

**Board of Selectmen
September 27, 2017**

Present: Richard C. Edwards, Chairperson; Connie Twombley; Lino Avellani; Kelley Collins, Town Administrator; and Toni Bodah, Secretary.

Mr. Edwards called the posted meeting to order at 6:00 p.m. **Mr. Avellani moved to enter Non Public Session under RSA 91-A:3, II (a). Ms. Twombley seconded the motion. Roll call vote: Ms. Twombley - 'aye'; Mr. Avellani - 'aye'; Mr. Edwards - 'aye'. The motion passed unanimously, and the Board immediately entered Non Public Session.**

The Board returned to public session at 6:40 p.m. During the immediately preceding non-public session, the Board voted to authorize an increase for Kelley Collins to \$73,876.31, year 3 on the wage chart, effective as of October 9, 2017.

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

The Board returned to public session at 6:43 p.m. During the immediately preceding non-public session the Board voted to accept the resignation of Patrol Officer Vladislav Trebukhov.

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

The Board returned to public session at 6:49p.m. During the immediately preceding non-public session, the Board voted to authorize an increase for Victor Vinagro to \$21.25 per hour, effective as of 8/22/17.

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

The Board returned to public session at 7:13 p.m. During the immediately preceding non-public session, the Board voted to authorize an increase to \$20.20 per hour for Seth Garland, effective as of 8/27/17.

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At this time those present included: Ed Comeau (videographer); Donna Martin (videographer) Steve Brown and Bob Ouelette, Wakefield School Board; Christine Tyrie, SAU 101 Superintendent; Jim Miller; Leigh Nichols, Director of Public Works; Relf Fogg; and Ed Noble.

Mr. Edwards led all present in the Pledge of Allegiance.

1. Appointments

a) Steve Brown, Bob Ouelette and Christine Tyrie, re: Plowing of Paul School - Mr. Brown noted that he has heard that the Town no longer intends to plow the Paul School parking lot. He believes it is a better deal for the taxpayers if the Town continues to do so, as it would likely cost much more if the School put this work out to bid. Ms. Collins noted that at this time the Town absorbs the entire cost of this work. She believes it should be broken out so that the cost for each division is known. There are related costs, such as insurance and wear-and-tear on the vehicles used. Ms. Collins shared emails received from both Town Counsel and the Town's insurance carrier regarding the Town's liability exposure. She also provided statistics of other NH towns that do, or do not, plow school facilities. If the project were put out to bid, at the least we would know the actual cost of services.

Mr. Brown stated that all involved have liability. Although there are different pockets involved, the funds come from the same wallet. He agreed the Town would absorb this liability; however, the School absorbs liability when Parks & Rec uses the School's facilities. He stressed it would be difficult to go out to a 3rd party vendor to determine this cost. He also stressed it would be more expensive than if the work were kept in house and would not truly be representative of the Town's cost. Ms. Collins suggested perhaps the Town should put out the bid for use of gymnasium space so the Town would know the value of that service.

Mr. Edwards noted that it is all the taxpayers' money, no matter whether paid by the Town or the School. "If it's not broken, leave it alone."

Mr. Oullette asked what is different about this year; why this is coming up now. Ms. Collins stated that this is not done in towns with which she has experience. The determined cost of doing the job should be borne by the School. If the Board of Selectmen wants to continue to plow, the Board should vote to do so.

Mr. Nichols provided some history regarding the Town's plowing of the School property. This started out being no more than a pass through the property, prior to construction of the parking lot. That parking lot has been extended. It now takes 3 hours and much equipment in the parking lot alone. Then the roadway is plowed.

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After that, the School's contractor clears the sidewalks and pushes the snow back into the area just cleared by the Town. Mr. Nichols stated that the School district is a distinct entity different from the municipality. He likened the scenario to using public funds for private purposes. Mr. Nichols read from various RSA's. He advised Ms. Twombly that Taylor Way is not a Town road, which is why it can be gated by the School.

Mr. Noble asked how much the Town would save if it were to stop plowing the School. Mr. Nichols indicated that would depend upon each storm. By not plowing the School, it would ensure his ability to make sure that the Town roads are safe.

