

**Board of Selectmen  
April 24, 2019**

**Present:** Mark P. Duffy, Chair; Kenneth S. Paul; Richard C. Edwards; Kelley A. Collins, Town Administrator; and Toni Bodah, Secretary.

Also present was Russ Bookholz, Building Inspector/Co-Code Enforcement Officer.

Mr. Duffy called the posted meeting to order at 5:45 p.m. **Mr. Edwards moved to enter Non Public Session under RSA 91-A:3, II (c). Mr. Paul seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Mr. Edwards – ‘aye’; Mr. Duffy – ‘aye’.** The motion passed unanimously and the Board immediately entered Non Public Session.

The Board returned to public session at 5:59 p.m. During the immediately preceding Non Public Session, the Board provided direction to Mr. Bookholz regarding a land-use issue. **Mr. Edwards moved to enter Non Public Session under RSA 91-A:3, II (c). Mr. Paul seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Mr. Edwards – ‘aye’; Mr. Duffy – ‘aye’.** The motion passed unanimously and the Board immediately entered Non Public Session.

The Board returned to public session at 6:02 p.m. During the immediately preceding Non Public Session, Mr. Bookholz provided an update of a land-use issue to the Board. **Mr. Paul moved to enter Non Public Session under RSA 91-A:3, II (c). Mr. Edwards seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Mr. Edwards – ‘aye’; Mr. Duffy – ‘aye’.** The motion passed unanimously and the Board immediately entered Non Public Session.

The Board returned to public session at 6:04 p.m. During the immediately preceding Non Public Session, Mr. Bookholz provided an update of a land-use issue to the Board. **Mr. Edwards moved to enter Non Public Session under RSA 91-A:3, II (c). Mr. Paul seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Mr. Edwards – ‘aye’; Mr. Duffy – ‘aye’.** The motion passed unanimously and the Board immediately entered Non Public Session.

The Board returned to public session at 6:10 p.m. During the immediately preceding Non Public Session, Mr. Bookholz provided an update of a land-use issue to the Board. **Mr. Paul moved to enter Non Public Session under RSA 91-A:3, II (c). Mr. Edwards seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Mr. Edwards – ‘aye’; Mr. Duffy – ‘aye’.** The motion passed unanimously and the Board immediately entered Non Public Session.

The Board returned to public session at 6:15 p.m. During the immediately preceding Non Public Session, Mr. Bookholz provided an update of a land-use issue to the Board. **Mr. Edwards moved to enter Non Public Session under RSA 91-A:3, II (c). Mr. Paul seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Mr. Edwards – ‘aye’; Mr. Duffy – ‘aye’.** The motion passed unanimously and the Board immediately entered Non Public Session.

The Board returned to public session at 6:23 p.m. During the immediately preceding Non Public Session, Mr. Bookholz provided an update of a land-use issue to the Board. **Mr. Edwards moved to enter Non Public Session under RSA 91-A:3, II (e). Mr. Paul seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Mr. Edwards – ‘aye’; Mr. Duffy – ‘aye’.** The motion passed unanimously and the Board immediately entered Non Public Session.

The Board returned to public session at 6:29 p.m. **Mr. Edwards moved to seal the minutes of the immediately preceding Non Public Session indefinitely. Mr. Paul seconded the motion. Roll call vote: Mr. Paul – ‘aye’; Mr. Edwards – ‘aye’; Mr. Duffy – ‘aye’.** The motion passed unanimously, and the minutes were sealed.

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

The Board returned to public session at 6:41 p.m. During the immediately preceding Non Public Session, the Board vote not to renegotiate an existing payment plan and not to accept a 4-year plan for clean up of a property, which matter will be referred to Code Enforcement. Mr. Duffy called for a recess, calling the meeting back to order at 7 p.m. in the Conference Room. Those present at this time included: Brock Mitchell, Director of Public Works; Seth Garland, Highway Manager/Road Agent; Joe Gore, Transfer Station Manager; Connie Twombly; Peter Kasprzyk and Dean Giffin, Sanbornville Water Precinct Commissioners; Dave Tibbetts; Mark Badger; Donna Lane; Kathy Conway; Robert & Rose Baxter; Jim Miller (videographer); and Officers Dave Landry and Bart Bentz. Mr. Duffy led all in the Pledge of Allegiance.

