

Board of Selectmen

April 28, 2010

Present: Kenneth S. Paul, Chairperson; Mark P. Duffy; Peter M. Kasprzyk; Robin L. Frost, Town Administrator; and Toni Bodah, Secretary.

Also present were: Daymond Steer, *Carroll County Independent*; Garrett Anthony; Pam Judge; Phil Twombly; Lyman Holmes; Dave Mankus; Dave Takis; Angela Chick; Jerry O'Connor; Steven Brown and Relf Fogg. Joining the meeting in progress were Paul Winckler and Ed Morrison.

Mr. Paul called the posted meeting to order at 7:00 p.m., and led those present in the Pledge of Allegiance.

1. Public Hearing re: Easement on Map 183, Lot 44 – Mr. Paul opened the public hearing and explained the concept of the park area being developed as an Eagle Scout project. Scout Garrett Anthony stated that the project is going according to plan, and construction is scheduled to begin in early May. Sale of bricks has been closed, with engraving scheduled for this weekend. There is a possibility of more bricks being sold at a later date. Mr. Paul noted that it is an excellent project, at a great location. Mr. Holmes advised that the VFW plans to purchase (via reimbursement) the flag and pole for this project, adding that they may also be able to assist with the installation. Mr. Holmes questioned whether the scouts would keep the lawn at the park mowed. Ms. Judge explained that no Eagle Scout project can pass an obligation on to future scouts. She noted that the property must be maintained as other Town-owned properties. Mr. Holmes suggested consideration of surveillance cameras to avoid desecration of the park. Mr. Paul noted that the location is in the open and should not be a problem.

Garrett stated that originally he planned to have a regular park bench at the park. However, an individual has donated a granite bench. Mr. Holmes wondered how to avoid it becoming a hang out. Mr. Kasprzyk stated that it should help that “kids” are doing the project, as “kids” tend to respect the work of other “kids.” Mr. Holmes referred to issues at the basketball court at Turntable Park. Mr. Duffy noted that location is out of sight, while the proposed park location is in plain sight. Mr. Paul closed the public hearing at 7:05 p.m. The Board will vote on the easement issue at the May 12, 2010 meeting.

2. Appointments

a) Mr. Paul noted that Mr. Winckler and Mr. Morrison would be in shortly.

b) Dave Schweitzer – Mr. Schweitzer was unable to attend this evening’s meeting. We had hoped to enlist his assistance with the presentation of the Boston Post Cane. Mr. Duffy stated that he would coordinate the logistics of this presentation with Mr. Schweitzer.

3. Unscheduled Matters/Public Comment – None forthcoming.

4. Unfinished Business

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a) Pending Projects Spreadsheet – No update was available.

b) Cable Contract Renegotiation – Mr. Duffy noted there is much to be done prior to scheduling the ascertainment hearing, with much information to be gathered. He noted there is no complaint log, although complaints were received with regard to channel selection and senior discounts. Ms. Frost noted that legally the Town cannot require the cable company to offer senior discounts, as indicated in the original contract. After discussion, it was decided that letters (with appropriate questionnaire) will be sent to those proposed by DTC, inviting them to meet with the Cable Advisory Board at their May 18 meeting, with the hope of conducting the ascertainment hearing at a Selectmen's meeting in June.

c) GWRC Management Agreement – Mr. Paul advised Mr. Duffy (who was absent from the previous Selectmen's meeting) that the GWRC representatives expressed concern about exterior maintenance of the building. The Board had stated that this would need to be addressed during the budget season, perhaps doing the building in sections. Mr. Kasprzyk stated that the Board also requested a plan for the remainder of the building. Mr. Duffy is interested in knowing the GWRC's goals for the building, noting that he should attempt to attend one of the GWRC meetings. Ms. Frost stated the GWRC Board would likely be willing to meet at Mr. Duffy's convenience.

