

**Board of Selectmen
December 28, 2022**

Present: Richard C. Edwards, Chair; Mark P. Duffy; Kenneth G. Fifield; Dino A. Scala, Town Administrator; and Toni Bodah, Secretary.

Mr. Edwards called the posted meeting to order at 6:30 p.m. **Mr. Fifield moved to enter Non Public Session under RSA 91-A:3, II (a). Mr. Duffy seconded the motion. Roll call vote: Mr. Fifield – ‘aye’; Mr. Duffy – ‘aye’; Mr. Edwards – ‘aye’.** The motion passed unanimously, and the Board immediately entered Non Public Session.

The Board returned to public session at 6:47 p.m. During the immediately preceding Non Public Session, the Board voted to amend the overtime policy for 24-hour FF/EMT’s (allowing overtime pay after 96 hours) and to remove the requirement that overtime for all employees must be paid for ‘hours worked’, thereby allowing overtime to be paid for the same week in which earned time may have been taken. A recess was called at this time, with the meeting reconvening at 7 p.m.

At this time those present included Richard House and Richard Mauser, Union Village Community Association. Mr. Edwards led all in the Pledge of Allegiance.

1. Appointments

a) Richard House, UVCA, re: Drew Mill Dam – Mr. House referred to a packet of information he had previously distributed to the Board. He stated that LChip has suggested that a warrant article be presented (by petition if necessary) for \$65,000 in matching funds. Mr. House reviewed several bulletin items related to the UVCA and the dam. A similar article was presented 6 years ago. Since that time, UVCA has acquired additional information. They received a grant in 2019 from the NH Preservation Alliance to engage an engineer for an assessment, to include the cost to rehab the dam and make application to the State for a permit, estimated at \$143,000. The NH DAM Bureau subsequently issued a permit to reconstruct and approved the engineering plan.

In December 2021, LChip awarded up to \$65,000 in matching funds, approximately half of the total cost. UVCA now proposed a \$65,000 warrant article for matching funds for the LChip grant. UVCA will raise the additional \$13,000 through their own funding sources. The State engineer would oversee the overall project. LChip now provides software that will allow them to assist with financial management of the project. Mr. House introduced Richard Mauser, who has contributed much time and effort into this project.

Mr. Fifield noted there are a few hurdles. First: who owns the dam? Mr. House advised the dam is owned by UVCA, a non-profit organization. Mr. Fifield noted that is a vital piece of information. Six years ago, the voters supported this effort; however, it was determined that it would be illegal for the Town to spend taxpayers’ funds on privately owned property. This issue will need to be researched again, with the answer being brought to Deliberative Session. Mr. House noted that other individual organizations receive funding through the Town’s budget. Mr. Fifield confirmed that the Town does provide funding to various 501.c.3 organizations. However, he is not qualified to determine whether that is a different situation. Meanwhile, UVCA should prepare and submit a petition warrant article. Mr. Fifield anticipates clarification by Deliberative Session.

Mr. House noted that the wording of the article will be important. He also referred to the difficulty of fire tankers in obtaining water from this river. Mr. Fifield stressed that we are not discussing the worthiness of the project; rather, we are discussing the legality of same. He reiterated that the Town Administrator would need to research this issue. A definitive answer will be required prior to the Board offering or withholding its support. There is no need to discuss the benefits until we determine whether this can be done.

Mr. Duffy acknowledged that the project may benefit the Town because of dry hydrants. He questioned who would maintain/control the dam. Mr. House stated that responsibility would rest with UVCA. Members did exactly that during the recent floods. The situation would improve if they were able to address the State's permit requirements. Mr. House also referred to the historic aspect of the dam and mill, which go well with the number of Town-owned historic sites in Union. Mr. House reiterated to Mr. Edwards that the Town would not incur any liability should the \$65,000 in Town funding be approved. Currently there is still a dam at the Meadows. The Siemon dam was removed a number of years ago. Mr. Edwards is concerned regarding the Town's liability given the use of taxpayers' money. Mr. Duffy noted it may be helpful to have correspondence from the Wakefield Fire Department indicating their support of this project. Since the dam is privately owned, what is the liability if it gives way or floods? Perhaps the State would assume ownership if the dam was repaired. Mr. Duffy referred briefly to the dam lost a number of years ago in Woodman.

Mr. House noted this is a low hazard dam that is periodically inspected by the State engineer. He also advised that both he and Mr. Mauser attended various seminars regarding dams of this size. Mr. Scala stressed that everything mentioned this evening was mentioned back in 2017 at Deliberative Session. He will communicate with Town Counsel.

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

3. Unfinished Business

a) HVAC Contract – Mr. Scala advised that techs from Palmer & Sicard are coming tomorrow to provide a second opinion on the Town Hall burner. He expects that visit will provide guidance to move forward.

