

MINUTES

SELECTMEN'S MEETING

April 17, 2017

The Campton Board of Selectmen met at 6:30 p.m. at the Campton Municipal Building. Present were Selectmen, Peter Laufenberg, Charles Wheeler, Charles Cheney, Sharon Davis and Karl Kelly and Carina Park, Town Administrator and Eleanor Dewey, Office Assistant and recorder. During the work session, the Board signed the manifests and reviewed the bills. They signed 1 Driveway Permit, 3 Building Permits, 5 Warrants for Collection of Water and Sewer, 1 Notice of Intent to Excavate, 1 Notice of Intent to Cut, 2 Elderly Exemptions, 1 Solar Exemption, 1 Disable Veteran's Exemption, 2 Veteran's Exemptions, 1 Veteran's Exemption denial, and 1 Disable Exemption.

Call to Order: Chair Laufenberg called the meeting to order at 6:30 p.m. The Minutes this evening were recorded.

Members of the public who attended the meeting were: Michael Baumann, Robert Bain, Duane Johnston, Dean Johnston, Patricia Barker, Paul Blondin, Craig Keeney, Mike St. Cyr, Jonathan Dickson, Zack Piper, Anita Torracco, Police Chief Warn, Wayne Charron and Carol Lenahan.

Chair Laufenberg called on Carina regarding the 1st Quarter Financial Update. Carina stated that there is nothing out of line with the budget as acknowledged with the update provided to the Board. Chair Laufenberg inquired if the Board had any questions and there were none. Chair Laufenberg inquired if the salt and sand budget is sufficient. Robert "Butch" Bain confirmed there is a sufficient dollar amount in both line items.

Approval of Minutes: Chair Laufenberg inquired if there were any revisions or concerns regarding the Public and Non-Public Minutes of April 3, 2017. There was one revision by Selectman Davis and one revision by Selectman Kelly. A Motion was made and seconded to approve the Public Minutes as revised and the Non-Public Minutes as written, and with a roll call vote: Selectman Laufenberg – aye, Selectman Wheeler – aye, Selectman Davis – aye, Selectman Kelly – aye and Selectman Cheney – aye, the Public Minutes were approved as revised and Non-Public Minutes were unanimously approved as written.

Privilege of the Floor: None

New Business: Chair Laufenberg called on Dean and Duane Johnston of the Central New Hampshire Snow Mobile Club. Duane explained that the club maintains approximate 70 miles of trails in Campton and they have a re-route of a trail which crosses Sugarbush Drive. Duane stated that for a number of years Mr. Mike St. Cyr has been gracious enough to allow a trail through part of his property, however, he has requested that the snow mobile club move on to other options. With that in mind, the club is asking the Board's permission to re-route the trail on Sugarbush Drive. Duane stated that the club has

gotten permission from land owners in order to move the trail further down towards the cul-de-sac; however, they are also working with the Forest Service on getting their approval. Duane provided a map for the Board to review. Discussion ensued and Chief Warn was consulted as to any issues regarding traveling a short distance on Sugarbush Drive, by the cul-de-sac. The Board concurred on the re-routing where the trail encompassed Town owned property. **Chair Laufenberg called on Selectman Davis who made a Motion to approve the change of route of the snow mobile trail on Sugarbush Drive. The Motion was seconded by Selectman Kelly and with a roll call vote, the Motion was unanimously approved. Duane confirmed that applicable property owners have already given their permission; however, it will be contingent upon the Forest Service's approval.**

Old Business:

Vehicle & Equipment Policy – Chair Laufenberg called on Carina who explained that she incorporated the suggested additions presented by Selectman Cheney at the last Selectmen's Meeting and she consulted Chief Warn and he saw no problems with the Policy. **Chair Laufenberg called on Selectman Davis who made a Motion to approve the Vehicle & Equipment Policy. The Motion was seconded by Selectman Wheeler and with a roll call vote, the Motion was unanimously approved.**

Road Agent – Southmayd Road Concerns – Chair Laufenberg called on Selectman Kelly who indicated that there were some large pot holes that make it difficult for vehicles to enter the Post Office. Butch Bain indicated that he thought Dell Tower did some repairs in that area, and he would contact him, if the Board agreed. Selectman Cheney indicated that the holes have gotten so large he believes they have extended onto Town property and there are also drainage issues. **Butch Bain was given permission to speak with Dell Tower and he will report back to the Board. Selectman Kelly suggested that Butch have available, when he speaks to Mr. Tower, documentation on when the road became a Town road.**

Deer Run Dam – Statement of Qualifications - together with recent developments. Chair Laufenberg called on Butch Bain regarding the recent developments. Butch explained that thanks to Peter Vaillancourt who initially spotted the issue. Butch elaborated on the problem stating that the water was starting to undermine the road and before the Highway Department did any work on the area, he called the Department of Environment Services (DES) to come out to view the site. Butch further explained that the culvert is rotted and material was shooting out the culvert. After discussion with DES, Butch managed to get the water down one foot and he explained issues regarding a dry hydrant that he has discussed with Fire Chief Defosses. Butch informed the Board that this is a temporary fix and DES has been forwarded pictures of which they are pleased with, but Butch expressed the urgency of moving forward on the repair project as quickly as possible due to the issues presented this evening.