Mr. Holmes reviewed the process by which the Town acquired the building from the VFW. Unfortunately, some differences of opinions split the original group apart. Mr. Holmes noted that, in hindsight, the elevator probably should have been a priority. He noted that any paint used on the building should be good paint. Mr. Kasprzyk stressed that all involved should look only forward. As the Town is a business, the Board has asked for a plan and its cost to get the entire building operational in order to see how funds can be generated. Mr. Holmes noted that most groups who ask to use the space expect to do so at no cost. Mr. Duffy stated that the main issue currently is maintenance of the building. He noted that the second floor renovations will likely cost as much, if not more than, the main floor. Mr. Kasprzyk indicated that we need to know the cost in order to plan.

Mr. Holmes indicated that our seniors need to be encouraged to utilize the services provided at the GWRC. Ms. Judge stated that the GWRC could be the centerpiece of Union Village. We must first determine how maintenance will be accomplished, then plan for utilization. She likened this project to the JW Garvin building previously undertaken by the Heritage Commission. She noted that the current economic situation is not conducive to attracting tenants.

5. New Business

a) Board Membership Appointments – The Cable Advisory Board has recommended the appointment of David Mankus and Rick Sager as members (for 3 and 2 years, respectively), and of Ernest Couture and Angela Chick as alternates (for 3 and 2 years, respectively).

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Mr. Duffy moved to approve the appointments as recommended. Mr. Kasprzyk seconded the motion, which passed 3-0.

The Conservation Commission has recommended the appointment of Nathan Fogg as a member for 3 years and Angela Chick as an alternate for 3 years. **Mr. Kasprzyk moved to approve the appointments as recommended. Mr. Duffy seconded the motion, which passed 3-0.**

c) Bids for Painting of Old Police Cruiser – Arthur Capello had solicited 3 estimates for painting of the old police cruiser, currently being used as the Code Enforcement vehicle. Mr. Duffy questioned whether this cost was included in the budget. Ms. Frost advised that it was not. Mr. Duffy questioned whether the vehicle absolutely needs to be painted. Ms. Frost stated that the Police Department would like to see it marked as a Code Enforcement vehicle as it currently appears to be an unmarked Police vehicle. Mr. Holmes suggested obtaining magnetic decals for the sides of the car. Mr. Paul noted that the Police Department might have access to decals. Ms. Frost referred to the vehicle having rusted fenders. It was agreed by consensus that we will look into the use of decals and ride it out (good pun!) until the next budget season.

2. Appointments (out of agenda order)

a) Paul Winckler and Ed Morrison re: Use of Opera House – Mr. Morrison stated that most everyone is aware that the Opera House Performing Arts Committee (“OHPAC”) has been involved in keeping the stage busy over the past 7-8 years with a variety of entertainment. This group, a subcommittee of WPI, started with a budget of \$2000. The goal was not to make money, just to keep the stage busy. The group has over 18 sponsors who contribute \$200 each year to offset the loss from any show. As of today, there is \$2800 in that budget. Mr. Morrison indicated that OHPAC would like to try a cabaret-style performance, with 12 tables on the floor and the opportunity to have soft drinks and snacks while enjoying the performance on stage. In this way they hope to pick up a new crowd (hopefully to include the members of the Board of Selectmen!).

Mr. Winckler stated that OHPAC would eventually like to see this type of entertainment include the consumption of beer and/or wine. It is thought that bigger crowds would be attracted to the performances in this way. Mr. Paul agreed that bigger crowds would likely attend; however, he doubts the Town’s insurance carrier would allow this to happen. Mr. Morrison stated that they would like to plant this seed for the future and would like to know how it could come about. He noted this type of event is occurring in other areas, including the GWRC, which is a Town building. Mr. Winckler thought perhaps the catering company would have the appropriate license and insurance.

Mr. Morrison confirmed to Mr. Duffy that the intent is to serve wine and cheese, with space available for dancing.

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However, he stressed that for this summer they are just looking to have tables, music, soft drinks and light food. He again stressed that they want to plant the seed so that a year or 2 down the road they will be able to have either a BYOB type of affair, or the ability to serve wine and/or beer. Mr. Kasprzyk stated his belief that since the Town Hall is a public building, and the law disallows drinking in public, then alcohol served in Town Hall would not be legal. Mr. Morrison agreed that it must be done the right way, noting it is being done elsewhere. Discussion followed regarding whether or not consumption of alcohol on Town property would be legal and whether a caterer would assume that liability. Mr. Winckler was advised that individuals hosting an event at the GWRC must provide proof of the appropriate liability insurance.