4. New Business

a) Town Personnel Policy – Mr. Scala noted that the policy has been updated to include all changes made by the Board in recent years; however, given that the Board voted to make several changes earlier this evening in Non Public Session, the document will need to be revised again, to be revisited at the first meeting in January.

5. Proposed Capital Reserve Fund Expenditures – None forthcoming.

6. Correspondence

a) 2022 Lake Host Program Boater Survey Report for Lovell Lake – Provided for the Board's information.

b) GWRC Minutes/Financials – Provided for the Board's information.

c) WPI Cash on Hand Report – Provided for the Board's information.

d) Letter of Appreciation – A letter prepared for Alyssa Hall was read aloud by Mr. Scala.

7. Unscheduled Matters/Public Comment #2

a) Encumbrances - Mr. Scala advised that funds had been appropriated in the 2022 budget for the assignment of 911 address, for which service the Town had been paying CAI. However, that process has been taken over by the State of NH. During a period of time, the Town continued to charge the applicant for this service as an administrative fee, which is not allowed. Therefore, we would like to encumber those funds in order to issue refunds to those applicants who paid the fee. CAI is no longer part of this process according to the Code office. **Mr. Duffy moved to encumber \$1966.78 from 01-42401-840, as requested. Mr. Fifield seconded the motion, which passed 3-0.** A brief discussion followed regarding the production of maps and up-loading of information on-line.

8. Administrative Matters

a) Town Administrator's Update

--The 2023 budget will be finalized next month.

--Deliberative Session is scheduled for February 4, 2023 at 9 a.m. Town election is Tuesday, March 14, 2023. The public hearing on the proposed 2023 budget will be held by the Budget Committee on January 10, 2023.

--Drummond & Woodsum has advised the hourly rate for Town Counsel will increase by \$5/hour.

--The Town will contract again with Strafford Regional Planning Commission for 2023.

--Ambulance Write-offs: Mr. Scala advised that over all the Town has taken back 88% of what we were allowed for 2022. The on-line payment option, combined with the efforts of the FF/EMT's to gather pertinent information, has reduced outstanding amounts due. This evening, Mr. Scala requests that the Board write-off \$8199.38 in outstanding ambulance bills and send \$523.40 to Experian. **Mr. Duffy moved to write-off \$8199.38 in ambulance bills and send \$523.40 to Experian, as recommended. Mr. Fifield seconded the motion, which passed 3-0.**

--NH DOT SB 402 will distribute \$36 million in one-time payments to NH towns for maintaining, building and/or reconstruction of Town bridges. Wakefield is scheduled to receive over \$100,000 this month.

--Mr. Scala will be utilizing DocuSign for a free 30-day free trial. Hopefully, this will alleviate the necessity for Board members to come to Town Hall to execute documents.

b) Building Permit Releases – None received.

c) Payment Manifests – Mr. Duffy moved to approve PR #27 in the amount of \$114,342.87. Mr. Fifield seconded the motion, which passed 3-0.

Mr. Duffy moved to approve AP #50 in the amount of \$758,424.43. Mr. Fifield seconded the motion, which passed 3-0.

d) Minutes – Mr. Duffy moved to approve the minutes of December 14, 2022, as presented. Mr. Fifield seconded the motion, which passed 3-0.

Mr. Duffy moved to approve the December 14, 2022, minutes of Non Public sessions #1,2 & 3, as presented. Mr. Fifield seconded the motion, which passed 3-0.

e) Selectmen's Work Session

--Mr. Duffy referred to the number of tax bills returned by the Sanbornville Post office (2 full boxes) for using 'Wakefield' rather than 'Sanbornville' in the address. He believes that if the zip code and road names are correct, the mail should be delivered. How to address? Ask the Postmaster in for a discussion? Contact a higher authority? Mr. Scala will determine the best person to contact. Mr. Fifield noted we need to determine whether the mistake is happening locally or regionally, adding it might be easier to fix if it is a local issue. Mr. Duffy added that the Town uses the mailing address listed on the deed, which is not always accurate. Mr. Fifield wondered whether any mortgage companies have paid the same tax bill twice, given that a number of tax bills had to be resent. Mr. Scala will check on this.


--Mr. Edwards met with Santa & Mrs. Claus over the weekend and delivered their Letter of Appreciation, which was accepted with much gratitude.

--Employee lunch on Friday, December 30 at noon at Town Hall. Happy New Year.


Mr. Duffy moved to adjourn at 8:03 p.m. Mr. Fifield seconded the motion, which passed 3-0.

Respectfully submitted,
Toni Bodah, Secretary

Approval of Minutes:


Richard C. Edwards, Chair


Mark P. Duffy


Kenneth G. Fifield