Statement of Qualifications - Chair Laufenberg called on each Board member as to their thoughts on choosing an engineer. After reviewing the five engineers it was the consensus of the Board that Dubois & King took the time to view the site; took the time to speak with DES; the firm has previous experience working with the Town of Campton and they are located within close proximity to Campton. The Board also acknowledged that the firm is well known, do a lot of dam repair and have previously done a good

job for the Town. With that being acknowledged, **Chair Laufenberg called on Selectman Davis who made a Motion to appoint Dubois & King as the engineering firm for the Deer Run Dam project. The Motion was seconded and with a roll call vote, the Motion was unanimously approved. Chair Laufenberg inquired if the Board would like to change the time line due to the urgency, and look to have the work performed next summer. Issues were discussed regarding time lines for permits, and possibly a bond and the scheduling of a special town meeting. Selectman Cheney expressed that because of the urgency, he felt DES will expedite procedures quickly. Carina expressed that DES will be providing a report on the recent incident and she will provide this information to Dubois & King. Chair Laufenberg suggested to have Dubois & King view the site again due to the recent developments.**

Road Agent Appointment Discussion – Chair Laufenberg called on Board members inquiring as to whether they want to go forward with appointing Robert Bain as Road Agent, or does the Board want to put the position out for search. Selectman Wheeler stated that he discussed the matter with 10 individuals from the public and he received split opinions. With that in mind, he expressed that the Town presently has a great Road Agent who has over 10 years’ experience in the Town of Campton so it will be hard to beat his qualifications; however, for transparency sake, putting the position out for search would be the best route. Selectman Cheney stated he understood that it would be put out for search and suggested the Board consider using MRI for the search. Selectman Cheney expressed that he was confused by procedural issues that came about amongst the Board before Town Meeting pertaining to the Warrant Article and appointing procedures and putting the position out for search issues. Selectman Cheney expressed his concern that he had not had an opportunity to discuss these issues with the Board as a whole, previous to Town Meeting. Chair Laufenberg confirmed that he, as Chair, presented two questions to Town Attorney before Town Meeting, because he wanted to be prepared, should the public inquire at Town Meeting. It was confirmed by Chair Laufenberg that Town Attorney stated that the position did not have to be put out for search and the fact that the Board could appoint Butch Bain that very evening, if the Warrant Article was voted in favor to appoint. Selectman Davis expressed that she was in favor of appointing Butch Bain as he is a loyal and dedicated employee and works very hard for the Town. Selectman Kelly expressed that the issue is whether to appoint now or one year from now. He expressed that the consensus of the public, that he spoke with, understood at Town Meeting that the position would be posted a year from now. He felt it only fair that the position be put out for search.

Chair Laufenberg then opened up the discussion to the public and called on Mike Baumann, Commissioner and Chair of Waterville Estate District. He spoke highly of Butch and the cooperation that has been extended to the Waterville Estates District by Butch and his crew. Mr. Baumann explained that it took time to establish this rapport and he would hate to lose him as the Road Agent.

Chair Laufenberg called on Patricia Barker who explained she was here to support Butch. She has been a resident for over 40 years and she is impressed with what he has done to maintain Bog Road and Beech Hill Road as the roads are in the best shape they have ever been in the past 40 years of her residency in Campton and it is all because of Butch’s efforts.

Chair Laufenberg called on Carol Lenahan who also supports Butch. She explained that he is very accessible, with immediate response, has numerously helped her and her husband and also assisted with the Garden Club on many occasions. She expressed that it was her impression that the majority of the Town support Butch. She informed the Board that she did not realize there was any disagreement within the Board. She stated, that as far as the Board goes, she was thinking the complete opposite; i.e. if the Board choses to put the position out for search, that the Board was not being very transparent at Town Meeting.

Chair Laufenberg called on Mike St. Cyr who explained that, in his opinion, Bog Road is horrible, and is always a mess and doesn't understand how Bog Road could be viewed in good shape when there has been 9 inches of mud on Bog Road. He stated that Butch, himself, helped when his wife who got stuck on Sugarbush Drive with her 4-wheel drive vehicle. He expressed that if the position is not posted, the Board is showing favoritism. He stated that the Town legally has to post the job.

