay at the 10%
256 employee contribution.
257 Selectman Tombarello said he's heard from several people in town and they are not happy
258 that they are staying at a 10% and he feels they Board needs to move forward with an
259 increase. He is in favor of a 2% increase but would vote in favor of 1% if someone made
260 that motion.
261 Selectwoman Buco does not feel it is right to change the vote due to an honest mistake.
262 Selectman Tombarello asked the Board if the mistake went the other way and if last week
263 they voted in favor of the 11% contribution, would they have re-voted today and brought it
264 back to a 10% contribution? He feels the mistake is minor, but the employee contribution
265 should be more than 10%. Selectman Cleveland said his comment doesn't have to do with
266 the error, he's basing it on the national average.
267 Selectman Goldman agrees with Selectwoman Buco.
268 **Motion by** Selectman Tombarello to change the employee contribution to 11% and the
269 town portion to 89% of the health insurance.
270 **Seconded by** Selectman Cleveland for discussion.
271 Selectman Cleveland asked at what point do they get caught up with the rest of the world.
272 Selectman Goldman said he agrees with Selectwoman Buco in keeping it at the 10%
273 employee contribution, but would have voted in favor of an 11% employee contribution
274 last week if the motion was made. Selectman Cleveland reminded Selectman Goldman that
275 there was a motion made last week for an 11% employee contribution that was voted
276 down.
277 Selectman Goldman doesn't feel the time to increase this is this year one but would be in
278 favor of increasing this beginning next year. Selectman Cleveland said this discussion takes
279 place every year, this is not the first year of discussion.
280 **In Favor** Selectman Cleveland, Selectman Tombarello
281 **Opposed** Selectman Brown, Selectman Goldman and Selectwoman Buco.
282 **Motion failed 2-3-0**

283
284

285 **TOWN ADMINISTRATOR'S REPORT**

286 Paula said that winterization has been done at Town Hall with the irrigation system and the
287 septic systems have been pumped.

288

289 Tax rate is set at \$30.78 bills will be mailed on November 27th and will be due on December
290 28th.

291

292 Applications have been received for the opening of the planning/zoning/conservation
293 position.

294

295 She has started looking into a generator for Town Hall. They have reached out to 3 vendors
296 and are waiting to hear back.

297

298 **CORRESPONDENCE**

299 Warrant from the County Treasurer and Paula stated that Cheryl will make the payment by
300 December 18th in the amount of \$633,633.00.

301
302 Letter from Tyco stating they are aware the alarm was not working properly when the
303 power outage took place during the storm. Paula said this is the alarm in the Town Clerk's
304 office.

305
306 Notice from wireless communication that there is a meeting on Monday, November 13th in
307 Pelham.

308
309 SAU looking to hold some public forums in Sandown regarding space needs at the Sandown
310 schools. She said the dates are not confirmed at this point but once they are she will
311 announce them. She said the SAU is looking for public input.

312
313 Paula stated there is an email stating the union ratified the contract and Selectman
314 Goldman said that at the end of last week's meeting the BOS voted to ratify the police union
315 contract and the union membership has also ratified it, so it will be a warrant article in the
316 March election.

317
318
319 New Senate Bill 3 that was passed regarding domiciling and voting restrictions that is being
320 challenged by a Washington DC attorney's office. There is a right to know request and they
321 are suing the Secretary of State's office. Paula said they are asking each town to have their
322 own town counsel read the information and give their advice on how to approach this.
323 Paula is requesting permission to speak to the town attorney and the Board is asking Paula
324 to talk to Lynne as well.

325
326 **Motion by** Selectwoman Buco to accept the non-pubic minutes of October 23, 2017 as
327 written.

328 **Seconded by** Selectman Tombarello

329 **In Favor**, Selectwoman Buco, Selectman Cleveland and Selectman Tombarello

330 **Abstain** Selectman Brown and Selectman Goldman

331 **Motion passes 3-0-2**

332

333

334 **LIAISON REPORT**

335 Selectman Brown – SSATP meeting and Ron Dunbar volunteered to take over scheduling
336 the rides while Paul Godin was on vacation. He also attended the Budget Committee
337 meeting and they agreed to have Artie be put back on the schedule to discuss the cuts that
338 were made.

339 Selectman Cleveland – Planning Board development going in off Rte. 121A – public hearing
340 to take place on 12/5. Melissa Tapley is interested in the open position and they voted to
341 endorse her, but she still has to meet with the other Boards. They reviewed a zoning

342 amendment regarding school impact fees that has been moved to a public hearing to be
343 held on December 19th. They talked about back up power source for community well
344 systems. There was minor damage at the police station with 2 cruisers total damage of
345 \$1,000.00.

346 Selectman Goldman – 1 contractor gave a hard time to one of our inspectors last week and
347 the Building Inspector advised him that this would not be tolerated.

348 Selectman Tombarello – fire new garage is fully operational and fire chief received a
349 matching grant to receive forestry equipment. Selectman Goldman said EMS will be
350 utilizing that space immediately.

351 Selectwoman Buco - Highway is finishing up the paving and working on the sanders,
352 finishing up tree removal from the past storm.

353 She thanked them for their hard work throughout the storm. Missed Rec meeting.

354 Selectman Goldman asked about the broken compactor and Selectwoman Buco said Artie
355 was able to fix it and is looking into new compactors as well.

356

357 **Motion by** Selectman Tombarello to go into non-public session under RSA 91-A:3 II (b)
358 hiring

359 **Seconded by** Selectman Brown

360 **Roll Call** Selectwoman Buco – yes, Selectman Tombarello – yes, Selectman Goldman – yes,
361 Selectman Cleveland – yes, Selectman Brown – yes.

362 **Motion passes unanimously**

363

364 Michelle is in the audience and asked to be part of the non-public meeting. There was a
365 brief discussion as to whether Michelle should attend, and it was decided that there was
366 not at need for her to be present. Lynne Trahan said she was asked to come in by the BOS
367 and doesn't feel that Michelle should be part of her non-public discussion.

368

369 Selectwoman Buco asked if the Board can meet prior to speaking with Lynne in non-public.
370

371

372 Michelle and Lynne left the meeting at this time.

373

374

375 **Motion by** Selectman Tombarello to seal the minutes of the non-public session.

376 **Seconded by** Selectwoman Buco.

377 **In Favor**, Selectman Brown, Selectman Cleveland, Selectman Tombarello, Selectman
378 Goldman and Selectwoman Buco.

379 **Motion passes unanimously**

380

381

382 Selectman Goldman stated that while in non-public the Board appointed Tanya Gaynor as
383 Deputy Town clerk and appointed Judith Devine as the Office Assistant/ Motor Vehicle
384 Clerk.

385

386
387 Selectman Brown asked how to handle Lynne coming in and Selectman Goldman said he
388 will call her personally and thank her for coming in and explain what their decision was.

389
390
391 *Motion by* Selectman Goldman to adjourn.

392
393 Meeting adjourned.
394 Respectfully Submitted,

395
396
397 Sue Reynolds

398