Mr. Fogg stated that to indicate that the School is a private entity is idiotic. He believes it is part of Mr. Nichols' job to maintain the School ways.

Mr. Miller stated that we all live in a wonderful town. He referred to having new administration in both the Town and the School, and added he appreciates the fresh look by all which has been brought to the table for discussion. Mr. Miller stated we need to determine what is best for the town as a whole and make a mutual effort to find what works for the benefit of all. The School does not own plows; and the Town does not own a gymnasium. He would not want such a change to burden the taxpayers. If the School must pay for plowing, would we reduce the Town's budget by a comparable amount? Mr. Miller suggested compiling and looking at the data, taking a year to track the expenses to the Town for plowing School property and the School's expenses for the Town's use of the gym. Then we can make an informed decision.

Mr. Brown stated that the School is better at educating children while the Town is better at plowing snow. If the School has to go out to bid, everyone's taxes are guaranteed to go up. A private contractor could not come close to the actual cost incurred by the Town. Ms. Collins read from Town Counsel's opinion, adding that we do not want to invite private road associations to ask the Town to plow their roads.

Ms. Twombly has lived in Wakefield for 75 years, with both the Town and the School being very important to her. She has seen many times when the two have come together and cooperated. She would like to see that continue. Ms. Twombly is in favor of the Town continuing to plow the School, even if it is a private entity, as the tax dollars are paying for both.

Mr. Avellani refrained from speaking, being both a member of the Board of Selectmen and School Board. Mr. Edwards noted that all have made good points; however, he believes Mr. Miller said it best. If it is not broken, do not fix it. If the Town stops plowing the School, is the School going to charge the Rec Department every time it uses the gym? He personally is in favor of leaving the situation alone. The Town crew has handled the situation up to now and should continue to do so.

We are too far into the season to make changes this year. We should, however, track the costs and compare the result to the bid of a private contractor. For this year, the School budget is set, and funds for this service were not appropriated. Mr. Brown wants to work together, not against each other. With respect to liability, Ms. Tyrie will look into the School's insurance policy to add the Town of Wakefield as an additional insured.

Ms. Collins stressed that the School has no liability with respect to the Rec Department using the gym; that is 100% covered under the Town's insurance policy. **Mr. Edwards moved to keep the status quo, tighten up the liability issue and develop a service contract for services (both plowing and use of the gym) and to track all information for one year for future analysis. Ms. Twombly seconded the motion. The motion then passed 2-0-1.**

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

3. Unfinished Business

a) Sewer Abatement Request – Ms. Collins referred to Vinton Wallace of Sheepdog and Halligan having addressed the Board regarding the recent sewer billing at 27 Meadow Street. The Board had directed Ms. Collins to determine a solution. She reduced the billed usage by the averaging the 3 most recent bills (although Mr. Wallace did not occupy the space that entire time) and dividing the result by half. The entire debt service would still be payable. Mr. Wallace will have the Sanbornville Water Department install a deduct meter. To that end, Ms. Collins has prepared a letter to Vinton Wallace explaining how the abatement was calculated, as well as a letter to the Sanbornville Water Department, requesting their cooperation in installing a deduct meter for this business. Mr. Wallace has agreed to pay the cost of the meter. **Mr. Avellani moved to approve the letters to Vinton Wallace and to the Sanbornville Water Department as presented, and to abatement the sewer bill for 27 Meadow Street as indicated. Ms. Twombly seconded the motion, which passed 3-0.**

Ms. Collins met with Ed Brown about the sewer bill for 2008 Wakefield Road. Mr. Brown had complained that some residents in that area received a minimum charge, which he does not believe is fair. Ms. Collins explained the system built along Cemetery Road, as well as the history of the hook-up at 2008 Wakefield Road. Revocable Sewer Hook Up Agreements were executed with all property owners, which require evidence of septic pumping on a regular basis. Ms. Collins has sent a letter to Mr. Brown outlining 3 options going forward to address sewer usage at 2008 Wakefield Road.

Mr. Edwards questioned whether the Board is setting a precedent by issuing abatements. Ms. Collins believes that other businesses—such as nurseries—should not have to pay the Town for water that the Town does not treat.