Chair Laufenberg called on Paul Blondin who inquired how the Board puts a Warrant Article out that is not understood by the Board. He also commented that it is so unfair that the Board drafts a Warrant Article, votes on it at Town Meeting and makes comments in support of Butch Bain then drags this process on internally with no decision on a time line when to appoint Butch Bain. Mr. Blondin further stated that Butch's option to be elected has been taken away from him with no certainty of being appointed, or even a time line to the public when an appointment will be made giving no certainty to Butch nor the Town. Mr. Blondin expressed that he finds this to be remarkably unfair. He also expressed concern that a Warrant Article was voted on and recommended by a Board, where a Board member was confused about the Warrant Article. Selectman Cheney responded on this statement by stating he was not confused about the Warrant Article. He was confused about the process leading up to Town Meeting and he elaborated on the events when a member of the public came to the Board and suggested the Road Agent position be an appointed position rather than an elected position and it was learned later that this suggestion was made on behalf of a friend. Mr. Blondin expressed that Selectman Cheney's explanation of "confusion" was unsatisfactory to him.

Chair Laufenberg called on Wayne Charron who confirmed that he came before the Board suggesting that the position be an appointed position and explained in great detail that his suggestion was for the good of the Town should Butch Bain leave the employ of the Town. He expressed that it had nothing to do with a friend or Butch personally. He wanted to make it perfectly clear that he did not suggest that the Road Agent position be appointed to get rid of Butch. He further expressed being in favor of appointing Butch Bain now, and if he doesn't fulfill his obligations, the Town can dismiss him. He did not recall any discussion at Town Meeting about putting the position out for search. Mr. Charron also mentioned that he could not find on line the Minutes of the Selectmen's Meeting after Town Meeting and he thought there was a Motion made to appoint Butch Bain as Road Agent at that Meeting. Chair Laufenberg confirmed there was no Motion made, there was a suggestion made by Selectman Davis to discuss the appointment, not a Motion.

Chair Laufenberg called on Craig Keeney who expressed in regard to the appointment, all appointed positions in the past have gone out for search and he assumed this would be the same process. He felt

this process would add transparency and legitimacy to the position by qualifying, going through the process and was hired through that process. Mr. Keeney commented that he was happy to hear that Selectman Wheeler felt the process would be a more transparent way to handle the situation.

Selectman Wheeler expressed that Butch Bain has more than 10 years' experience in the position and it will be very difficult to compete with that experience; however, there is a process and he believes transparency in going through the process would be the best route to follow. However, he wanted to make it perfectly clear, that when he states he wants the process to carry out, it has nothing to do with wanting to replace Butch because that is not his intent.

Chair Laufenberg called on Butch Bain. Butch explained that there was confusion by the public, and the most confusion, he felt was at Town Meeting. He felt that had there been discussion about putting the position out for bid, the voting results on the Warrant Article would have been different.

Chair Laufenberg called on Mrs. Barker once again who commented that after 40 years of living on Bog Road, she has seen the road in terrible condition. She emphasized, in her opinion, how "wonderful" the condition of Bog Road is at present, (due to Butch's work) and she doesn't understand how the conditions could be described as terrible now, with what it has been in the past.

Chair Laufenberg stated he would like to move forward and it appeared that the consensus of the Board was to put the position out for search. **Chair Laufenberg inquired if there was a Motion to put the Road Agent position out for search. Selectman Kelly so moved the Motion and the Motion was seconded by Selectman Cheney. Chair Laufenberg suggested elaborating on the Motion as far as a time frame. Discussion ensued regarding MRI being involved or a committee being formed for the hiring process; background checks and the possibility of the search process being performed by the Town Administrator; and the process there after concerning interviews and partiality issues. It was also mentioned and confirmed again that the Town Attorney informed the Board that they did not have to put the position out for search. The Motion on the floor (made by Selectman Kelly) to put the Road Agent position out for search and seconded by Selectman Cheney was voted on, and with a roll call vote: Selectman Cheney – yes, Selectman Davis – no, Selectman Laufenberg – no, Selectman Charles Wheeler – no and Selectman Kelly – yes. By majority vote the Motion was approved to not put the Road Agent position out for search.**

Chair Laufenberg called on Selectman Davis who made a Motion to appoint Robert Bain as Road Agent, effective March 14, 2018, the Motion was seconded by Selectman Wheeler, and with a roll call vote: Selectman Cheney – no, Selectman Kelly – no, Selectman Davis – yes, Selectman Wheeler – yes, and Selectman Laufenberg – yes. The Motion was approved by majority vote.

