

**Board of Selectmen
September 14, 2005**

Present: Paul S. Morrill, Chairperson; Mark P. Duffy; John J. Blackwood; Robin L. Frost, Town Administrator; and Toni Bodah, Secretary.

Also present at this time were John Woods, Paul Travis and Brian Travis, TWT LLC; Paul Monzione, Counsel for TWT LLC; Police Chief Tim Merrill; Donna Faucette; Al Huntoon; and Tim Hall.

The posted meeting was called to order at 7 p.m. by Mr. Morrill, who led those present in the Pledge of Allegiance.

1. Appointments

a) TWT LL re: Lord Road – The principals of TWT LLC identified themselves (John Woods, Paul Travis and Brian Travis) as well as their attorney, Paul Monzione. Attorney Monzione referred to a prior subdivision application of TWT for property they acquired through a bankruptcy sale of Lord Company. A lawsuit developed between TWT and the Town regarding Planning Board action. Both parties entered into a consent decree, via which TWT gave up claim of ownership of Lord Road, following which the subdivision approval was to move forward. Subsequently, the subdivision was not pursued and the consent decree was never implemented.

TWT believes they received poor advice from their former attorney and now wish to proceed with selling some of their properties. They are concerned that the existence of the consent decree creates a cloud on their title. Attorney Monzione has attempted to communicate with Town Counsel to discuss an agreement, rather than go through the time and cost of petitioning the Court to clear the title. This evening they are seeking the Board's support of an agreement that would acknowledge and agree that the previous consent decree no longer is in effect.

Mr. Morrill questioned why TWT is not approaching the Planning Board. Attorney Monzione indicated that the consent decree was between the Selectmen and TWT. Ms. Frost produced a copy of the decree, which had originally been signed by the chair of the Planning Board. Attorney Monzione believes that the Selectmen are the correct governing body to enter into the requested agreement.

Mr. Morrill questioned why this issue is coming forward at this time. Attorney Monzione advised that title research conducted by a prospective buyer brought the existence of the original consent decree to light, which in turn caused concern on the part of the prospective buyer.

Mr. Morrill indicated that the Board will need to consult with Town Counsel, who has submitted a letter to the Board regarding this subject; however, the letter has just been received this evening and the Board will need time to review and discuss its content.

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Attorney Monziona provided a copy of the advertisement of the auction, which includes a description of the subject property. Mr. Morrill advised that the Board will discuss this issue with both Planning Board and Town Counsel, following which Attorney Monziona will be contacted.

b) Al Huntoon re: Town Message Board – Mr. Huntoon advised that the idea of publicizing outside of Town Hall various Town meetings, etc., came from an NROC meeting. Mr. Huntoon provided pictures of a similar sign located in Acton, adding that they would be looking at something slightly smaller—perhaps 6’ wide and accommodating 4 lines of script. Mr. Huntoon suggested such a sign could be located on Town Hall property. Mr. Duffy does not believe such a large sign would be appropriate in front of Town Hall, adding that it would interfere with the character of the building. Mr. Morrill suggested the sign could be located near the Parks & Rec building. Mr. Huntoon indicated that his original thought for the sign’s placement was between the Town Hall and the Gafney Library.

Mr. Morrill noted that drivers of vehicles in the Town Hall area should not be reading signs in such a congested area. Mr. Duffy suggested a sign could be located inside of the building. Tim Hall suggested the area behind Town Hall. Mr. Huntoon noted that one of their volunteers would keep the sign updated. Possible header for the sign: Wakefield Town Hall. Mr. Morrill reiterated that the Parks & Rec area may be a better location, adding that there is much foot traffic from the restaurant. Mr. Blackwood agreed such a sign should not be placed in front of Town Hall.

Mr. Huntoon referred to the cost of such a sign, noting that the funds would be sought from the Town. He has received one estimate for \$400-\$500 and is expecting another quote.

2. Old Business – None forthcoming.

3. New Business – None forthcoming.

4. Correspondence

a) Ruth Hall - Attorney Hall (via Tim Hall) provided copies of her recent letter to the GWRC, for the Board’s information. A brief discussion followed regarding the sign for legal services at the GWRC. Mr. Hall advised the sign is temporary and is brought inside at night.

5. Unscheduled Matters/Public Comment – None forthcoming.

6. Administrative Matters

a) Liaison Reports – Mr. Blackwood: Planning Board is discussing the possibility of creating a Residential III zone, in part of the existing Agricultural Zone. Mr. Duffy: Suggested the Board determine from the GWRC Inc. where they stand with current funding and what their next step is for the building. Mr. Duffy spoke with Rodney King at Adelphia. The Cable Committee is anxious to get the PEG channel up and running. The Town will need to sign a disclaimer stating it will not hold Adelphia responsible for the content of the PEG channel, a copy of which was provided. Discussion followed regarding where the necessary equipment would be housed...public safety building, parks & rec building, town administrator's office? The equipment requires a secure location. Mr. Duffy will determine what security is on the equipment itself. The Cable Committee would like to have Annie Robbins as a member. Jim Miller is serving as chair.

