

MINUTES

August 7, 2006

The Selectmen met for their regularly scheduled meeting at 6 p.m. at the Town Office. Present were Selectmen Sharon Davis, James McGarr, Charles Cheney and Charles Wheeler. Selectman Homer was unable to attend tonight. The Board spent the first half hour reviewing and signing the manifest. They also signed several Intents to Build, residency applications, one Intent to Cut, and a driveway permit.

The first appointment of the evening was with architect Michael Piazza. The bids for the Fire Sub-Station had been opened on Thursday afternoon, and Mike was here to discuss the results. Unfortunately all the bids came in over what had been approved at Town Meeting. The bids received were as follows: Construx Inc. - \$369,000 – Englewood - \$368,485 – BVP - \$325,000 – Trapper Brown - \$267,600. Mike indicated that the Selectmen had two options: 1. they could reject all the bids and do a revised plan. Mike wondered if we could legally just put the bid out again to only the people who had actually bid or requested copies of the drawings and specs. Ann Marie will check with our Town Attorney on the legality of that. The other option was to work with the lower bidder, Trapper Brown, and see if modifications could be made to bring it to the budgeted figure. The other three bids were substantially over the low bid so it would be almost impossible to get them to come down to our figure. Selectman Cheney mentioned that there was discussion about the concrete specifications among some of the local contractors at last week's Planning Board meeting, and why so much rebar was required in the slab. Mike indicated that the spec had been done to BOCA code, but that he could work with his engineer and modify that if they figure where the wheels of the truck will be located in the building to support the weight. He estimates that a fire truck weighs over 38,000 pounds. Mike indicated that some of the changes that he would look at would include eliminating the paving, except for the apron area, and the elimination of the external storage. Selectman McGarr indicated that he would favor working with Trapper Brown. Selectman Davis asked if there was any unfairness with just working with Trapper Brown, and Mike indicated that since there was such a wide range of difference in the bids that he did not see that as an issue. He was concerned at first about such a difference, but Ann Marie had advised Mike that Dennis Prescott from Trapper Brown had indicated that he had a lot of in house people so did not have to do a lot of sub contracting. Selectman McGarr made a motion to conditionally agree to work with Trapper Brown with the provision that amicable changes could be made that would bring the price within the amount approved at Town Meeting, and this was seconded by Selectman Wheeler, and voted in favor by all. It was emphasized that the Board is not at this point accepting any of the bids. Mike will set up a meeting at the Town Office this week with Dennis Prescott, and would like Ann Marie to take notes at the meeting. Mike also indicated that they could consider having an allowance amount for the well. Jon Gablinske, who had considered bidding on the building, but indicated that his electrician was not available, told the Board he had put in around \$11,000 for a 500 foot well.

The next appointment on the agenda was a Non Public Session. The person scheduled was running late so the Board decided to go over correspondence until she arrived. Ann Marie read a

memo from Police Chief Warn notifying them that Officer Kevin Shortt has tendered his resignation effective August 15th to accept a position with the Laconia Police Department. The Board of Selectmen accepted his resignation with regret, and wished Kevin well. The Chief also advised the Board that Kevin is willing to meet with them for an exit interview. A letter from Town Attorney Tim Bates requested that the Board extend the statute of limitations for Sheilah Kaulfold's unpaid bill in reference to Beebe River. Attorney Bates felt that the last thing we needed at this point was another lawsuit involving Beebe River, and hopefully in another year, we would have a clearer picture as to the Town's position in this whole matter. The Board agreed with Attorney Bates recommendation. Senator Carl Johnson had sent an email, and wanted to advise the Selectmen that he was available to come to any Town functions and answer any questions for the Board. The Selectmen agreed to invite him to a Monday night meeting. Ann Marie indicated that Attorney Bates had filed the legal paperwork for the answer of the motions in the Spritzes Beverage case. In reference to Beebe River, Ann Marie asked the Board if they wanted to try again for the Feasibility Study grant which we have attempted twice before, but the newspaper failed to put our public notice in on time. The Board indicated they did want to try again, and perhaps use a different newspaper. She also indicated that she had some problems with a welfare matter, and that a legal aid attorney had called, and expressed concern about our local Town Welfare guidelines. These guidelines have served us well for a number of years, but must now be updated. Ann Marie had worked with Laura Spector from Mitchell & Bates, and gave each Board Member a copy of the guidelines that Laura had reviewed with her. The Board would like a chance to review them as they were quite lengthy, and will vote on acceptance of them or not at their next meeting on August 21st.

At this point, Greg Jencks came in to the meeting. He had wanted to discuss the Fire Sub-Station and the concrete work. Selectman Cheney told him that the Board had already talked to Mike Piazza about this, and he was going to look into some modifications. After Greg left, John Pesaturo came in, and wanted a few minutes of the Board's time. He wanted the Selectmen to advise the Police Chief that when they receive complaints from his neighbor about a boundary line that he has a map which shows where the boundaries are, and he can look at it. He also wanted the Selectmen to tell the Chief that when he gets a call related to a DES complaint that he should not send his officers. He was not happy at the Police responding to this call. The Selectmen asked him twice based on his comments if he wanted to file a complaint against the Police. He indicated "no" twice; he wanted the Selectmen, as the Chief's boss, to give him this message. He also showed the Board some pictures that he had taken which showed some bushes that he indicated he had been removing the roots and the brook on his property. He stated that the pictures show that the bushes are not near the brook, and there was no violation of wetlands, and no need for DES to get involved. The Town did receive a letter indicating that DES is investigating the complaint.

