

**Board of Selectmen
December 18, 2019**

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 6:20 p.m. **Mr. Paul moved to enter Non Public Session under RSA 91-A:3, II (b). 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 6:22 p.m. During the immediately preceding non public session, the Board voted to hire Jared Rowell as a fulltime FF/EMT at the probationary rate of \$19.73/hour. **Mr. Paul moved to enter Non public Session under RSA 91-A:3, II (b). 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 6:23 p.m. During the immediately preceding non public session, the Board voted to hire Andrew Martino as a call FF/EMT as \$19.73/hour. **Mr. Edwards moved to enter Non Public Session under RSA 91-A:3, II (a). 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 6:24 p.m. During the immediately preceding non public session, the Board voted to authorize an increase to \$20.19/hour for Sam Norford, effective as of December 30, 2019. **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 6:29 p.m. During the immediately preceding non public session, the Board voted to extend the deadline for the waiver relative to the redemption of 3 tax acquired properties. **Mr. Edwards moved to enter Non Public Session under RSA 91-A:3, II (b). 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 6:35 p.m. During the immediately preceding non public session, the Board agreed to re-advertise the vacant position of Building Inspector/Co-Code Enforcement Officer. **Mr. Edwards moved to enter Non Public Session under RSA 91-A:3, II (a). 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 6:47 p.m. During the immediately preceding non public session, the Board agreed to advise Department Heads that no gifts for staff will be purchased by the Town with taxpayers’ money. The Board briefly discussed an email from the Gafney Library regarding the Town’s snowplowing procedure in front of the Library. Ms. Collins will direct Brock Mitchell, DPW Director, to meet with Library personnel to discuss the process.

Mr. Duffy called for a recess at 6:50 p.m. The meeting reconvened (in the conference room) at 7 p.m. Those present at this time included Connie Twombly; Joe Gore; Sgt Mike Fenton; Geoff Denley; Jacob McConkey; and a videographer from Clearview Community TV. Mr. Duffy led all in the Pledge of Allegiance.

1. Appointments – None scheduled.

2. Unscheduled Matters/Public Comment #1

--Mr. McConkey stated that he is present representing Mr. Denley with respect to Map 179, Lot 118. Mr. Denley is attempting to obtain a shoreland permit in order to complete construction on an existing foundation. However, the DES Commissioner has denied the application, referring to the 'alleged' foundation. Mr. McConkey requested that the Board of Selectmen send a letter to DES Commissioner Scott explaining that the original permit was approved in 2005 and has been renewed and is permitted. He further requested that the letter indicate the Board's support for this project moving forward. Mr. McConkey apologized for his addressing the Board without prior notice; however, he is working under a time constraint. Mr. Paul stated he approves sending a letter indicating that the foundation exists; however, he is not prepared to indicate his support of the project. Mr. Duffy noted that the foundation was put in years ago by a former property owner and likely met the standards in effect at that time. He suggested that Mr. McConkey and Mr. Denley meet with Victor Vinagro in the Land Use Department. Mr. Denley stated he has been trying to work with Mr. Vinagro without success. Mr. Paul stressed it is not up to the Board of Selectmen to indicate support for this project. Mr. Duffy agreed. Mr. Edwards noted that the Town has taken funds over a number of years to renew the building permit. Mr. Denley added that he has paid taxes on the foundation for a number of years as well. Mr. Paul will not make such a decision on short notice. Mr. Duffy stated the Board can confirm the existence of the foundation and renewal of the building permit. **Mr. Edwards moved to have Ms. Collins prepare a letter confirming the existence of the foundation since 2005 and numerous renewals of the building permit over the years. Mr. Duffy seconded the motion, which passed 3-0.**

