

**Board of Selectmen
October 10, 2018**

Present: Connie Twombly, Chair; Kenneth S. Paul; Kelley A. Collins, Town Administrator; and Toni Bodah, Secretary.

Ms. Twombly called the posted meeting to order at 6 p.m. **Mr. Paul moved to enter Non Public Session under RSA 91-A:3, II (a). Ms. Twombly seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Ms. Twombly – ‘aye’. The motion passed unanimously, and the Board immediately entered Non Public Session.**

The Board returned to public session at 6:05 p.m. During the immediately preceding Non Public Session, the Board voted to allow Cindy Bickford to roll over up to a total of 62 earned time hours to 2019. **Mr. Paul moved to enter Non Public Session under RSA 91-A:3, II (c). Ms. Twombly seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Ms. Twombly – ‘aye’. The motion passed unanimously, and the Board immediately entered Non Public Session.**

The Board returned to public session at 6:17 p.m. **Ms. Twombly moved to seal indefinitely the minutes of the immediately preceding Non Public Session as divulgence of the information likely would affect adversely the reputation of a person other than a member of the body or agency itself. Mr. Paul seconded the motion, which passed 2-0, and the minutes were sealed.**

Mr. Paul moved to enter Non Public Session under RSA 91-A:3, II (c). Ms. Twombly seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Ms. Twombly – ‘aye’. The motion passed unanimously, and the Board immediately entered Non Public Session.

The Board returned to public session at 6:25 p.m. **Ms. Twombly moved to seal indefinitely the minutes of the immediately preceding Non Public Session as divulgence of the information likely would affect adversely the reputation of a person other than a member of the body or agency itself. Mr. Paul seconded the motion, which passed 2-0, and the minutes were sealed.**

Mr. Paul moved to enter Non Public Session under RSA 91-A:3, II (c). Ms. Twombly seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Ms. Twombly – ‘aye’. The motion passed unanimously, and the Board immediately entered Non Public Session.

The Board returned to public session at 6:32 p.m. **Ms. Twombly moved to seal indefinitely the minutes of the immediately preceding Non Public Session as divulgence of the information likely would affect adversely the reputation of a person other than a member of the body or agency itself. Mr. Paul seconded the motion, which passed 2-0, and the minutes were sealed.**

Mr. Paul moved to enter Non Public Session under RSA 91-A:3, II (c). Ms. Twombly seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Ms. Twombly – ‘aye’. The motion passed unanimously, and the Board immediately entered Non Public Session.

The Board returned to public session at 6:40 p.m. **Ms. Twombly moved to seal indefinitely the minutes of the immediately preceding Non Public Session as divulgence of the information likely would affect adversely the reputation of a person other than a member of the body or agency itself. Mr. Paul seconded the motion, which passed 2-0, and the minutes were sealed.**

Mr. Paul moved to enter Non Public Session under RSA 91-A;3, II (a). Ms. Twombly seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Ms. Twombly – ‘aye’. The motion passed unanimously, and the Board immediately entered Non Public Session.

The Board returned to public session at 6:49 p.m. Compensation for part-time employees was discussed during the immediately preceding Non Public Session; however, no action was taken. Ms. Twombly recessed the meeting until 7 p.m. Those present at this time included Tom Beeler; Donna Martin (videographer); Ed Comeau (videographer); Relf Fogg; Ed Noble; Neil Rowe; Rose & Robert Baxter; and Annette Perry.

Ms. Twombly led all in the Pledge of Allegiance, and welcomed Mr. Paul back to the Board.

1. Appointments – None scheduled.

2. Unscheduled Matters/Public Comment #1

--Mr. Fogg asked whether the Board received an email from the Chair of the Conservation Commission, and whether said email is on the agenda. Ms. Collins advised that the Board received the email; however, it is not on the agenda as it was not received prior to noon on the Friday prior to the meeting. Mr. Fogg referred to a discussion at the previous meeting regarding the bridge on Canal Road which involved correspondence that was not received until the day prior to that meeting. He questioned whether the Board is willing to support such discrimination. Mr. Paul noted that the Board would like to stick to a policy. He assumed that Mr. Fogg is referring to Pond Road and noted that he would like to get caught up to speed for the next meeting. Mr. Paul suggested meeting Mr. Fogg on site. Mr. Fogg noted that he has discussed the issue with the Director of Public Works, who stated there is a very clear fix. However, it is still not fixed.