Mr. Morrison hopes that the Board will give this suggestion consideration and advise OHPAC at a later date as to what needs to be done in order to host such an event. The Board agreed by consensus to allow cabaret-style entertainment (without alcohol) in the Opera House. Mr. Winckler suggested the Board develop a set of guidelines for such an event. Mr. Kasprzyk would like to hear input from the public. Mr. Morrison encouraged those watching on Channel 3 to submit comments. Mr. Paul stated that the first phase is acceptable, assuming all activity is overseen. However, the second phase will take some time. Mr. Morrison stated that they always encourage police presence during events. If the liability were to increase, they would continue to be vigilant; however, they must be made aware of liability issues. More discussion followed as to whether a liquor license would be required if alcohol were served. The hiring of a caterer may address that issue. Mr. Fogg believes the law refers to public intoxication, rather than drinking in public. Mr. Twombly expressed concern regarding the Town's liability if someone leaves the building and has an accident. All agreed we must be very careful and the possibilities must be investigated thoroughly.

6. Proposed CRF Expenditures

a) Technology – Several work stations were previously upgraded to Office 2007. **Mr. Duffy moved to approve an expenditure of \$1079.95 from the Technology CRF to Certified Computer Solutions. Mr. Kasprzyk seconded the motion, which passed 3-0.**

b) Technology – The Police Department had scheduled replacement of 2 work stations this year. **Mr. Kasprzyk moved to approve an expenditure from the Technology CRF in the amount of \$3,690 to Certified Computer Solutions. Mr. Paul seconded the motion, which passed 3-0.**

c) Cemetery Maintenance – This expenditure would reimburse David Mankus for rebar purchased for the new cemetery. **Mr. Duffy moved to approve an expenditure of \$63.32 from the Cemetery Maintenance CRF to reimburse David Mankus. Mr. Paul seconded the motion, which passed 3-0.**

d) Cemetery Maintenance – This expenditure would purchase caps for the rebar for the new cemetery. Extra caps will be stored at the vault at Lovell Lake Cemetery.

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Mr. Kasprzyk moved to approve an expenditure of \$286 from the Cemetery Maintenance CRF to Bernsten Custom ID Products. Mr. Paul seconded the motion, which passed 3-0.

e) Town Hall Improvement – This expenditure relates to the final inspection of Meridian’s work by Salmon Falls Architecture. **Mr. Duffy moved to approve an expenditure of \$332.50 to Salmon Falls Architecture from the Town Hall Improvement CRF. Mr. Kasprzyk seconded the motion.** Mr. Takis questioned whether the roof was inspected. Mr. Paul advised he had viewed the work as it progressed. Discussion followed regarding the outside temperature when the painting was done. Mr. Duffy noted that the work is under warranty. **The motion then passed 3-0.**

f) Ambulance- Chief Nason has worked hard to find the best deal and is recommending the Town accept the bid from Sugarloaf. At this time only the down payment is necessary (\$38,285); however, the total cost will be \$137,602. The balance in this CRF is \$104,365, without the 2010 appropriation of \$50,000. This purchase was included in the 2010 budget. **Mr. Duffy moved to approve the \$38,285 expenditure from the Ambulance CRF to Sugarloaf Ambulance. Mr. Kasprzyk seconded the motion, which passed 3-0.**

7. Correspondence

--The Joint Loss Committee has expressed concern that there are no carbon monoxide or smoke detectors on either the main or upper floors. Mr. Paul stated that we could investigate the cost, noting that any permanent fixture would be part of the overall renovation process. Mr. Duffy suggested purchasing several battery-operated detectors as a temporary measure. Mr. Kasprzyk stated we expect the analysis of the recent energy audit from PSNH soon, which could be tied in. The Board agreed by consensus to price out electric smoke detectors and battery-operated carbon monoxide detectors. Mr. Kasprzyk noted it is time to turn down the thermostats at night.