The Board met next with Alice Stickney and her son David Stickney to further discuss Cox Road. David Stickney had been in previously about taking down a berm that was placed on the end of Cox Road, abutting Hogback Road. There was some confusion about what could and could not be done here, and what Mr. Stickney intended to use access of the road for. Ann Marie indicated she had spoken with our Town Attorney, and he advised that the berm should be removed. A Class VI road must be opened to the public even if it is not maintained. Attorney Bates also indicated that a gate could be placed on the road, without Town Meeting approval, as

long as the gate was not locked so the public could still gain access. Mr. Stickney indicated that he wished to remove the berm so he could run his tractor back and forth. He understood that large trucks carrying gravel would not be permitted. He also indicated that both Mr. Browne and Mr. Woods were willing to put up a gate. The Board agreed that they will contact these men to see what kind of fence they are planning on putting up. The Board also agreed that the signs warning motorists to travel at their own risk should also be erected. Selectman Wheeler commented that he was agreeable to this if the abutters were all in agreement.

The appointment scheduled for 7:15 p.m. arrived at 7:30 p.m., and the Board went into Non Public Session with regards to a Tax matter under RSA 91-A:11 (c) with a motion from Selectman McGarr, and seconded by Selectman Cheney, and voted in the affirmative by all.

The Board met next with Compliance Officer, Charles Brosseau. Mr. Brosseau had some concerns about Mt. Vista setbacks. He had previously received a complaint from one owner about another abutting owner not meeting setbacks, but was unable to determine where their boundary lines are located. A letter had been sent to one owner, and he had responded back that the offending addition that his neighbor complained about was a tip out, and not the addition that he had obtained a permit for and had added on the other side. Without any boundary markers, this is a dispute between the two owners, and not the Town. The Selectmen agreed with Compliance Officer Brosseau that they will not issue any permits in Mt. Vista if the owner is unable to show where the boundary lines are. Ann Marie will notify Paula Mignaelli, President of the Mt. Vista Association of this decision. Discussion then turned to signs with Mr. Brosseau. The Town keeps writing letters, and the signs still keep turning up. Ann Marie had sent a number of letters out to local real estate agents about all the real estate signs around Town that are not allowed as they are off premise. The Selectmen and the Compliance Officer agreed that the best way to eliminate these signs was to take them down, and bring them to the Town Office. The owners could then come and retrieve them, and be advised that they were violating the ordinance, and could and would be subject to prosecution and fines if their signs are put back up again. Since Chief Warn was scheduled for a few minutes, Mr. Brosseau decided to stay around, and make sure that he can legally do this.

When Chief Warn came in, he did not have any objections to the action of removing the signs so Compliance Officer Brosseau will begin doing this. When the owners picks up the signs, they will be asked to sign a receipt indicating that they received their sign back, and a copy of the sign ordinance.

Chief Warn then began by indicating the Officer Shortt will be leaving on August 15th for Laconia PD. He also mentioned that Officer Shortt would be willing to come in for exit interview. He then indicated that the individual that he spoke to the Board about hiring previously, Patrick Payer, he would now like to hire, not part-time as he had originally indicated to them, but full-time. He indicated that Mr. Payer's employer wanted to send him to some extensive training, and he did not want to have them incur the expense if he had an opportunity to work for the Campton Police. Chief Warn would like to have him sworn in at the next Selectmen's Meeting on August 21st. He would then send him to the full-time academy, have him sign a three year contract which Mr. Payer has no problem with and start him at \$15.00 an hour. When he finishes school, it would be a new budget year, and he would look at the pay rate

change at that point in time. He also has another candidate for a part-time position. The Chief also wanted the Board to know that there will be a story in the newspaper about a stabbing occurring in the area of the Days Inn. There is currently no suspect, and the victim was not very forthcoming in what happened. The Chief also advised that the new cruiser is now on line, and he will be getting the new plates tomorrow. The Ford Explorer, unfortunately, is back at Thornton Collision for repairs. Selectman Davis advised Chief Warn that the Board of Selectmen had recently decided to form an Human Resource Committee to work with department heads in the hiring process of new employees and personnel issues, and that the future hiring will go before the HR Committee. Chief Warn indicated that he had no problem with this as long as the committee was made up of Selectmen. Selectman Davis indicated that Selectman Wheeler, and herself are the members of the HR Committee. The Chief indicated that he had a Non Public Matter which involved a mix of this recent assault and a possible Welfare Matter. Selectman McGarr made a motion to go into Non Public Session under RSA 91-A:11 (c), with a seconded from Selectman Davis, and voted in the affirmative by all.

The Board then went on to other business and Selectmen's input. They discussed the draft from the Conservation Commission about the criteria for the use of the Land Use Change Tax money by the Commission. Jane Kellogg had wanted to get the Board's input before the next Commission meeting. Selectman Davis indicated that she would like to see the definition of "significant conservation opportunities" expanded on. Selectman Cheney felt that the projects should meet one or more of the listed criteria, and would like to see some goals of the Commission for the money in the draft as well. Selectman McGarr indicated that he felt that they had covered the other points in the draft quite adequately, and hoped to attend their meeting. Ann Marie offered to type up a memo to put in Jane Kellogg's mailbox, expressing the Board's comments, in case he could not make the meeting.

Before the meeting ended, Chief Warn indicated that his mother was turning 80 next week, and with the Board's permission, he would like to take next week off as he and his sister plan to take her to the Cape for the week. The Board had no problem with this.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Ann Marie Foote
Town Administrator