

**Board of Selectmen
February 12, 2020**

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

Mr. Duffy called the posted meeting to order at 6:34 p.m. **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 6:45 p.m. Mr. Duffy recessed the meeting until 7:00 p.m., at which time the meeting reconvened in the conference room. Those present at this time included: Relf Fogg, Dave Tinkham and Paul Johnson, Wakefield Conservation Commission; Jim Miller; Connie Twombly; and Cyrus Hiraldo (videographer). Cody Healy joined the session in progress. Mr. Duffy led all in the Pledge of Allegiance.

1. Public Hearing – Operation of KENO Games in Wakefield – Mr. Edwards moved to open the public hearing at 7:01 p.m. Mr. Paul seconded the motion, which passed 3-0. The question of whether to allow KENO games in Wakefield is on the 2020 ballot. Mr. Duffy asked whether the public present had any questions. Mr. Miller was advised that KENO games would be allowed in establishments with a liquor license. He then asked whether the Town would benefit from these games. Ms. Collins shared the following break-down: 25% to education (all education, not just kindergarten); 63% as prize money; 6% to the retailers; 3% for other costs; and 3.5% for administrative costs. The Town of Wakefield will not get specific funding, rather the 25% would be given as grants to all towns. Mr. Miller questioned whether any known negative impacts exist. Ms. Collins stated that none have been expressed. Allowance of KENO games has increased business by 1-10% for those establishments that offer it. The Police Chief does not anticipate any fall-out. A brief discussion followed regarding how KENO games are played. Mr. Fogg questioned whether this might enhance addiction levels. Mr. Duffy noted addiction is an individual problem. There being no further public comment, Mr. Duffy closed the public hearing at 7:08 p.m.

2. Appointments

a) Conservation Commission re: Conservation Easement Deeds – Mr. Johnson referred to 3 contiguous properties bordering Union Meadows. One property is privately owned but includes a conservation easement restriction (Map 242, Lot 1). The other two properties were purchased by the Town with the intention of putting them into a conservation easement (Map 240, Lot 2 and Map 236, Lot 1); however, the appropriate deeds were never completed. The Commission intends to be the holder of both conservation easements. This would allow the Commission to allow ATV traffic from the parking area to the intersection with the State snowmobile trail. Said traffic would be allowed with permission only and only on a specifically limited trail. The Commission could possibly allow camping on either parcel (such as by scouts), with permission only. Mr. Tinkham noted that the Commission would maintain the trail to ensure no run off occurs into Union Meadows. He estimated the cost for such maintenance to be \$18,000 to \$19,000, which would come from the Commission’s undesignated fund. The intent is to improve the existing parking area. It was noted that Mr. Johnson has done much work to improve/extend the existing trail.

Mr. Paul noted it does not make much sense to create such a short trail for ATV use. Mr. Johnson clarified that the intent was to be able to get from the parking area to the water. Mr. Tinkham added the Commission would need to establish regulations to ensure control. He advised Ms. Collins that said regulations would be in place by the time the attorney has reviewed the conservation deed documents. Mr. Edwards referred to ATV trails bringing people into the town. Mr. Johnson noted that it does not take long for ATV's to damage the road. Mr. Duffy asked whether the permission for ATV use could be rescinded if problems occur. Mr. Tinkham confirmed. He spoke to his involvement with ATV clubs, and referred to material that could be used to minimize damage caused by ATV's.

Mr. Paul is in favor of connecting ATV trails; however, it would require much enforcement by the Commission. He added that a seasonal gate may be required in order to restrict ATV's beyond the referenced turn-around.

Mr. Tinkahm sought confirmation that the Commission would authorize use of funds from their undesignated 03 account via a warrant without Board of Selectmen's approval. Ms. Collins agreed, as long as the Commission was named as Agents to Expend. Mr. Paul referred to 100% of the land-use change tax going to conservation, adding there has been some discussion of revising that so that some percentage goes towards invasive species control. Mr. Johnson stated that purchase of land often requires a substantial amount of money. If the conservation fund were also used for invasive species control, that fund could be drained. He added that there was much interest generated when they advertised the Gage Hill Trail. The Board agreed by consensus to support the Commission moving forward with conservation easements for the 2 properties discussed.

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

4. Unfinished Business – None scheduled.

5. New Business

a) 2020 Boundary Validation Program – Ms. Collins advised that Victor Vinagro has verified the information in the BVP packet. **Mr. Paul moved to authorize the Chair to execute the relevant documentation as presented. Mr. Edwards seconded the motion, which passed 3-0.**

b) CAI Street Numbering and Tax Map Maintenance Proposals – Ms. Collins advised that Victor Vinagro and Cindy Bickford have reviewed these proposals. The cost for street numbering remains the same; the cost for tax map maintenance was slightly reduced. **Mr. Paul moved to approve the 2 proposals with CAI as presented. Mr. Edwards seconded the motion, which passed 3-0.**

c) GWRC Lease with MMRG/AWWA – Mr. Edwards moved to approve the lease as presented and to authorize the Chair to execute same. **Mr. Paul seconded the motion, which passed 3-0.**

d) 2019-2 Sewer Warrant – Mr. Duffy noted (for the public) that the rate has increased significantly. Ms. Collins noted that during the budget process, a more accurate percentage of the cost of a Town employee was included in this budget, to include the cost of benefits. The system continues to require increased maintenance. This billing cycle is the last that will include a debt service charge.

Mr. Paul moved to approve the 2019-2 Sewer Warrant in the amount of \$40,308.37. Mr. Edwards seconded the motion, which passed 3-0.

e) Kelley Collins, Resignation as Town Administrator – Mr. Duffy read Ms. Collins' letter of resignation, effective as of February 28, 2020. Mr. Duffy spoke to the knowledge and experience that Ms. Collins brought to her position with the Town. Mr. Edwards moved to accept the resignation of Kelley Collins, to include 2 weeks severance pay. Mr. Paul seconded the motion, which passed 3-0.