Correspondence: Chair Laufenberg called on Carina who informed the Board (FYI) that she spoke with Pauline Burhoe and Mrs. Burhoe informed her that the new owner of the Campton Town Office has given notice to her and the Campton Cupboard that they are to discontinue use of Burhoe Way as of May 1st. Discussion ensued and it was acknowledged that there is another right-of-way to the property; however, it has not been maintained, but the Board agreed this is a civil matter not a Town matter. Selectman Cheney also acknowledged that he did speak with Mrs. Burhoe.

Carina stated that Donny Boynton visited the Beebe River pump station today and he sent her an email regarding his findings which she provided to the Board addressing pump issues. Discussion ensued pertaining to addressing the issue of the pump with Pump Systems, together with an alarm system and locking of the pump house. Carina will contact Pump Systems.

Carina indicated that NHMA is sponsoring a local official's workshop for Wednesday, May 10th, in North Conway and Saturday June 3rd in Concord, both workshop are from 9:00-4:00 p.m. RSVP's are necessary. Carina will make the reservations if anyone is interested.

A quote from Superior Fence Co. was received for the dumpster enclosure in the amount of \$1,580.00. Discussion ensued and it was agreed that instead of moving the location of the dumpster, the doors would be removed for the winter months which will eliminate the problem of the doors frozen with no access. Then, in the spring, the doors would be re-installed. Regarding the issue of the broken panels, the Board agreed to have Carina check to see if Superior Fence Co. can replace just the panels, if not, she will contact a local tradesman, or someone in house to possibly repair the panels.

Carina stated that the Campton Conservation Commission (CCC) would like the Board to appoint Richard Osborne to the CCC. **A Motion was made to appoint Richard Osborne to the Campton Conservation Commission. Chair Laufenberg inquired if there was any discussion. Discussion ensued, and the Motion was then seconded, and with a roll call vote: Selectman Laufenberg- aye, Selectman Davis – aye, Selectman Wheeler – aye, Selectman Kelly – aye and Selectman Cheney – aye, the Motion was unanimously approved.**

James St. Jean sent a letter expressing interest in doing the Town auction. The Board agreed that they are committed to Tom Mcglaulin, however, Carina will send a thank you note and keep their information on file.

Carina informed the Board that Attorney Jack McCormack came into the office and explained that the Chamber of Commerce building is tentatively being sold, and he did the title search and he explained that the Town does not own the property. Attorney McCormack actually only wanted to know who drew up the deed (and that was Attorney Tim Bates), and Carina will give that information to Attorney McCormack. Carina will wait to hear from Attorney McCormack as to any documentation that might be needed by him from the Town.

There being no further correspondence, Chair Laufenberg called on Police Chief Warn who explained that he wanted to get the Board up to speed on car 3, a 2014 Charge, which is a front line car; however, repairs are still needed and over \$1,800.00 has already been spent on repairs for this vehicle. Chief Warn explained that the original plan was for this car to move to the Chief; however, he does not think that is a good idea due to the costly repairs so far, with more to come. Chief Warn did mention that Chrysler has also been notified of the issues. Discussion ensued pertaining to a trade-in figure or auction and the Chief will let the Board know the best possible figure. Selectman Cheney explained (after the Chief described the possible future repair situation), that the repair problems at hand will only lead to more costly repairs in the future. With that being said, he felt another vehicle would be in order. Also, Chief Warn mentioned 2 vehicles going to auction. Chief Warn will keep the Board posted.

Non-Public Session in accordance with RSA 91-A: 3, II (c): Chair Laufenberg continued the meeting by calling for a Motion to go into Non Public Session under RSA 91 –A: 3, II (c) regarding a tax agreement. The Motion was made and seconded, and with a roll call vote: Selectman Laufenberg – aye, Selectman Wheeler – aye, Selectman Davis – aye, Selectman Kelly – aye, and Selectman Cheney – aye, the Board went into Non-Public Session at 8:15 p.m. The Board came out of Non-Public Session at 8:20 p.m.

Board’s Concerns and Directives: Chair Laufenberg called on Selectman Cheney who requested a breakdown on a bill which was included in the manifest this week. Carina provided the information to Selectman Cheney.

Chair Laufenberg called on Selectman Kelly who stated that he has spoken to a number of individuals who would like to view the old Campton Inn property. Carina stated that they could contact her or Tom Mcglaufflin for arrangements for a viewing.

Adjourn: There being no further business, Chair Laufenberg declared the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Eleanor M. Dewey, Office Assistant and Recorder