--Mr. Rowe referred to Bonnyman Road and read from a prepared statement. He noted that Ms. Collins had suggested he meet with Brock Mitchell. Mr. Mitchell responded to his communication quickly and met Mr. Rowe on site with Seth Garland. They all viewed Bonnyman Road and Towle Farm Road, and Mr. Rowe was able to share his concerns and discuss history. Both Town staff were very knowledgeable and appear to make a great team. Mr. Rowe is aware that change will not happen overnight; however, he looks forward to a report from Mr. Mitchell. The ball is rolling—let’s keep it moving.

3. Unfinished Business – None scheduled.

4. New Business

a) Conway Office Solutions Copier Plan – Ms. Collins advised that the copier in the administration office is now paid for; however, it does not print in color or collate. Therefore, the staff often runs downstairs to utilize that copier. Both the Highway Department and Transfer Station have copiers that do not always work. The proposed plan would replace the administrative copier, which could be moved to either Highway or Transfer Station. The overall plan would be \$80 per month less than what we are paying now and we will have better copiers in 2 offices. There would be a separate maintenance agreement for all printers which would include ink and laser. The relevant contracts are municipal contracts with a “no funding” clause.

Mr. Paul moved to enter into the contract with Conway Office Products and to authorize the Town Administrator to execute all necessary documentation. Ms. Twombly seconded the motion, which passed 2-0.

b) State of NH Abandoned Property – The Town has received notification that the State is holding Town funds relating to outstanding accounts payable checks. Ms. Twombly moved to authorize Kelley Collins to execute all necessary documentation in order for the Town to claim these funds. Mr. Paul seconded the motion, which passed 2-0.

c) Tax Deed Waivers – Ms. Collins advised that payment is due to the Tax Collector by October 23 in order to avoid the deeding process. That date is prior to the next Selectmen's meeting. Therefore, Ms. Collins recommends that the Board execute waivers for each property on the list, which the Tax Collector could re-notice as necessary. It would have been helpful to have a later date for deeding; however, that is not the case this year. Ms. Collins clarified that the waivers would be executed but held until October 23. Mr. Paul stressed that the Town does not want to take anyone's property.

Ms. Collins noted that the 2 payment plans established last year will be successfully paid off within the next couple of months. Those property owners will then be able to make unofficial payment plans with the Tax Collector. Ms. Twombly moved to execute deed waivers for the 36 properties on the potential deed list as of this date. Mr. Paul seconded the motion, which passed 2-0.

5) Proposed Capital Reserve Fund Expenditures

a) Assessing Statistical Update CRF \$45,000 – This represents the contracted payment to RB Wood. Ms. Twombly moved to approve this expenditure as presented. Mr. Paul seconded the motion, which passed 2-0.

b) Highway Road Projects CRF \$220,828.72 – This represents the cost to pave Pine River and Pray Hill Roads. Mr. Paul moved to approve this expenditure as presented. Ms. Twombly seconded the motion, which passed 2-0.

c) Highway Road Projects CRF \$17,270 – This represents the cost to do shoulder work for aforementioned paving projects. Ms. Twombly moved to approve this expenditure as presented. Mr. Paul seconded the motion, which passed 2-0.

d) Invasive Species Expendable Trust Fund \$7500 – This appropriation for the Balch Lake Improvement Association was previously approved by the Board. Mr. Paul moved to approve this expenditure as presented. Ms. Twombly seconded the motion, which passed 2-0.

6. Correspondence

a) NH DES – Ms. Collins explained that DES is required to run this program to ensure the safety of the public when using public bathing facilities, and they are asking us to help get the word out about the program. Ms. Collins recommends forwarding this information to the Code Department.

b) Jerry Luke – Ms. Twombly read Mr. Luke's letter aloud, which letter expresses appreciation for the efforts of Officer Martino, and First Responders Jared Pierce, Stephen McMullen, Frank Pevear

and David Silcocks. Ms. Twombly also spoke to her personal experience with Wakefield's emergency crew. Mr. Paul noted that it takes more effort to write a positive letter than a complaint. Copies of Mr. Luke's letter will be included in each employee's personnel file.

c) Charter Communications – Charter advises of adjustments in pricing for residential video services.