However, they should be expected to install a meter to measure what water is being used but is not going through the Town's system.

b) Proposed Tax Payment Plan and Contract for Pre-Deeding – Ms. Collins brought this information to the Board at the last meeting; however, the Board tabled discussion until a full Board was present. This process would allow property owners an opportunity to avoid the deeding process. Ms. Twombly noted we should allow property owners an opportunity to pay. **Ms. Twombly moved to accept the Town of Wakefield Payment Plan Policy as presented. Mr. Avellani seconded the motion, which passed 3-0.** Ms. Collins advised this document had been vetted by her previous Town Attorney; however, she will also send it to Wakefield's Town Counsel.

c) Establish 2nd Date of BoS/DH Budget Meetings – We probably need another 3-4 hours to review the rest of the Budget, following the all-day session scheduled for October 3. It was agreed to meet on Friday, October 6, from 2-5p [this was subsequently changed to October 6 from 1-4p]. Meetings with the Budget Committee are scheduled for November 2, 4 and 9. Mr. Avellani is out of town during that time. Either Mr. Edwards or Ms. Twombly will fill in. Perhaps is the municipal budget is ready, earlier dates with the Budget Committee could be arranged.

4. New Business

a) Transfer Station Attendant Job Description – Mr. Nichols has slightly revised this job description in anticipation of hiring a new attendant. Mr. Avellani stated that we should use all employees in the best interest of the Town. **Mr. Avellani moved to accept the revised job description, as presented. Ms. Twombly seconded the motion, which passed 3-0.**

b) PSB² Bids for Doors/Windows and Flooring – Mr. Edwards advised that no bids were received for the door and window project, which project will be re-bid. He opened the one bid received for the flooring project as follows: Guillmette's Flooring (Sanford ME) in the amount of \$13,333. Mr. Edwards noted that this bid is within the amount anticipated for this project. **Mr. Avellani moved to accept the bid from Guillmette's Flooring for the PSB² flooring project in the amount of \$13,333. Ms. Twombly seconded the motion, which passed 3-0.**

Ms. Twombly moved to authorize Ms. Collins to execute the agreement with Guillmette's Flooring. Mr. Avellani seconded the motion, which passed 3-0.

Ms. Collins noted that the project for new curtains for the conference room is still pending.

5. Proposed Capital Reserve Fund Expenditures – None scheduled.

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6. Correspondence

a) Charter Communications – Charter has advised us they are eliminating another channel from the line-up. Mr. Avellani suggested reviewing the contract and asked Mr. Miller about ClearView's relationship with Charter. Mr. Miller stated he is seeking guidance. He has been trying to obtain a live feed from Paul School (for meetings and basketball games). He has met with a Charter representative at the School and expected to get an estimate of the cost involved. However, it has been 3 months, although he was told he would hear something within a week. It was agreed Mr. Miller will share information with Ms. Collins, who will discuss same with her counterpart at Charter.

Mr. Miller stated that most of his prior communication with Charter has been through the Town Administrator. He noted his own bill continues to increase; however, he gets fewer channels. Mr. Miller added that he hopes that Metrocast will share videos with us that include Wakefield students. Mr. Brown believes that the live feed at Paul School, at no cost to the Town, and the second channel were part of the contract with Charter. Ms. Collins has reviewed the contract, which indicates the fee for the live feed would be passed on to the subscribers. The 2nd channel requires proof of 6 months' of original broadcasting on the existing channel. Mr. Edwards had believed that everyone in town would be eligible to have access to cable. Ms. Collins noted everyone can have it, but extending the system is done at the subscriber's cost. Mr. Edwards and Mr. Avellani agreed it is time to sit down with Charter to enforce their responsibilities in the contract. Mr. Miller spoke to the importance to all of access to the Internet. Mr. Avellani stated that if we had complete build-out, we could use Virtual Classroom on snow days.

7. Unscheduled Matters/Public Comment #2 – None forthcoming.

8. Administrative Matters

a) Town Administrator's Update

--Ms. Collins has met with TD Bank and changed to a program that will result in interest to the Town of about \$13,000 per year. This is an increase of \$10,000/year. Our funds are still insured.

--Hurricane Irma forced Ms. Collins to change her scheduled vacation. She will try again for December 11 through 15.

