

## **BOARD OF SELECTMEN**

**JANUARY 27, 2014**

## **MEMORIAL BUILDING**

**7:00 P.M.**

*The following are to be considered draft minutes only until approved by the Board at their next meeting.*

Present: Chairman Don Hill, Leigh Callaway and George McCusker.

Others present: Bryan O'Day, Mike Lawlor, Bill Huntoon, Sue Abair, Pete Abair, John Trachy, Jim Bednar, Tim Julian, Justin Hastings, Ken Piedmont, and Laura Patten.

Meeting called to order 7 p.m.

Scheduled appointments: Ken Piedmont present regarding the denial of his application for abatement and exemption for solar panels he installed. Don noted a decision had been reached at the last meeting and they would not discuss the issue all over again. Ken stated he did not know the solar panels had been assessed until his December tax bill. By then it was too late to apply for an exemption or appeal. He thought a solar exemption was automatic. He felt there was misunderstanding of information he was given in the office. He would like to see a better protocol established for this. If an abatement or exemption cannot be granted, he would like some form of rebate to resolve this. Don stated, as the Selectmen stated at their last meeting, the amount of the assessment would not have been of impact to the tax rate, but due to State Statute there is nothing further they can do.

Laura Patten – Laura stated she had been contacted by Community Health Alliance. They have a juvenile that has been court ordered to participate in the juvenile diversion program. The family has indicated they cannot afford to pay the \$75.00 fee. Laura was contacted to see if this was something that could be covered under local assistance. Selectmen discussed how to legally handle the request. Janet was asked to contact the NHMA (New Hampshire Municipal Association) attorney for their opinion. Motion made by Leigh that unless NHMA legal tells us not to approve this form and procedure, Laura should be given authority and discretion to carry out the request. The motion was seconded by George and unanimously approved.

Don reported someone recently brought to his attention a flurry of conversation a week ago relative to an individual providing services to the highway department but had not been invoicing the town. In lieu of a cash payment, arrangements were made for sand to be delivered to the individual's property. George McCusker stated that was not the case. In the past there used to be a remote sand location and so a remote sand shed was selected and it was discussed with the road agent. He did this back when the roads were icy and the idea was to have a supply of sand to use so the trucks would not have to travel clear across town back to the highway garage for sand. The sand was dropped off in advance because sand was being delivered anyway. Don stated contracting outside services and operating town vehicles on personal property should be a decision that is reached through deliberations of the entire board and not one Selectmen. He spoke to Pete as soon as he heard this was happening and advised Pete not to continue. Don reviewed the information from Selectman's training workshop regarding the legality of one

Selectman to make decisions. Don stated this violates Right to Know laws, and raises concerns of conflict of interest as well as issues of liability. George said he did not agree, and he didn't think this was any different than the Road Agent being able to order parts or authorizing to get equipment repaired. Tim Julian suggested further discussion should be ceased as it appears this event could be subject to Class B felony laws. George apologized and stated that he was acting in the best interest of the town and is willing to step down as the highway liaison. Don said he consulted with legal counsel from NHMA and they recommend immediate rotation of committee assignments to avoid conflict of interest. Leigh said Pete has autonomy to take care of needs by fixing equipment, but has no authority to enter into a business relationship on private property. Don moved to reassign George as the Police Department liaison. Don will oversee highway. The motion was seconded by Leigh and unanimously approved.

Public Comments: None heard.

#### Budget Review:

Leigh recommends removing the \$15,000 in general government for zoning compliance appropriated in the event the wetland ordinance was adopted.

Sunapee Transfer station has increased to \$111,162 (\$9729 increase).

The budget committee discussed the \$500.00 increase in Steve's budget. At the budget meeting Darrin pointed out in the past there had been an issue from some State agency relative to library budgets being increased and then decreased. Leigh questioned if the Board wished to leave Steve's budget flat and have him submit an invoice for the tables and chairs using grounds and buildings budget. Motion by Leigh to maintain the \$500.00 as requested, seconded by George and unanimously approved.

Leigh reported he felt it fair to say the budget committee did not support \$40,000 for a new sand shed in an existing location. Bill Huntoon stated several on the budget committee felt it best to wait to see what could be done with the land up back. Pete stated he could continue to work with the existing shed a while longer, most of the time he is using sand from outdoors anyway.

Sand Shed: Leigh moved to delete the proposal for the sand shed this year. George would like to leave it on or it will never get done. It has been discussed many times over the years. He thinks the voters can decide.

Truck: Leigh handed out a spreadsheet with options discussed at the budget committee meeting. George stated the budget committee asked the Selectmen to put something on the table and the Selectmen did. The Budget Committee has not voted on anything yet. The different options were discussed. Pete recommends going with the 25.5 GVW Freightliner; the price is cheaper, it has a heavier transmission than the GMC. After lengthy discussion Leigh moved to recommend Option A (Freightliner), using \$40,000 from the fund balance instead of funding the sand shed. George stated he wants to keep the sand shed in. Don agreed to let the proposed article for the sand shed stand where it is. Motion then made by Leigh to cancel the proposal for the GMC

from the last Selectmen's meeting (January 13, 2014) and move to recommend the purchase of a truck up to \$151,000, with anticipated trade-in up to \$20,000. The motion was seconded by George and unanimously approved. The Selectmen agreed they need to hear what the budget committee recommends.