7. Unscheduled Matters/Public Comment #2

--Mr. Beeler reminded all that the Fall Festival in East Wakefield is scheduled for this Saturday, October 13.

--Mr. Fogg has video to share of the path of rain on Pond Road as a result of the culvert not being replaced. He stated that replacing that culvert is necessary. Brock Mitchell has asked who was responsible for damaging and removing that culvert, but this is unknown. Regardless, we must protect the lake. It is a simple fix to replace the culvert. Mr. Fogg stated that the quality of the water should be the most important thing in this governing board's mind. If the Board is not concerned with replacing the culvert, then it should not appropriate \$35,000 to protect the water quality [via the Invasive Species Expendable Trust Fund]. Mr. Fogg noted that the State has been notified. Because of the Board's lack of action, the Town will be subject to penalties. Ms. Twombly asked when DES findings would be available. Mr. Fogg noted that government is slow, and DES has not even viewed the site yet. He noted that the culvert could be replaced in a matter of hours. Mr. Paul noted that water quality is one of his main concerns. He hopes to address this issue in the near future.

--Ms. Perry asked whether the Town has applied for the sidewalks in Union. Ms. Collins stated that Brock Mitchell has viewed the site and spoke with the paving company. It is unlikely we will get this project completed prior to winter as there is more involved than just paving. Funds have been earmarked for this project. Some projects were delayed due to our lack of a DPW director. However, \$40,000 has been earmarked for that project, which will be the first project to be scheduled next spring.

--Ms. Baxter requested an explanation regarding the tax deed waivers previously executed by the Board. Ms. Collins reviewed the tax deeding process: 30 days after taxes are due, interest is applied. After 1 year, a lien is placed on the property and the interest rate increases. After 3 years from the original due date if the taxes remain unpaid, the property is eligible for deeding. This process includes various mandatory notifications. Once the deed notice is sent by the Tax Collector, the property owner has 30 days to pay. This year, that final date is October 23. If taxes are not paid by that date, the Tax Collector will issue a deed to the Town. The Board of Selectmen can stop this process by issuing a deed waiver to the Tax Collector. Ms. Collins noted that the Tax Collector can make informal payment arrangements up until the deeding date. After that, only the Board of Selectmen has that authorization. If a payment plan is established with the Board, a deed waiver is used. There are various scenarios under which the Board will waive a deed. Because this Board will not meet again prior to the deed date, tonight's meeting is the last opportunity for the Board to execute deed waivers. These waivers will only be provided to the Tax Collector if a payment plan is confirmed. Ms. Cleveland asked whether the property owner will have additional time to pay the outstanding taxes if the payment plan application is denied. Ms. Collins stressed that the property owner has only until October 23 to either pay the taxes or enter into an official payment plan. Mr. Paul stressed that the Board just bought 10-14 days for some of those 36 property owners to enter into an official payment plan.

Ms. Collins reiterated that the deadline to pay the Tax Collector is October 23. The deadline to enter into a payment plan has passed; however, she is willing to take a potential plan to the Board prior to October 23.

--Ms. Baxter asked how one knows how much our property taxes are going up this year. Ms. Collins advised that the Board of Selectmen sets the tax rate, which has not yet occurred. The Assessing Tech posted on the web site that the tax rate is likely to go down due to an increase in the Town's overall assessed values for property and utilities. Ms. Collins referred to the various components that make up the tax rate, the Town's anticipated revenue, and potential use of the unassigned fund balance. Much goes into setting the tax rate. Mr. Paul noted that his personal assessment went up; however, he anticipates his taxes will remain about the same. He stated that we must be careful to control spending for 2019 so that we don't see a spike in the tax rate for 2019. Briefly discussed the amount of allowable overlay and who actually sets the tax rate. Ms. Collins will likely recommend to the Board that we not use much fund balance this year in order to keep the tax rate stabilized over the next several years.