#### **1. Appointments**

**a) Sanbornville Water Precinct** – Mr. Kasprzyk, Mr. Giffin, Ms. Lane and Ms. Conway joined the Board, with Mr. Kasprzyk introducing all. The SWP cannot accept a CDBG, although they expect to receive funds from the State’s groundwater trust fund. The plan is to create a loop in the system (from Rines Road to Fellows Road, then to Route 109) which would allow them to work on other parts of the water system without interruption of service. In addition, the Rines Road portion of the system is a dead-end. Creation of the loop would eliminate that dead-end, which would improve the water quality. Mr. Kasprzyk referred to the recent problem whereby their water tank was drained. It could not be filled due to extensive leaks in the system. If the system were extended along Fellows Road, those residents would have the ability to tie into the system, but would not be required to do so.

Mr. Kasprzyk indicated the SWP is eligible for an emergency block grant, up to \$350,000. Ms. Collins questioned whether this grant would cover the cost to repave as necessary. Mr. Kasprzyk advised it would not; however, the \$250,000 they anticipate receiving from the State’s groundwater trust fund would. He added that no match is necessary for the emergency block grant, which grant would be administered by Ms. Lane.

Ms. Lane stated that she is actually only writing the grant at this point. Administration will be awarded following an RFP, which may result in her also administering the grant. The grant administrator will do all necessary tracking, etc. Ms. Collins expressed concern that the SWP has no fulltime staff. Ms. Lane stated that funds must come to the Town. Likely, only a few checks will need to be issued. All time of Town personnel should be tracked for reimbursement via the grant. Ms. Lane and Ms. Collins reviewed the process to be followed. If a single audit is necessary, it will be covered under the grant. Mr. Kasprzyk noted that the Fire Department depends upon this water supply, as does the school, local businesses and residents.

Ms. Conway noted that the funds would cover pavement repair, rather than road repair. Ideally, the line will not be run down the middle of the road. Mr. Duffy asked about an estimated time line. Mr. Kasprzyk has been advised the project could be complete by fall. The Town will need to hold 3 public hearings (all at the same meeting). Ms. Conway noted a permit will be required to go across the State road (Route 109). DES will need to be involved.

Mr. Mitchell expressed some concern regarding the possibility of damage to the integrity of the road. He would like more time to plan for that eventuality; however, he understands this is an emergency situation. Mr. Kasprzyk hopes to be able to work with the Town in the future, coordinating SWP's work with the Town's planned projects. Ms. Conway will be communicating with the DPW regarding CIP plan development. Mr. Giffin noted that the SWP hopes to keep away from the pavement, if possible, limiting work to the Town's right-of-way.

Ms. Lane compared emergency CDBG to public facility CDBG. She will email documentation for the 3 public hearings. Following the last public hearing, she will need 3 motions to accept all 3 documents referenced. Ms. Collins questioned whether someone from the Town must take the CDBG class. Ms. Lane stated that is not the case, at this point anyway.

Ms. Twombly questioned who would fill out the application. Ms. Lane stated she will do the CDBG, and Ms. Conway will prepare the trust fund application. Ms. Lane will provide documentation for the public to view.

**2. Unscheduled Matters/Public Comment #1** – None forthcoming.

**3. Unfinished Business**

**a) Review of Purchasing Policy** – Ms. Collins had shared several samples from other towns. She also shared a spreadsheet comparing various points of each with Wakefield's current policy. Mr. Paul suggested increasing the \$5000 limit to \$10,000. Mr. Edwards stated that would reduce the opportunity for local competitive bidding. Ms. Collins noted there would be no need to update the policy if the levels will remain the same. Mr. Duffy would like to model our policy after Atkinson's policy, as it is more clearly written, following which we can identify amounts. Ms. Collins will massage the Atkinson policy for review at the next meeting, at which time amounts can be identified.

**b) EMD Appointment Form** – Mr. Paul moved to appoint John Ventura as Emergency Management Director (for a term through March 2020). Mr. Edwards seconded the motion, which passed 3-0. Ms. Collins noted the Board should consider appointment of an Assistant EMD. Mr. Duffy confirmed that the Fire Chief would be willing to serve in that capacity. Ms. Collins noted that the Police Chief previously expressed concern that the Fire Chief would be busy with DOT problems in the event of an emergency. Regardless, an appointment form will be prepared for the next meeting.