3. Unfinished Business

a) EMPG Grant Clarification – This grant was accepted by the Board on October 23; however, according to Chief Ventura, more specific language is required in the Board's motion to accept. **Mr. Duffy moved that the Select Board accepted the terms of the Emergency Management Performance Grant as presented in the amount of \$4,445.00 to purchase and install equipment in the Emergency Operations Center (EOC). Furthermore, the Board acknowledges that the total cost of this project will be \$8,890.00, in which the Town will be responsible for a 50% match (\$4,445.00). Mr. Edwards seconded the motion, which passed 3-0.**

b) CDBG Grant Sanbornville Water Precinct – (i) Ms. Collins referred to closing the loop on this project. We have requested our first reimbursement of \$180,000, in order to pay Integrity Earth Works. Acceptance of the Financial Management is a necessary step. **Mr. Edwards moved to accept the Wakefield Financial Management plan for the CDBG project and, further, to authorize the Chair to execute this document. Mr. Paul seconded the motion. Mr. Paul expressed his disappointment in communications during this project. The motion then passed 3-0.** (ii) It has also been requested that the Board accept the Professional Services Agreement for this project.

Mr. Edwards moved to accept the Professional Services Agreement with Donna Lane for the SWP CDBG project and, further, to authorize the Chair to execute this document. Mr. Paul seconded the motion, which passed 3-0.

c) Turntable Park – Ms. Collins referred to the Town having sent a letter to the Governor, Executive Council and the Division of Natural and Cultural Resources regarding the Town’s attempt to effect ownership (or at least a long-term lease) of Turntable Park. Senator Jeb Bradley also sent a letter in support of this project. The archeological study conducted through the Heritage Commission has identified an underground storage tank. Grant funds would be more readily available to address this tank if the Town either owned the property or had a 50-99 year lease. After receiving Senator Bradley’s letter, Chris Gamache has contacted Ms. Collins expressing his readiness to meet with the Board. Ms. Collins will schedule this appointment for the January 22 meeting. The tank may well only contain water; however, further investigation will be delayed until spring.

d) Landfill Closure Groundwater Monitoring Permit – The DES has indicated that more testing is required for PFAS. However, there is debate among various State agencies regarding this requirement. Therefore, we will wait until spring to determine whether we will do additional testing.

4. New Business

a) Encumbrance of 2019 Funds – The Heritage Commission has work that can’t be accomplished until spring, totaling \$1900. The Board reviewed the contract for this work, which includes restoration of the 1903 plow, construction of a platform at the freight house and construction of steps at the East Wakefield school. Ms. Collins clarified that this work was included in the 2019 budget; however, the Commission was unable to accomplish the project in a timely manner. **Mr. Duffy moved to approve the encumbrance of \$1900 from the 2019 Heritage Commission budget as presented. Mr. Edwards seconded the motion, which passed 3-0.**

b) Review/Adoption of Town Investment Policy – Ms. Collins noted that review/adoption of this document occurs annually. Mr. Edwards questioned whether the possible purchase of land for downtown parking would come under this policy. Ms. Collins advised that the Board and the Trustees of the Trust Funds are required to operate under such a policy, which must be reviewed annually. If property is coming available soon, the Board might want to meet in non public session to negotiate and get an article on the Town warrant. Mr. Edwards will meet with Ms. Collins to discuss in more detail. **Mr. Paul moved to adopt the Investment Policy as presented. Mr. Edwards seconded the motion, which passed 3-0.**

c) Establish Date/Time of Town Deliberative Session – February 1, 2020, is the first date we may conduct Deliberative Session, and February 8, 2020, is the last day. **Mr. Duffy moved to schedule the Town Deliberative Session for Saturday, February 1, 2020, at 9 a.m., with a back-up date of Saturday, February 8, 2020, at 9 a.m. Mr. Edwards seconded the motion, which passed 3-0.** The Budget Committee will conduct a public hearing on the proposed 2020 municipal budget on Tuesday, January 14, 2020, at 6:30 p.m., with the Committee scheduled to meet at 6 p.m. to review any outstanding issues.

