

**Board of Selectmen  
November 29, 2006**

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

Those also present include: Bruce Rich, BLPOA (with  $\pm 7$  other members); Tammi Jo Baxter; Kenny & Arlene Fogg; Paul Schmidt and Adam Sandahl, CMA Engineers; John Ciardi; Dick Benner; George Lineham; Rod Cools; Al Huntoon; Terry Martel; Jim Tully; Dick Wessell; Arthur Capello; David Lee; David Towle; Charlie McLaughlin; Larissa Mulkern, *The Granite State News*; and Relf Fogg (who joined the meeting in progress).

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

**1. Appointments**

**a) Bruce Rich, Belleau Lake Property Owners' Association ("BLPOA")** – Mr. Rich provided an overview of the BLPOA efforts to control milfoil in Belleau Lake since 2001. They are requesting an appropriation of \$9000 from the Invasive Species Control Fund to assist with the treatment for 2007. Mr. Morrill was advised by Mr. Rich that they are seeing more milfoil than in previous years and they are hoping that a better product comes along. Perhaps the heavy rains earlier in the spring exacerbated the situation. Mr. Morrill indicated that a public hearing will be scheduled for January 10, 2007, at 7 p.m. in order to consider this request. Mr. Benner questioned where other lakes obtain funding. Mr. Morrill advised that lake associations raise funds for this purpose. He also referred to the Invasive Species Control Fund established by the Town several years ago in order to assist the lakes with the financial burden of addressing milfoil (and other invasive species).

**b) Tammi Jo Baxter re: Building Permit for 216 Meadow Street** – Ms. Baxter referred to the many setbacks and issues she encountered during the building permit process for the referenced property. After having been issued a building permit and beginning the actual construction, she was advised of several 'issues' by the Building Inspector's office. [Ms. Baxter provided a verbal timeline ranging from early October through November.] Ms. Baxter believes that she was not treated well by Town staff, that the staff was not as helpful to her as it could have been and that she did not receive responses in a timely manner. She does not believe she should have to apply to the Zoning Board for a variance for setbacks (believing that she meets the required setbacks) and advised she would be continuing with the construction project. Ms. Baxter questioned the qualifications necessary for the positions of Code Enforcement Officer and Deputy Building Inspector.

Mr. Morrill apologized for any inappropriate comments that may have been made to Ms. Baxter by Town personnel. He also noted that seasoned contractors would likely be familiar with the codes for specifics, such as headers.

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Ms. Baxter noted that she had asked for information regarding headers as a taxpayer and believes she should have been able to receive that information. [According to Ms. Baxter she was not allowed to review the Town's code book, but rather was advised she would either have to purchase the code book or attempt to review one elsewhere.]

Mr. Morrill indicated that the Town personnel will try to improve their efforts regarding responding in a timely manner and will attempt to use Town resources more efficiently. He noted that the Code/Building personnel cannot identify the location of wetlands and added that he is sorry that Ms. Baxter had a less than satisfactory experience during this process. According to Mr. Morrill, the Board of Selectmen is currently revisiting operations in the Code/Building office. He added that the Code Enforcement office must sometimes make unpopular decisions.

Ms. Baxter again asked about the qualifications for the two positions. Ms. Frost will provide job descriptions for both the Deputy and Code Enforcement Officer. Mr. Duffy noted that one of his own goals is to be sure that issues are addressed prior to the issuance of a building permit. He understands that the situation must have been very frustrating for Ms. Baxter. Mr. Morrill stated that there are times when the Code Enforcement Officer does not have all the information available when issuing permits.

Mr. Benner questioned why the Board did not hire someone experienced in building homes. Mr. Morrill believes that the Town has hired a qualified Building Inspector/Code Enforcement Officer. Mr. Benner referred to a 50' buffer zone established relating to zoning and questioned why the Planning Board could effect that change without a vote of the Town. Mr. Morrill suggested Mr. Benner direct that issue to the Planning Board.

Ms. Fogg (mother of Ms. Baxter) referred to how poorly Ms. Baxter has been treated throughout this process, adding that Ms. Baxter was forced to expend unnecessary funds due to all the delays.