**4. New Business**

**a) Bid Awards** – Responses to a number of bid solicitations were reviewed.

Parks & Rec Replacement of Dugouts – 3 bids were received. EF Dolaher & Sons @ \$40,400 (\$27,200 without demo); Lavertue Builders @ \$29,501.52 (\$23,192.52 without demo); and Target New England @ \$21,680 (\$18,480 without demo). Ms. Collins advised that the Highway Department will handle the demo, so that cost has been subtracted from each bid. **Mr. Edwards moved to award the bid to Target New England for a cost of \$18,480. Mr. Paul seconded the motion, assuming proof of insurance is in place.** Ms. Collins stated that Mr. Robinson would be comfortable with that choice. **The motion then passed 3-0.**

Roadside Mowing – 2 bids were received. Energize Line at \$110/hour. Field Works of NH @ \$105/hour. It was noted that there is not much difference in the hourly rate. Mr. Mitchell has worked with Energize Line and is comfortable with their work. He is not familiar with the second bidder. Several options for the existing flail mower were discussed, including trading it in. **Mr. Paul moved to accept the bid of Energize Line Construction at the hourly rate of \$110 for roadside mowing. Mr. Duffy seconded the motion, which passed 3-0.**

PSB Parking Lot – 5 bids were received. Advanced Excavating & Paving \$ 34,905; All States Asphalt @ \$56,685; Brox Industries \$35,225; D&R Paving @ \$47,135; and R&D Paving @ \$33,618.65. **Mr. Paul moved to award the bid to pave the PSB parking lot to R&D Paving at \$33,618.65. Mr. Edwards seconded the motion, which passed 3-0.**

Road Paving – Mr. Mitchell stated he is considering paving 1.2 miles of Ballards Ridge from the intersection at Route 153; Acton Ridge from Route 153 to the Dearborn Road intersection; and ¾" shim on Dearborn Road. Mr. Edwards referred to an issue with a culvert at the other end of Ballards Ridge Road. Mr. Mitchell indicated he is aware of the issue; however, this paving project will not go that far. 5 bids were received. Advanced Excavating & Paving @ \$263,694; All States Asphalt @ \$247,538.90; Brox Industries @ \$239,907.86; Pike Industries @ \$283,786; and R&D Paving @ \$230,980.74. **Mr. Paul moved to award the bid for road paving to R&D Paving at \$230,980.74. Mr. Edwards seconded the motion, which passed 3-0.**

Oak Hill Road – 4 bids were received. Brown Industrial @ \$172,980; GW Brooks @ \$175,981; NM Curtis Earthworks @ \$308,565; and R&D Paving @ \$157,800. Mr. Mitchell did not anticipate these bid prices. He recommends that the Board table awarding this bid in order to allow him time to investigate various possibilities. Mr. Duffy noted previous Boards had considered paving Oak Hill Road. Mr. Mitchell stressed that the road must be addressed prior to consideration of paving. He stated to Mr. Edwards that the Wakefield Highway Department does not have the time, staff or equipment to address this project. This department is staffed to maintain roads while addressing other issues; it cannot rebuild the road. Discussion followed regarding tracking maintenance of Oak Hill, as well as a traffic count. Ms. Collins noted that Strafford Regional Planning Commission would do a traffic study at no cost. Mr. Edwards suggested the Board consider subcontracting out the grading work. No action was taken on these bids at this time.

Transfer Station Electrical – 1 bid, with 3 options, was received. Dame Electric--option 1 @ \$12,750 (plus \$300 for extra conduit); option 2 @ \$15,250 (plus \$300); and option 3 @ \$17,500 (plus \$300).

Mr. Paul moved to award the bid to Dame Electric, option 3, \$17,500 plus \$300. Mr. Edwards seconded the motion, which passed 3-0.

Transfer Station Concrete – 2 bids were received. Garry Perkins Concrete @ \$13,410; and William P. Davis Excavation @ \$19,550. Mr. Paul recommended putting this back out to bid. Mr. Duffy moved to reject both bids received and put the work back out to bid. Mr. Edwards seconded the motion, which passed 3-0.

**b) Boston Post Cane** – The time has come to ‘award’ the Boston Post Cane to another citizen. Mr. Duffy suggested that a family member be consulted to determine an appropriate time to make the presentation, preferably prior to a scheduled meeting.