d) BI/Co-Code Job Description Revision – Ms. Collins advised that this job description had been amended to reflect a part-time position. Recently, the Board decided the position would be full time. Therefore, another revision is necessary. **Mr. Edwards moved to approve the BI/Co-Code Enforcement job description as presented. Mr. Paul seconded the motion, which passed 3-0.**

e) Request for Solar PILOT Agreement – Ms. Collins advised that NE Solar Garden has approached her seeking a 20-year PILOT agreement. Ms. Collins did not receive glowing recommendations from references contacted. Any PILOT agreement should be reviewed by Town Counsel. Mr. Paul suggested contacting the Town of Milton to know how their project is working out.

f) 2021 Household Hazardous Waste Collection – Mr. Gore noted that it is very difficult to accomplish this project on a day when other waste is being accepted. He is suggesting that we conduct our collection on the Wednesday prior to Rochester's collection, from 2 or 3 to 6 p.m. The Board is in agreement. The Board could also decide that our residents must take their household hazardous waste directly to Rochester; however, holding it on a Wednesday is a reasonable compromise. The Board also confirmed to Mr. Gore that the 2020 collection day could also be on the Wednesday prior to Rochester's collection, from 2 or 3 to 6 p.m. **Mr. Paul moved to authorize Kelley Collins to execute necessary documentation for Wakefield's participation in the 2021 Household Hazardous Waste Collection with Rochester. Mr. Duffy seconded the motion, which passed 3-0.**

g) 2020 Warrant – Ms. Collins noted that KENO is now used to fund all education, rather than just kindergarten. Each NH town will benefit, regardless of whether it allows KENO. The owner of Tumbledown Farms has requested that the Board include an article on the 2020 Warrant, rather than having him submit this as a petitioned warrant article. According to Ms. Collins, the Police Chief has no issue with this being allowed in Wakefield. The Board agreed by consensus to include this as a warrant article in 2020. Ms. Collins will draft same. In addition, the Transfer Station Ordinance should be revised, which must be accomplished by Town vote. Ms. Collins will provide the Board with a revised ordinance, to include tracking of the changes. She will draft an article for the 2020 warrant, and a final draft ordinance can be presented at Deliberative Session.

h) Paul School – Joe Williams has advised Ms. Collins that the School has a security camera system that does not suit their purposes and which may suit ours. The School is willing to donate this system to the Town. Mr. Duffy noted we should get confirmation that the system is not obsolete. It is worth looking into. The School has also requested a waiver of disposal fees for a number of tables, chairs and refrigerators. The Board agreed by consensus to waive up to \$100 in disposal fees for the School for the next 30 days.

i) Request for Appointment re: Property Tax Calculation – Ms. Collins provided a timeline of communication with the owner of seasonal property. She also provided a draft response to the request for an appointment for the Board's consideration. **Mr. Paul moved to execute the response letter as presented. Mr. Edwards seconded the motion, which passed 3-0.**

j) Town Report Printer – 2 bids were received as follows: Minuteman Press @ \$1564.19 (less if the number of pages is reduced); and RC Brayshaw @ \$1321.

The Town has utilized the services of Minuteman Press for a number of years and has been very satisfied with their service and product. **Mr. Paul moved to accept the bid of Minuteman Press @ \$1564.19. Mr. Edwards seconded the motion, which passed 3-0.** Ms. Collins noted that this year's report will include a dedication to former Police Chief Tim Merrill.

5. Proposed Capital Reserve Fund Expenditures

a) Town Hall Improvements \$1235 – This represents the final bill for the cabinets for the area of the Finance Clerk. **Mr. Paul moved to approve this expenditure as presented. Mr. Edwards seconded the motion, which passed 3-0.**

b) Police Vehicle \$11,396 – This represents purchase and installation of the equipment package for the new vehicle. **Mr. Edwards moved to approve this expenditure as presented. Mr. Paul seconded the motion, which passed 3-0.**

6. Correspondence

a) Senator Jeb Bradley – This letter of support for the Town's acquisition of Turntable Park was discussed previously.

b) Charter Communications – Charter advises of several upcoming changes to their line-up.

c) State of NH Water Council – This communication regarding a letter of appeal was provided for the Board's information.

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

e) Tour de Cooch Event Report – Bill Gaver advises a good time was had by many visitors.