8. Administrative Matters

a) Town Administrator's Update

--L Chip Window Project: Contractors are working on the windows in the front of the building, as well as the front door, which will be addressed in place. Ms. Collins expects everything to be back in place within a month.

--Emergency Operations Plan: Ms. Collins reminded the Board that this plan must be updated every 5 years and that the Town has contracted with Hubbard Consulting to accomplish this. The first meeting in this process will occur on October 22 (at the Public Safety Building) with representation from various departments and organizations.

--Now that we have 3 Board members, we should begin to meet with Department Heads regarding the 2019 budget. It was ultimately agreed to meet on Monday, October 29, from 10 a.m. to 5 p.m. and on Thursday, November 1, from 1 p.m. to 4 p.m. Mr. Paul will miss the beginning of the November 1 session.

--Acquisition of Turntable Park: Ms. Collins briefly reviewed the history of this project. At this point, the State has advised that the Town must pay fair market value for the property, and a commercial appraisal must be accomplished, paid for by the Town. Only \$1500 was appropriated in the warrant article. The Board agreed to have Ms. Collins advise Chris Gamache that we have \$1500 to accomplish the appraisal. Otherwise, we may seek another 25-year lease. The Heritage Commission had hoped to purchase the old freight house (now it would be at fair market value) and move it to Turntable Park. However, we do not want to take the risk of purchasing the building, moving it, then losing it to the State. Mr. Paul noted that many people utilize the trail.

--At the next meeting the Board will have a public hearing at 7 p.m. regarding proposed revision of building permit fees. This proposal came out of the town-wide revaluation that building now tracks at \$110 per square foot. In addition, Pond Road residents have an appointment to submit a petition immediately following the public hearing.

--Canal Road Bridge: The survey results were sent to the Acton Board of Selectmen, Maine DOT and the Maine Attorney General. The Acton Board has advised they accept ownership of 50% of that bridge and are now awaiting our next step. The lines of communication will be kept open.

--Trick or Treat! This is normally held on October 31, from 5 p.m. to 8 p.m. OK with the Board.

b) Heritage Commission Membership Appointment – The Commission is recommending the appointment of Nancy JM Lacroix-Britton as an alternate member. **Mr. Paul moved to appoint Nancy JM Lacroix-Britton as an alternate member to the Heritage Commission for a term through March 2019, as recommended by the Heritage Commission. Ms. Twombly seconded the motion, which passed 2-0.**

c) Tax Collector's Monthly Report – This is provided for the Board's information. Ms. Collins noted the Town is holding a much larger amount of credit than we did in 2017.

d) Building Permit Releases – **Mr. Paul moved to approve the building permit release for Noel on Scribner Hill Road as presented. Ms. Twombly seconded the motion, which passed 2-0.**

e) The Board executed the notice for posting of the November election.

f) Payment Manifests – **Mr. Paul moved to approve AP #50 in the amount of \$1,016,468.14, as presented. Ms. Twombly seconded the motion, which passed 2-0.**


Mr. Paul moved to approve PR #25 in the amount of \$78,304.71, as presented. Ms. Twombly seconded the motion, which passed 2-0.

g) Minutes – All minutes were tabled until October 24.

h) Selectmen's Work Session – It was agreed to discuss re-organization at the next meeting. Mr. Paul will reach out to the new Director of Public Works in the interim. He would like to see a good road plan. Ms. Collins noted that we are next on SRPC's list for a road inventory, which will be helpful to Brock Mitchell. Mr. Comeau asked whether the road inventory is included in the Town's contract with SRPC. Ms. Collins believes it is part of our membership, although we must wait in line. There may be a fee to establish a management plan for the roads.

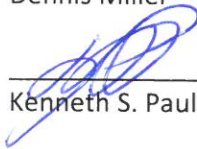
Mr. Paul moved to adjourn at 8:25 p.m. Ms. Twombly seconded the motion, which passed 2-0.

Respectfully submitted,
Toni Bodah, Secretary
Approval of Minutes:



Connie Twombly, Chair

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Dennis Miller



Kenneth S. Paul