--Mr. O’Connor has submitted his resignation as Planning Board alternate to the Planning Board.

--The Town has received the distinction of Certification of Digital Excellence from NHPR.

8. Unscheduled Matters/Public Comments #2

--Mr. Holmes advised the Board of his discussion with Ms. Frost regarding repairs necessary to the wall at Veterans’ Square. He hopes it can be addressed prior to Pride Day. Ms. Frost will check with Wayne Robinson, who was to have contacted Fred Meyer.

--Mr. Fogg questioned whether any more consideration has been given to utilization of the Virtual Town Hall web site. Mr. Paul indicated that there has not been much discussion. He believes it would be easy to maintain, but would cost around \$6,000 (initially). Mr. Fogg noted it would allow for downloading of meetings. This can be discussed during the next budget cycle.

--Mr. O’Connor asked how many people are allowed in the Opera House during functions. He noted that concern was expressed at the last Selectmen’s meeting about a potential event because of code issues.

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Mr. Paul anticipates the Fire Department and CEO will contact the State Fire Marshal to do a walk-through, as done previously. He noted we have not been addressing the issues as aggressively in the last several years. He stressed that the facility needs to be used; however, it also needs to be safe.

--Mr. Holmes advised the VFW will be putting up flags on the cemeteries in May. Mr. Kasprzyk suggested putting a notice on the PEG channel. Mr. Holmes stated that was done once, with the result being unsatisfactory. He stated he puts out around 500 flags each year.

--Ms. Judge referred to the VFW donating a flag for the proposed park on the Jette property and noted that a flag is also needed at Heritage Park. Mr. Holmes stated that the VFW will discuss that possibility at their next meeting.

--Mr. Steer questioned whether tables would be an obstruction if used during cabaret performances. Mr. Paul believes the tables could be used to better define aisles.

--Mr. Steer received clarification regarding fire alarms and carbon monoxide detectors. Ms. Frost will suggest to the Gafney Library that they consider installation of carbon monoxide detectors, as well.

9. Administrative Matters

a) Liaison Reports – Mr. Duffy: Plans for Pride Day are coming along well, with Wayne Robinson working with the Chamber on this project. A few complaints have been received regarding cones placed on Meadow Street (Route 109). The State has a 25' right-of-way. The owner was contacted about this issue last year, and the cones were moved from the sidewalk into the road. Mr. Paul will discuss with the Police Department. Perhaps DOT would like to address. Mr. Duffy stated that we must work with the property owner for a joint solution.

Mr. Kasprzyk: The Conservation Commission discussed buying a sign for the new Town forest. They also discussed campership fundraisers and establishing a new account line in the budget for donations. Several recommendations for membership appointments were made. The Pride Day Committee is looking for a Selectman to help judge the floats. Mr. Duffy volunteered! The Town has received settlement regarding damage done to the freight house roof. The Heritage Commission discussed meeting with Brookfield's Heritage Commission to sponsor a speaker from Portsmouth regarding historical gardens. Concern has been expressed regarding information being passed on to various committees, such as to the Heritage Commission regarding historic sites. Mr. Kasprzyk has asked each committee to which he is liaison to send him an email regarding specific concerns. He would like to see some sort of trigger set up regarding happenings in Town whereby all affected department heads are notified. Two groups are interested in utilizing space at the former Union school—Hazel MacBrien Nursery School and the Cable Advisory Board. Two lots are involved, one having a reverter clause. Mr. Paul would not be opposed to either group using the space. Ms. Frost explained that the original deed was written so that the property would revert back to the owner when it was no longer used as a school. There was subsequent confusion between the heir and his attorney. A letter clarifying their intentions is expected, following which the Board can proceed.