**c) Wakefield Police Department Policies & Procedures** – Ms. Collins advised that Police Chief Ventura would like to Board to sign off on this documentation; however, the document has not yet been received for review by the Board. The Board executed the approval form for these procedures, which they will review when received.

**d) MS 535** – Ms. Collins advised this document was prepared by the Town’s auditors. It shows an undesignated fund balance of \$2,052,910, \$50,000 of which is to be used to pave the PSB parking lot. Discussion followed regarding DRA’s suggested percentage level for the undesignated fund balance. The Board executed the MS 535, which Ms. Collins will load to the portal.

**e) Bids for 2004 Freightliner** – These bids should have been reviewed with those listed above. The Board proceeded to open 2 bids received as follows: Dam Construction @ \$10,001; and Casey Tarbox @ \$7,250. Mr. Paul moved to accept the bid of Dam Construction @ \$10,001. Mr. Edwards seconded the motion, which passed 3-0.

**f) Facility/Premise License Agreement** – The Gafney Library requests use of the opera house as part of the Art in the Gafney event on August 17, as well as a waiver of the \$200 fee. Mr. Paul moved to approve the request for use and waiver as presented. Mr. Edwards seconded the motion, which passed 3-0.

**g) Transfer Station Presentation** – Those present viewed a video presentation of the Transfer Station, including recommendations for revisions to the existing layout. Mr. Paul noted that equipment will need to be purchased; however, eventually it would be cost effective for the Town to purchase our own hauling equipment. Currently, there is a market for #1 & #2 plastic only, as well as dry cardboard. If we bale this material, it would reduce our costs. The new compactor is actually a can. Waste Management would continue to haul for now; however, we hope to eventually try to haul our own material. Discussion followed as to what equipment would need to be purchased. Re-education of the public regarding recycling will be necessary. Mr. Gore suggested an informational booth be available on Pride Day. Mr. Paul noted that repaving will be required. The baler will be coming soon. Mr. Mitchell and Mr. Gore agree there are funds available to purchase the baler, compactor and a couple of cans. They also anticipate use of some of the crushed glass, as well as the poor quality gravel on site.

**5. Proposed Capital Reserve Fund Expenditures**

**a) Technology Fund \$5325** – This represents the cost of laptops for this Board. Mr. Edwards moved to approve this expenditure as presented. Mr. Paul seconded the motion, which passed 3-0.

**b) Transfer Station Heavy Equipment \$97,000** – The Board approved the purchase order for this equipment at the previous meeting. This evening, the Board should vote to pay for it using the Transfer Station Heavy Equipment CRF. Mr. Paul moved to approve this expenditure as presented. Mr. Edwards seconded the motion, which passed 3-0.

**6. Correspondence**

**a) Larissa Mulkern Resignation** – Mr. Duffy moved to accept, with regret, the resignation of Larissa Mulkern Heritage Commission Assistant. Mr. Edwards seconded the motion, which passed 3-0.

**b) Ossipee Concerned Citizens Annual Meeting** – While the Board appreciates the invitation to this group's annual meeting, none of the members will be able to attend.

**c) Great East Lake Improvement Assoc Membership Drive** – The Town is offered the opportunity to contribute, which is done by appropriating funds via the Invasive Species Expendable Trust Fund.

**d) Province Lake Assoc Membership Drive** – Another opportunity to contribute, which occurs through Invasive Species Expendable Trust Fund appropriations.

**e) Clearview Community TV Quarterly Report** – Provided for the Board's information.

**f) Charter Communications** – Charter advises of upcoming line-up changes.

**g) Greater Wakefield Resource Center** – GWRC advises that it has 6 rentals in May/June at which beer/wine is to be served. Ms. Collins noted that the Management Agreement allows this to occur with notification to the Board of Selectmen.

**7. Unscheduled Matters/Public Comment #2**

--Ms. Twombly referred to the EMD and Assistant EMD and questioned whether both Chief Ventura and Chief Nason are FEMA certified. Mr. Duffy stated they are, both being NIMS certified.

--Mr. Miller noted that it is Administrative Professionals' Day! He stated that everyone in the building (Town Hall) treats him with professionalism and respect. Mr. Miller added that it is important to occasionally look at our accomplishments, and noted that due to the Town Administrator's efforts, we have done more work on bridge issues and more funds have been brought in. Ms. Collins is solving problems.