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

g) Society for the Protection of NH Forests – It is time for the Conservation Commission to submit an annual report for conservation land on Gage Hill.

h) NH Dam Bureau – The Dam Bureau is notifying the State of deficiencies of 3 State-owned dams in Wakefield.

i) NH Lottery – The Board agreed previously to include an article on the 2020 warrant to allow KENO.

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

8. Administrative Matters

a) Town Administrator's Update

- Eversource advises it is still working on its local pole project.
- The L-Chip window grant is closed, and final payment has been received.
- Primex has advised that the Town has earned a Premium Holiday in the amount of \$2346.65 which Ms. Collins has elected to receive as unanticipated revenue, rather than as credit against future invoices.
- During a recent mandatory inspection, several deficiencies were cited on the Highway garage boiler. Those deficiencies have been addressed.
- Ms. Collins participated in a webinar regarding cable franchise fees. The FCC has passed new rules. Currently, the Town receives approximately \$40,000/year from franchise fees, which is used to operate Clearview Community TV. The new ruling allows cable companies to deduct the cost of free cable supplied to Town buildings, as well as the cable company's cost to operate the PEG channel. We may need to discuss in the near future whether to have each department pay for its own cable so that we can keep franchise fees in tact to operate Clearview.
- Brock Mitchell, DPW Director, cites 2 areas (on Ballards Ridge and Stoneham Way) being affected by drainage issues from private property. He is seeking permission to send letters to the 2 property owners involved. The Board agreed Mr. Mitchell should send a letter offering to meet with each property owner to discuss the problems.

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

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

d) Building Permit Releases – None received.

e) Payment Manifests – Mr. Paul moved to approve PR #32 in the amount of \$98,264.24 as presented. Mr. Edwards seconded the motion, which passed 3-0.

Mr. Edwards moved to approve AP #38 in the amount of \$38,913.83 as presented. Mr. Paul seconded the motion, which passed 3-0.

f) Minutes – Mr. Paul referred to the minutes of Non Public Session #1 of November 20. He joined the session in progress; however, he does not recall any discussion of an employee's age. Mr. Paul noted that the Board is not always familiar with the employee being discussed and often has a photo to assist in identification. He suggested that the words "age and" be removed. **Mr. Edwards moved to approve the November 20, 2019, Non Public Minutes Sessions #1 (as amended), and #'s 2, 3, 4 & 5 as presented. Mr. Paul seconded the motion, which passed 3-0.**

Mr. Edwards moved to approve the public minutes of November 20, 2019, as presented. Mr. Duffy seconded the motion, which passed 3-0.

Ms. Collins will revise the Town Warrant for the January 8, 2020, meeting for the Board's review prior to the Budget Committee public hearing. The revised warrant will include the Transfer Station ordinance and KENO.

g) Selectmen's Work Session

Mr. Edwards noted that the recent Santa's Breakfast was an outstanding event. He suggested that a letter of appreciation be sent to Alyssa Hall in recognition of all her hard work. **Mr. Edwards moved to send a Letter of Appreciation to Alyssa Hall. Mr. Paul seconded the motion, which passed 3-0.**

Mr. Paul asked about the status of the proposed day care facility near the Gafney Library. Mr. Edwards advised that Planning Board has approved this project without conditions, adding that parking is available behind the building.

Mr. Edwards stated that the posts are now in place for the traffic calming devices in the Historic District. The Highway Department is working on attaching the devices. Bill Lambert will move speed limit signs as well.

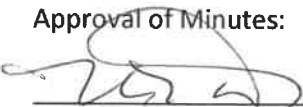
The Board briefly discussed the need for additional parking in the downtown area.

Mr. Duffy has been advised that the Conservation Commission has not yet put the Town's property on Union Meadows into a conservation easement. Ms. Collins will conduct some research.


There being no further business, the meeting adjourned at 8:55 p.m.

Respectfully submitted,
Toni Bodah, Secretary

Approval of Minutes:



Mark P. Duffy, Chair



Richard C. Edwards



Kenneth S. Paul