Mr. Morrill: Ms. Frost and Mr. Morrill met with the Budget Committee on 9/12 to discuss emergency funding to carry out the clean up on Crew Road property. The Budget Committee supported the Board's request for \$100,000. This information has been submitted to the DRA.

b) Administrator's Update

--Ms. Frost distributed schedules for budget meetings, for both the Selectmen and the Budget Committee. She expects to have the preliminary budgets to the Board by next week.

--On 9/12 Ms. Frost met with representatives of the area churches, as well as Arlene Fogg. Joe Fluet, representing St. John's, is heading a small committee to pool resources in the event a family displaced by Hurricane Katrina needs a place to stay. No other meeting is scheduled as all bases appear to be covered. Mr. Morrill referred to the potential impact of increased fuel prices this winter. Ms. Frost expects to hear from CAP soon, who may be expecting to receive additional funding.

--The State of NH requires the Town to execute an agreement regarding implementation of the MAAP project (through the Town Clerk's office). The State will be providing all necessary hardware. The Voter program will be coming soon. **Mr. Duffy moved to authorize Paul Morrill to execute the Office of Information Technology Technical Agreement for the MAAP Project as presented. Mr. Blackwood seconded the motion, which passed 2-0, Mr. Morrill abstaining.** Once this program is in place, the Town Clerk's office will need to close at 12:30 p.m. on Saturdays (instead of 1:30 p.m.) as the State system will shut down at 1 p.m.

--Ms. Frost has completed the MS-4, which indicates that revenues are down slightly. She will provide a copy to the Board members.

--Ms. Frost and Warren Winn will tour the transfer station in Merrimack on 9/15. NRRA is sponsoring a tour to three facilities, which Mr. Winn will attend.

--Steve Eurich, the landscaping architect in the McMullin issue, has requested that the Board sign an agreement to verify that the Town will compensate him should he be subpoenaed as an expert witness. Town Counsel will be consulted in this matter.

--Ms. Frost is working on a proposal for a planning director for the 2006 budget. She hopes to have this completed, including a cost estimate, to submit with the budget.

--The IRS has increased its mileage reimbursement rate to \$0.485 per mile. The Board members agreed that Town departments need to make an attempt to conserve fuel whenever possible. Ms. Frost has already discussed this with various employees. **Mr. Morrill moved to increase the Town's mileage reimbursement rate to \$0.45, effective September 15, 2005. Mr. Blackwood seconded the motion, which passed unanimously.**

c) Appointment to Cable Committee – The Cable Committee has recommended the appointment of Annie Robbins as a member for 3 years. **Mr. Morrill moved to approve the appointment of Annie Robbins as a member of the Cable Committee for a term through March 2008. Mr. Duffy seconded the motion, which passed unanimously.** It was agreed that a copy of her appointment slip should be sufficient to prove her authorization to communicate with Adelphia.

d) Appointment to Heritage Commission – The Commission has recommended the reappointment of Nancy Spencer Smith as an alternate for 3 years. **Mr. Duffy moved to reappoint Nancy Spencer Smith as an alternate member to the Heritage Commission, for a term through March 2008. Mr. Blackwood seconded the motion, which passed unanimously.**

e) Building Permit Releases – Mr. Morrill moved to authorize building permit releases for Clifford on Lord Road, Hayes on Kerry Drive, White on Faye Way, Koster on Shore Road, McGrath on Crew Road North, Warshaw on Kerry Drive, Pesce on Wansor Road and Chouinard on David Drive. **Mr. Blackwood seconded the motion, which passed unanimously.**

f) Minutes – Mr. Duffy moved to approve the minutes of August 24, 2005, as presented. **Mr. Morrill seconded the motion, which passed 2-0 (Mr. Blackwood abstaining).**

A brief discussion followed regarding fueling the generators at the pump stations. Ms. Frost has obtained recommendations for use of fuel in winter.

g) Non Public Session – Mr. Morrill moved to enter Non Public Session under RSA 91-A:3, II (a). **Mr. Duffy seconded the motion. Roll call vote: Mr. Blackwood – ‘aye’; Mr. Duffy – ‘aye’; Mr. Morrill – ‘aye’. Motion passed unanimously and the Board entered Non Public Session at 8:56 p.m.**

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The Board returned to public session at 9:30 p.m. Chief Merrill briefly referred to his anticipated 2006 budget request. He also referred to the Senior Community Service Employment Program through CAP, through which the Police Department could obtain the services of an individual for a period of one year, at no expense to the Town. The Board agreed by consensus to this proposal. **Mr. Morrill moved to authorize Police Chief Tim Merrill to execute paperwork as necessary in order to obtain the services of an individual through the Senior Community Service Employment Program. Mr. Blackwood seconded the motion, which passed unanimously.**

There being no further business the meeting adjourned at 9:45 p.m.

Respectfully submitted,
Toni Bodah, Secretary

Approval of Minutes:

Paul S. Morrill, Chairperson

Mark P. Duffy

John J. Blackwood