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Mr. Brown stated that the School has stated they will no longer have anything to do with the property as of June, at which time it will become a Town issue. The SAU business manager has been in contact with Attorney Whittum. Ms. Judge referred to being contacted last summer by the heir regarding potential interest of the Heritage Commission to take over that building. On behalf of the Commission, she did express interest, noting, however, that the process must involve the Board of Selectmen. She expects the heir will advise his attorney to send a letter to the Town regarding any interest the Town may have in taking over that property. When the letter is received, all parties should discuss. Mr. Duffy believes this would need to be a warrant article. Ms. Judge does not agree.

Mr. Paul: The Budget Committee held a special meeting to vote on a special \$10,000 appropriation relating to an on-going issue on Crew Road. Mr. Paul attended the ground-breaking ceremony for the new nursing home, which promises to be a beautiful facility.

b) Selectmen's Letter of Appreciation – The Board agreed that this month's recipient would be Kristine Bolstridge, Webmaster extraordinaire.

c) Administrator's Update

--Ms. Frost presented a letter to DRA for the Board's signature regarding the emergency expenditure related to Crew Road. 2 pieces of equipment were removed by the owner. Perhaps the rest will also be removed. The Town will not move forward unless necessary. The Board executed the letter as presented.

--7 Lakes Trailblzers are seeking an appointment with the Board regarding a land use permit for a trail along the Transfer Station. They will be scheduled for the next agenda.

--Ms. Frost sought comments regarding finalization of the recent Town Hall renovation project. The Board has concerns about the lawn. A ripped screen will also be addressed.

--The Road Agent has received 3 bids for 2010 road projects as follows: FR Carroll - \$75.90/ton; GMI - \$69.88/ton (with an escalation clause dependent upon the price of oil); and Brox - \$71.80/ton. The Road Agent is concerned about the possible effect of GMI's escalation clause and recommends the Board accept the proposal of Brox. Although the specific budget line might be overspent, funds will be available within the Highway budget. **Mr. Duffy moved to accept the proposal of Brox, in the amount of \$71.80/ton, for 2010 road projects. Mr. Kasprzyk seconded the motion, which passed 3-0.**

--The contract with the planning consultant has been revised regarding mileage reimbursement. The Planning Board Chair has reviewed/approved the contract. **Mr. Kasprzyk moved to approve the contract with Mike Garrepy for planning consulting services. Mr. Paul seconded the motion, which passed 3-0.**

--No other interest has been expressed for landfill monitoring services. **Mr. Duffy moved to accept the proposal of CE² in the amount of \$8500, for landfill monitoring services. Mr. Kasprzyk seconded the motion, which passed 3-0.**

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--AWWA has secured a grant to develop a maintenance plan for Brackett Road. It is hoped that at least one Board member, as well as the Road Agent, will sit on that committee. Mr. Kasprzyk will do so, with Mr. Paul to fill in as necessary. Ms. Frost will advise Linda Schier.

--Patty Baxter, Welfare Officer, advises that her workload has slowed down. She recommends reducing her hours to 4 ½ days per week. The Board agreed.

--Ms. Frost had prepared an application for a preliminary estimate for the North Wakefield Road bridge. The Board executed the application, which will be submitted to the State.

d) Building Permit Releases – Mr. Duffy moved to approve a building permit release for 125 Burley Park Drive. Mr. Kasprzyk seconded the motion, which passed 3-0.

Mr. Paul executed a PA34 relating to the Town's acquisition of 441 Crew Road.

e) Minutes – Mr. Kasprzyk moved to approve the minutes of April 14, 2010, as presented. Mr. Paul seconded the motion, which passed 2-0-1.

Mr. Paul moved to enter Non Public Session under RSA 91-A:3, II (b) and (c). Mr. Kasprzyk seconded the motion. Roll call vote: Mr. Duffy – 'aye'; Mr. Kasprzyk – 'aye'; Mr. Paul – 'aye'. The motion passed unanimously, and the Board entered Non Public Session at 8:55 p.m.

The Board returned to public session at 9:15 p.m., at which time the meeting adjourned.

Respectfully submitted,
Toni Bodah, Secretary

Approval of Minutes:

Kenneth S. Paul, Chairperson

Mark P. Duffy

Peter M. Kasprzyk