--Ms. Baxter expressed her disappointment in not being able to speak with the Board regarding various issues. She stated that any elected official or employee of the Town now needs to go through their lawyer and needs to get permission to go onto their property. Ms. Baxter stated that the Code Enforcement Officer was on her property today. She has advised them they are not wanted on her property without prior permission.

--Ms. Twombly referred to the numerous changes referred to by Charter Communications and questioned whether the Board has any input. Ms. Collins believes that the franchise agreement gives Charter absolute right to make changes in their offering. Mr. Miller added that the Board of Selectmen did their best at the time to engage other companies; however, Wakefield is just too small. He understands the frustration; however, no one likes their cable company.

## **8. Administrative Matters**

### **a) Town Administrator's Update**

--Ms. Collins reminded the Board of the DOT meeting scheduled for April 26 at the railroad crossing near the intersection of Routes 16 and 153, 10:30 a.m. to 12:30 p.m. It should be posted if a quorum of the Board plans to attend. The Board agreed that Brock Mitchell and/or Seth Garland could represent the Town. Ms. Collins has alerted several other people who may have an interest in this project.

--Pond Road: It was agreed that the April 29 'meeting' at Pond Road would be posted as a site visit only. Mr. Edwards stated that we should be fixing the culvert now. Mr. Mitchell is waiting for appropriate conditions. Attorney Alfano identified a correction that needs to be made to the March 13, 2019, minutes, specifically the wording of then Selectman Miller's motion regarding the Road to Summer Cottages status. The video of the meeting has confirmed that the wording should be amended. **Mr. Edwards moved to revise the March 13, 2019, minutes of the Board of Selectmen to accurately reflect the verbiage cited on the video recording. Mr. Paul seconded the motion, which passed 3-0.**

--The Town Clerk has asked that the public be reminded of the April 30 deadline for registering dogs. Letters will be sent out in May, and fines will be assessed in June.

--Ms. Collins advised we have received our Groundwater Management permit for the closed landfill. Required testing found PFAS, so we will be required to complete additional testing. Ms. Collins will solicit costs to perform that work.

--Joe Palmariello of the Wakefield Lions Club has requested a letter waiving the cost to take debris from the building at Turntable Park, which building they are renovating. The Board agreed to this waiver by consensus.

--Ms. Collins noted that the liaison assignment for WPI was dropped from the list a number of years ago. Victor Becker has requested it be reinstated. He further requests that Mr. Paul be given that assignment. **Mr. Edwards moved that Kenneth Paul be the Board's liaison to WPI. Mr. Duffy seconded the motion.** The next project is a potential \$400,000 addition to the back of Town Hall. Mr. Paul noted that several Budget Committee members have suggested bonding that project. **The motion then passed 3-0.**

**b) Treasurer's Monthly Reports** – Provided for the Board's information.

**c) Commission Membership** - **Mr. Edwards moved to appoint Connie Twombly as a member of the Heritage Commission for a term through March 2022. Mr. Duffy seconded the motion, which passed 3-0.**

**d) Building Permit Releases** – None received.

**e) Payment Manifests** – **Mr. Edwards moved to approve PR #10 in the amount of \$84,202.47. Mr. Duffy seconded the motion, which passed 3-0.**

Mr. Edwards moved to approve AP #12 in the amount of \$172,094.71. Mr. Duffy seconded the motion, which passed 3-0.

**f) Minutes** – Mr. Edwards moved to approve all minutes of April 10, 2019, as presented. Mr. Duffy seconded the motion, which passed 3-0.

**g) Selectmen's Work Session** – The Board executed a letter to Susan Beeler (which Mr. Duffy read aloud). Mr. Paul stated that the Transfer Station staff has suggested naming the 'library' at the Transfer Station as "The Tom Beeler Library", as Mr. Beeler used to spend a significant amount of time at that facility. **Mr. Edwards moved to establish The Tom Beeler Library at the Wakefield Transfer Station. Mr. Paul seconded the motion, which passed 3-0.** The building will be cleaned up, and a plaque will be ordered.

Mr. Edwards moved to adjourn at 9:03 p.m. Mr. Paul seconded the motion, which passed 3-0.

Respectfully submitted,  
Toni Bodah, Secretary

Approval of Minutes:

  
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Mark P. Duffy, Chair  
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Richard C. Edwards  
\_\_\_\_\_  
Kenneth S. Paul