--Ms. Collins is a certified ski instructor. Parks & Rec could use a chaperone for their ski program. This would involve her leaving early on 6 Fridays. This would not interfere with her job, as she always has more than 40 hours in by noon on Fridays. Her participation would allow for good exposure to the public of Wakefield. OK!

--Ms. Collins plans to attend a Road Maintenance 101 workshop at UNH T² on November 7 from 9a – 2p. Ms. Twombly is also interested. Ms. Collins will sign her up.

--The GWRC has had an emergency repair. The septic system there includes a "chopper" system in the basement that pumps material out to the septic tank. The sensor on this equipment failed in 2013, at a cost of \$1500. It has failed again. We could replace the sensor or replace the entire chopper system for \$1950. Ms. Collins has reviewed the management agreement. It was intended that the GWRC would become self-supporting. However, this appears to be an expense of the Town. \$5000 was appropriated in the operating budget for this building, which has a balance of \$780. There are also funds available in the capital reserve fund. Ms. Collins has discussed replacement of this system with a GWRC board member and has asked if GWRC has any available funds, which they are considering. The only other available line is the emergency repair line for Town Hall. Ms. Collins believes this would be considered an emergency repair as cited in the management agreement. Various payment scenarios were discussed. It was noted that the existing management agreement expires on December 31, 2018. **Mr. Edwards moved to pay for replacement of the chopper system at the GWRC and to seek 50% reimbursement from the GWRC. Ms. Twombly seconded the motion.** We will utilize the appropriate line in the operating budget, with the balance to come from Town Hall Emergency Repairs. **The motion then passed 3-0.**

--Ms. Collins will leave at 3p on Thursday, September 28, and has a meeting in New Durham on Friday, September 29, at noon.

--Ms. Collins advised that the Town has prevailed in the first Dollar General appeal. The second appeal is still pending. Mr. Avellani asked for a total legal cost of this issue. Ms. Collins will determine same.

--Ms. Collins has prepared an RFP for the second part of the L-Chip window project. She is seeking the Board's permission to send this to L-Chip prior to sending it to vendors. **Mr. Avellani moved to authorize Ms. Collins to send the proposed RFP to L-Chip. Mr. Edwards seconded the motion, which passed 3-0.**

b) Treasurer's Monthly Reports – This report was provided for the Board's information.

c) ZBA Membership – Mr. Avellani moved to accept with regret the resignations of Sharon Theiling and Cecile Arnone from the Zoning Board of Adjustment. Ms. Twombly seconded the motion, which passed 3-0.

Mr. Avellani moved to appoint Don Stewart and George Frothingham as members of the Zoning Board of Adjustment for terms through March 2019, and to review membership of that committee. Mr. Twombly seconded the motion. The Board agreed to send letters of appreciation to both Ms. Theiling and Ms. Arnone. **The motion then passed 3-0.**

d) Trick or Treat – Mr. Edwards moved that trick-or-treating will be held on October 31 from 5-8p. Ms. Twombly seconded the motion, which passed 3-0.

e) Building Permit Releases – None received.

f) Payment Manifests – Ms. Twombly moved to approve PR #23 in the amount of \$71,626.34. Mr. Avellani seconded the motion, which passed 3-0.

The Board reviewed AP #29 in the amount of \$105,487.12. Mr. Avellani has a question on one expense and would like to hold payment until the next warrant. **Mr. Avellani moved to approve AP #29, but to hold the check in amount of \$465.59. Mr. Edwards seconded the motion, which passed 2-0-1 (Ms. Twombly abstaining).** Ms. Collins will obtain more information.

g) Minutes – Mr. Avellani moved to approve all Non Public Minutes of September 13, 2017, as presented. Ms. Twombly seconded the motion, which passed 3-0.

Mr. Avellani moved to approve the minutes of September 13, 2017, as presented. Mr. Edwards seconded the motion, which passed 2-0-1 (Ms. Twombly abstaining).

Mr. Brown asked whether the GWRC building is fully-occupied. Ms. Collins advised that the portion of the building that has been renovated is occupied; however, the entire building has not been renovated.

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

Respectfully submitted,
Toni Bodah, Secretary

Approval of Minutes:

Richard C. Edwards, Chairperson

Connie Twombly

Lino Avellani