6. Proposed Capital Reserve Fund Expenditures

a) Town Hall Improvements \$1250 – This expenditure relates to painting of the existing mailroom. Mr. Edwards moved to approve this expenditure as presented. Mr. Paul seconded the motion, which passed 3-0. Ms. Collins advised that Dame Electric will install additional outlets in that area, and data lines will be moved as necessary. She also noted that the counters are their present height due to NH Dept of Labor safety guidelines.

7. Correspondence

a) GWRC Minutes & Financials – Provided for the Board's information.

8. Unscheduled Matters/Public Comment #2

--Mr. Fogg thanked Mr. Collins for her service to the Town of Wakefield, adding that she brought to the Board of Assessors' attention that the Town was missing out on utility assessments.

--Ms. Twombly noted there are many reasons to be grateful to Ms. Collins, who has much knowledge and has done a fantastic job for the Town of Wakefield.

--Mr. Miller referred to the great attendance at Deliberative Session; however, the session proved to be quite long. He wonders whether a different arrangement/schedule could be considered for next year. Mr. Edwards agreed it was great to have so many people in attendance; however, the repetitive comments need to be limited. Mr. Duffy suggested that perhaps both sessions (Town and School) should not occur on the same day. Ms. Collins suggested meeting with the Moderator the month prior in order to consider hot topic items. Perhaps the Town could conduct its session on a week night. Mr. Miller is encouraged that the Board has supported the local TV channel, noting that in actuality, more people were involved in the sessions than just those in the opera house.

--Ms. Collins added that a number of people stated after the session that they were impressed that Ms. Collins was able to answer many questions off the top of her head.

--Mr. Edwards suggested having the elevator checked the month before voting day.

9. Administrative Matters

a) Town Administrator's Update

--A pre-construction meeting has been scheduled for February 18 at 10 a.m. at the NH Northcoast office on Route 16 in Ossipee regarding the railroad project on Route 16 in Union. Ms. Collins has shared that information with DPW, Police and SAU.

--Ambulance write-offs: Ms. Collins recommended that the Board approve write-offs totaling \$6826.25, and sending 2 bills totaling \$2784 to Experian. Mr. Paul moved to write off bills totaling \$6826.25 and to send bills totaling \$2784 to Experian, as recommended. Mr. Edwards seconded the motion, which passed 3-0.

--Ms. Collins shared the cover of the Town Report (the HO scale model railroad located at Heritage Park Railroad Museum), as well as the In Memoriam section in Tim Merrill's honor.

--Ms. Collins advised that a solar company is quite interested in entering a PILOT program with the Town. Such a program is basically paid in lieu of tax, whereby everything except the school portion is paid. The representative, Andrew Kellar, wants the Board to approve this PILOT agreement so that they can go to Planning Board with a 'done deal'. Ms. Collins has been working with Mr. Kellar and Town Counsel. Town Counsel raised several interesting questions. Ms. Collins does not believe the Board is ready to sign a PILOT agreement; however, she is getting much pressure from Mr. Kellar. Mr. Paul noted that many questions are answered and information provided during the Planning Board process. Ms. Collins noted we should make sure any PILOT has a deadline for payment that matched the second issue tax bill. Mr. Fogg noted that when White Mtn Medical Center established a PILOT agreement, the Board of Assessors was involved, and he asked whether that Board should be involved in this discussion. Ms. Collins will check with Town Counsel and forward all information to the Board of Assessors if Town Counsel so advises.

b) Tax Collector's Monthly Comparison – Provided for the Board's information.

c) Building Permit Releases – Mr. Edwards moved to approve the release for Petelle on North Desmond Drive, as presented. Mr. Paul seconded the motion, which passed 3-0.

d) Payment Manifests – Mr. Edwards moved to approve PR #4 in the amount of \$87,884.74. Mr. Paul seconded the motion, which passed 3-0.

Mr. Edwards moved to approve PR# 3 in the amount of \$84,393.88. Mr. Paul seconded the motion, which passed 3-0.

Mr. Edwards moved to approve AP #3 in the amount of \$956,914.90. Mr. Paul seconded the motion, which passed 3-0.

e) Minutes – Mr. Duffy moved to approve minutes of January 22, 2020, Non Public Session #'s 3,4,5 & 6, as presented. Mr. Edwards seconded the motion, which passed 3-0.

Mr. Edwards moved to approve sealed minutes of January 22, 2020, Non Public Session #'s 1 & 2, as presented. Mr. Paul seconded the motion, which passed 3-0.

Mr. Edwards moved to approve the public minutes of January 22, 2020, as presented. Mr. Duffy seconded the motion, which passed 3-0.

Mr. Edwards moved to approve the public and non public minutes of January 27, 2020, as presented. Mr. Paul seconded the motion, which passed 2-0-1 (Mr. Duffy abstaining).

f) Selectmen's Work Session

--The primary went well; however, we may need to move the 'Undeclared' station to keep traffic flowing smoothly. Mr. Edwards suggested, and the Board agreed by consensus, to send an appreciation letter to Sgt. Michael Fenton for his attention and participation.

--Mr. Edwards introduced Cody Healy. Mr. Edwards invited Mr. Healy to tonight's meeting when Mr. Healy expressed an interest in becoming involved in Town government.

Mr. Duffy moved to adjourn at 8:20 p.m. Mr. Edwards seconded the motion, which passed 3-0.

Respectfully submitted,
Toni Bodah, Secretary

Approval of Minutes:



Mark P. Duffy, Chair



Richard C. Edwards



Kenneth S. Paul