**c) CMA** – Mr. Schmidt indicated that CMA had been hired by the Town of Wakefield regarding two projects. With respect to the permitting of the septage lagoons, Mr. Schmidt advised that the Town cannot permit the facility as straight septage, and, therefore, we must pursue another alternative. There is not sufficient acreage to grow the amount of crops necessary for the existing nutrient level, as required under the land application process. The land disposal option will involve the spreading of stockpiled material, then covering it with sufficient quantities of sand, following which a crop could be planted. This process does require groundwater monitoring; however, that site already is being monitored. The latest draft survey indicates the existence of wetlands in the area where the material is being stockpiled. This will be discussed further prior to discussing with the State.

CMA was also hired to provide recommendations for operations at the Transfer Station. Mr. Schmidt referred to two options: the first includes modifications to the existing facility (at a lower cost); the second includes construction of a larger building. The second option would result in a higher cost but would also allow for increased revenues, which revenues may not outweigh capital costs. Mr. Schmidt then proceeded to present an overview of the existing facility, the main area of concerns being the current traffic flow, no protection from the weather, the lack of recycling for tin and plastic, the difficulty in estimating quantities of bulky and demo, and the tendency of the compactor to clog. Some recommendations were common to both options, including the installation of a larger compactor, use of scales, relocation of the bulky drop-off site and rearrangement of the order of the existing drop-off sites.

Mr. Morrill expressed concern regarding the proposed location of the scale house, which would require an operator to remain on site. He noted that the facility in Lebanon had a recycling area outside of the gate; after passing the gate, fees were incurred. Mr. Duffy believes that minor adjustments in the traffic pattern for those who will need to pay fees could easily be made. Mr. Schmidt indicated that they gave included that option in a conceptual drawing; however, that may not be the best use of the subject property and may limit future use.

Mr. Morrill believes it may be good to keep both the old as well as a new compactor in operation. Mr. Schmidt agreed that would not be unrealistic. Mr. Blackwood expressed concern regarding use of a hydraulic compactor.

Mr. Cools stated that he has never been to a transfer station where he did not have to go through the scale house. He noted that the proposed plan appears to include traffic lanes around the scale house, which he believes would allow for an individual to take advantage. Mr. Schmidt explained that the referenced lane is not a by-pass lane, but rather a 'stop' lane for those not hauling material that needs to be weighed. He added that all concepts provided can be staffed with only 4 employees. The Board will consider the information presented.

Mr. Huntoon referred to the station having a 'swap shop'. Discussion followed regarding the pros and cons of such an operation. Mr. Schmidt questioned whether the Board is giving any thought to charging for MSW. Mr. Morrill stated that he personally believes that such disposal should require a user fee rather than being funded from the tax base. He added that there should be no fee for recyclables, with a fee established for any material that must be hauled away.

**5. Unscheduled Matters/Public Comment (out of agenda order)**

--Ms. Baxter noted the irony of the Town and her both having wetlands issues (referring to the previous transfer station discussion).

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--Mr. Relf Fogg questioned how his tax bill could go up when his lot size shrunk. Mr. Morrill stated that the Board of Selectmen is not prepared to answer that question and suggested that Mr. Fogg contact the Assessing office. Mr. Fogg then asked why the tax rate changed. Mr. Morrill explained that the tax rate is revised each fall, based upon appropriations approved by the voters in the preceding March. Mr. Duffy noted that the recent tax map project has resulted in more accurate tax maps, but that it has also caused changes to the acreage and frontage of various properties.

--Mr. Lee stated that in previous years notification of a new tax rate was sent to the newspapers. Ms. Mulkern (reporter for *The Granite State News*) apologized, stating it will appear in the November 30 edition. Mr. Lee suggested it be posted on the Town's web site, as well as the community channel. He added that many people are not happy with their tax bills. Mr. Morrill noted that no one is happy about taxes; however, people had the opportunity to vote. Mr. Lee believes that the Board of Selectmen, the various department heads and the Budget Committee have a responsibility to the voting public to keep things in check.

--Mr. Lee stated that he is concerned with the proposed 2007 budget as it relates to a Town planner. He noted that the voters last year rejected an article regarding the hiring of a planner; however, he understands that the proposed 2007 budget includes funds for a fulltime Town planner. Mr. Lee believes the issue should go back to the voters. Mr. Morrill again referred to discussions at last year's deliberative session, during which it was stated several times that the Town requires planning services. He stated that a non-binding article (no money included) was included on the warrant to see whether the voters were in support of a fulltime Town planner. According to Mr. Morrill, the Board of Selectmen and the Budget Committee unanimously agreed that the Town needed a planner; however, in a previous year a petitioned warrant article to hire a Town planner had been presented at the last minute. This article was not supported by the Planning Board and was not passed.