Minutes of January 13, 2014: Motion by Leigh to approve the minutes as written, seconded by George and unanimously approved.

#### Board and Department Updates:

Don reported the Planning Board voted to continue with wetlands discussions but not to put an ordinance change on the warrant this year.

There were several consultations regarding home occupation and home business and probably more coming. None were found to require Site Plan Review or Special Exception.

Leigh stated he is halfway through reworking the questionnaire that follows section 5.10 of the zoning ordinance he handed out at the last zoning meeting. He will smooth it up and propose it, as suggested by John Trachy to use as a procedural tool for home occupation/business considerations. He will forward it to Don and to Kevin Leigh when completed.

Don reported the Lindquist Site Plan Review received conditional approval. They must come to the Selectmen to work out the details of a bond for the road. Reimbursement for Lou Caron's engineering service has been received. Approval is to remove the material to use on property Mr. Lindquist owns elsewhere; there are specific hours of operation; there is a possibility they may bring a crusher in. The operation is approved for two years. John Trachy asked about requiring a Special Exception. Don stated they are trucking material from the stockpiles as it exits and does not involve excavation. The Selectmen are not going to do an "end run" on Planning. John Trachy commented that there may be an opinion from Paul Sanderson (Attorney from LGC) that there is a procedure on that. John stated the ordinance requires the Selectmen to enforce and felt this may be setting a precedent not going through the whole process. Don noted everything is in order and was approved as seen by the Planning Board. The plan is to clean up the site and move out within two years. This is unfinished business that Continental left behind that is an eyesore and plans are in place to clean it up, reclaim the property and move on. It has to be done in two years and they are not establishing a business there.

#### New business:

Don noted in preparation for the audit, the services of an accountant have been used annually to assist in preparation of the reports and account reconciliation processes between the treasurer, clerk, and accounts payable to get through the audit smoother, quicker and faster and reduce audit costs. The accounting firm now has an accountant who used to do auditing.

Leigh moved to increase line item 1-4130-161 casual labor by \$1500.00 for the accountant to come in and assist in preparing the reports and bringing the parties together for savings on the audit. Motion seconded by Don. Leigh and Don voted unanimously to approve. George

abstained as he felt he did not know enough about the whole process. Leigh would like to see if there is some sort of discount to be offered.

Frank Anderson has notified the town that he will be stepping down as Master of Ceremonies organizing the annual Memorial Day Program following Memorial Day Service of 2014. Frank's dedication and contribution was commended. The Selectmen will be looking for someone willing to take over these responsibilities.

Wonderwell: Janet reported representatives from Natural Dharma Fellowship, and their attorneys, met with George Hildum recently regarding possible abatement and/or further exemption. George explained they would need to present application and a case as to the changes in use they feel qualifies them for further exemption or discrepancy of value. NDF mentioned the possibility of adding cabins in the future. They were advised at a minimum building permit applications would be required. They were also reminded a representative had come to the Planning Board in consultation prior to the purchase of the home to inquire as to the requirements and were advised that once they knew what was taking place there, they should come back for Site Plan Review, and they agreed to do so at that time. Janet recommended they consider making an arrangement to meet with the Planning Board.

Leigh made a motion that the Selectmen should send a follow up letter to Wonderwell reminding them of the previous consultation with the Planning Board. Motion was seconded and unanimously approved.

Correspondence:

Letter from Community Health Alliance Program regarding the services they offer.

Letter of resignation from B. Manning, stepping down from the Budget Committee for personal reasons.

Letter from John Chiarella addressed to Selectmen, Planning Board and Zoning Board. The letter had been circulated at the Planning Board meeting.

Notice from New London Hospital regarding the Ambulance Contract; increase of 2%.

Contract from Sunapee Transfer Station. Budget request of \$111,112 for 2014. Motion made by Leigh to continue with the ongoing agreement with the Town of Sunapee. Motion seconded by George and unanimously approved

Notice of July 2014 Prouty. Route has been approved by Tim Julian

CPG Grant reimbursement documentation reviewed and approved to forward to Ben Frost of the NH Housing Authority for reimbursement.

Signatures:

Approval for use of the Fire Station

Approval for use of the meeting house on March 19<sup>th</sup> by the Conservation Commission.

Approved request for vacation day for Tamara Butcher.

Approved request from Pete Abair to carry over unused vacation time into his next benefit year.

Signed request previously discussed and approved from Janet Roberts to carry over unused vacation time into her next benefit year.

Approved purchase order for parts for the white truck repairs.

Miscellaneous Business:

Two computers have been swapped out. Two more are scheduled, and with the last one (Janet's) being done after budget and town report preparation is complete.

Leigh reported he has been talking to CCS about swapping e-mail hosting. Recently, e-mails had been bouncing back as the address had been "blacklisted". He is awaiting cost information about routing e-mail through CCS so there is a reliable and consistent phone number available for service. Currently, there are two vendors involved in the process.

Tim Julian requested a non-public session per RSA 91-A: Personnel.

Leigh moved to enter into non-public at 8:55 p.m., seconded by Don and unanimously approved.

At 9:02 p.m. after voting to seal the non-public minutes, the Board entered back into public session.

The meeting was adjourned.

Submitted by,

Janet Roberts