Mr. Morrill noted that other Town positions are not put on the warrant; neither does the School District include the hiring of teachers on their warrant. He added that it is the responsibility of the leadership to determine the staffing necessary to address the operation of Town business. Mr. Morrill noted that many board and committee members are volunteers and require professional advice. The voters were advised last year that the Town would be paying for planning services, either via an employee or under contract. Rather than paying \$65 per hour for these services (to Strafford Regional Planning Commission), the Town is paying \$26 per hour for the same services. Mr. Morrill believes the Town is getting good value for the money. He stated that if the funds are not appropriated, then the contract will not be renewed. Mr. Morrill believes these services are critical to the Town and will be included in the 2007 budget.

Mr. Ciardi suggested that the issue is not whether the Town needs the services of a Town planner, but rather the perception as to how it all occurred.

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He believes that the voters did not understand the 'advisory' nature of the warrant article. Mr. Morrill is sorry that people believe they were misled; however, he added that it was clearly explained on several public occasions. Ms. Baxter asked whether this issue would be put to a vote. Mr. Morrill advised that the budget will go to a vote.

Mr. Blackwood indicated that for many years he had been against hiring a Town planner. He now believes that use of Strafford Regional's services was a waste a money and that the individual currently under contract is doing a wonderful job. Mr. Morrill stated that funds were included in the 2006 budget for planning services. The warrant article asked whether the voters were in favor of a fulltime Town planner. When no funds are attached to an article, then it is considered 'advisory'. When funds are attached to an article, it becomes an appropriation. If approved, the voters are directing the Board of Selectmen to expend funds. The funds for a fulltime Town planner are part of the proposed 2007 budget.

Ms. Fogg questioned whether the Town planner is in charge of the Building Department. Mr. Morrill advised that the Town planner oversees the coordination of the Building and Planning Departments, as the two departments work together on many issues. Ms. Fogg sees the position as just one more layer that the taxpayer must go through. Mr. Morrill referred to the coordination of information necessary when an application comes in. Discussion followed regarding the effectiveness of the position, as well as recent changes in personnel.

Mr. Duffy believes the Town planner can alleviate the frustration of the applicant. Mr. Morrill stressed that the Board of Selectmen has heard the complaints of the public and is working on them. Mr. Ciardi questioned whether language could be included on the warrant to indicate whether an article is an appropriation or merely 'advisory'. Mr. Morrill stated that at a recent seminar by the Local Government Center, the Town was advised not to include a record of votes taken by the Selectmen and/or the Budget Committee as it could be interpreted as 'slanting' the vote; however, we can ask about 'advisory' language. Mr. Lee believes that stating a recommendation of the Board and/or Budget Committee will sway the voters. He also noted that he would have appreciated receiving this information as he had initially posed the question.

--Mr. Wessell stated that there are many angry people in Wakefield. He explained that he has been coming to Wakefield for 60 years, for 10 of which he has been a fulltime resident. Mr. Wessell believes that the Town has been going downhill for the past 4 years, referring to the increase in the number of fulltime employees, which he does not believe is justified given the current workload. He believes we have created a bureaucracy of unnecessary spending and stated that he cannot afford the recent increase in taxes. Mr. Wessell would like the Board to start determining 'needs' vs. 'wants' in an effort to be considerate of the citizens of Wakefield.

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Mr. Duffy stressed that he does care about this community and believes this budget process has considered 'needs' vs. 'wants'. Mr. Fogg noted that he has been here for 40 years and has never seen anything this bad. Mr. Duffy noted that the State forces the Town to evaluate property in certain ways. Mr. Morrill stated that for years the lakefront property was under-assessed. Mr. Wessell referred to variations in the values for lakefront property.

--Mr. McLaughlin referred to the new zoning ordinance having caused a reduction in tax revenue by limiting use of previously valuable property. According to Mr. McLaughlin, some of his property located in the downtown area may only support used car lots. Mr. Morrill indicated that issues relating to the zoning ordinance should be addressed to the Planning Board.

--Mr. Lee questioned what might have been included in the budget that the Selectmen could reduce and referred to the large surplus enjoyed by the Town. Ms. Frost noted that she and Mr. Lee had previously discussed the funds left from the appropriation for purchase of conservation easements, which funds might be carried over to next year or which could be placed in the General Fund for possible use in offsetting next year's tax rate. Mr. Morrill noted that this was a unique article and that the Board will have to decide what to do with those funds. He pointed out that each appropriation has its own group of supporters and added that the Board would be happy to entertain recommendations for reducing the budget appropriations.

Mr. Huntoon noted that the Town's component of the tax rate increased by over 50% and asked to what this increase can be attributed. Mr. Morrill indicated this was primarily due to the conservation easement article and explained that one large appropriation can affect the percentage. He referred to the previous surplus being \$1.8 million and stated that the Board is attempting to more accurately predict revenues, thereby avoiding the unnecessary taxation of property owners and resulting in a lower surplus balance at year end. Mr. Morrill also advised that the School surplus used to be held by the Town and used to offset the School's next year expenditures; however, a warrant article was passed by the voters by which the School surplus is now held in a separate account by the School. Mr. Wessell asked whether the Budget Hearings can be advertised on the Community Channel. This will be done.

--Mr. Benner referred to discussions with the Code Enforcement Office regarding snow load requirements. He also referred to a 50' buffer zone established by the Planning Board. Mr. Blackwood will look into this issue.

**2. Old Business**

**a) Woodard & Curran Contract** – Reference was made to the funds allotted to maintenance.

Mr. Morrill suggested discussing this with Mike Soucy and Warren Winn in the event the number of hours required of Woodard & Curran can be reduced. This contract will be reviewed further with Woodard & Curran.

**b) Purvis Contract** – The Board reviewed two contracts, one for the 2007 annual assessing services and the other for assistance with completing the 2006 pick-up work. **Mr. Morrill moved to approve the Purvis contract for 2007 Annual Assessing Services for \$45,000. Mr. Duffy seconded the motion, which passed 3-0.**

**Mr. Morrill moved to approve the Purvis contract for 2006 remeasure and list work, for \$14 per parcel, not to exceed 900 parcels. Mr. Blackwood seconded the motion, which passed 3-0.**

### **3. New Business**

**a) Skid Steer** – The Board reviewed proposals received. **Mr. Morrill moved to spend not more than \$55,000 for a skid steer and mower for use at the Transfer Station and Landfill, based upon recommendations of the Transfer Station Manager. Mr. Blackwood seconded the motion, which passed 3-0.**

### **4. Correspondence**

**a)** Mr. Morrill received a request for funds from CASA.  
**b)** The GWRC has provided information in support of a 2007 appropriation request. Ms. Frost will thank them for the information and remind them to contact the Budget Committee.

### **6. Administrative Matters**

**a) Liaison Reports:** Mr. Blackwood: Planning Board reviewed site plan regulations and held a workshop to address problems with the revised zoning ordinance. The Highway Department has been hauling winter sand.

Mr. Duffy: No Cable meeting was held. He did, however, refer to an issue with a couch left on the side of the road. The individual involved was advised to contact Town Hall in such instances.

#### **b) Administrator's Update**

--ZBA Alternates: John Ciardi and Judith Sjostrom have submitted their names for the Board's consideration. **Mr. Morrill moved to appoint John Ciardi as alternate member to the Zoning Board of Adjustment, for a term through March 2007. Mr. Duffy seconded the motion, which passed 3-0.** Ms. Sjostrom will be invited to a Selectmen's meeting in order to meet the Board members.  
--The Board will need to consider whether to carry over the \$354,000 remaining from the purchase of conservation easements article.

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The Conservation Commission is considering purchase of the Albee pit (or the building rights thereto), primarily for aquifer protection. The Board has time to consider this prior to making any decision.

--A letter of resignation was received from Stefan Zalewski. **Mr. Morrill moved to accept the resignation of Stefan C. Zalewski as Deputy Code Enforcement Officer and Deputy Health Officer for the Town of Wakefield. Mr. Blackwood seconded the motion, which passed 3-0.**

**c) Building Permit Releases – Mr. Morrill moved to approve building permit releases for Barbary on Au Bord Du Lac, Charest on Concord Lane, Campbell on Wildwood and Morse on Red Gate Road. Mr. Duffy seconded the motion, which passed 3-0.**

**d) Minutes – Mr. Morrill moved to approve the minutes of November 8, 2006, as presented. Mr. Duffy seconded the motion, which passed 3-0.**

There being no further business, the meeting adjourned at 10:50 p.m.

Respectfully submitted,  
Toni Bodah, Secretary

Approval of Minutes:

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Paul S. Morrill, Chairperson

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Mark P. Duffy

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John J. Blackwood