



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
May 16, 2019
9:00 A.M.

Selectmen Present: Daniel Baker, Robyn Bates, Charles Kenison

Mr. Baker called the meeting to order at 9 a.m.

PRIMARY:

***** APPROVE MINUTES**
- May 8, 2019

Ms. Bates made a motion to approve the minutes. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** APPROVE MANIFESTS**

Ms. Bates made a motion to approve the manifests. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** REVIEW SIGNATURE FOLDER – The Selectmen reviewed and signed.**

***** SIGN TOWN PROPERTY RENTAL APPLICATIONS**

Mr. Baker reviewed the Application for Rental of Town Property request from the Fitzwilliam Historical Society for June 22, 2019 for the Strawberry Festival on the Town Common.

Ms. Bates made a motion to approve the Application for Rental of Town Property request from the Fitzwilliam Historical Society for June 22, 2019 on the Town Common. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Mr. Baker made a motion to waive the fee. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Mr. Baker reviewed the Application for Rental of Town Property request from the Fitzwilliam Historical Society for July 20, 2019 for the Antique Show on the Town Common. Police detail was needed and would be paid for by the applicant.

Mr. Kenison made a motion to approve the Application for Rental of Town Property request from the Fitzwilliam Historical Society for July 20, 2019 on the Town Common and to waive the fee. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** REVIEW LCHIP GRANT INTENT TO APPLY**

Mr. Baker shared that he and Ms. Favreau rewrote the intent to apply. The Selectmen reviewed. The Selectmen amended Section 8 – after the 3rd sentence – change to: major structural and cosmetic repairs.

Mr. Baker shared the plan was to continue the process. Discussion continued on funding from LCHIP, being on the National Register, the Secretary of the Interior's restoration guidelines, and evaluating the reasonableness of replace/restore. The estimate cost for the project was \$750,000. Mr. Baker asked for a cost update. Ms. Favreau shared that Dave Drasba mentioned to her that the engineer doesn't feel that the clock tower was as bad as originally thought. Mr. Baker would follow-up with Jay Southgate. Mr. Kenison mentioned that when Jay Southgate was here that's what he thought. It was noted that the \$200,000 grant request binds the Town to an easement for a specific number of years.

BOARD MEETING MINUTES
May 16, 2019

The Selectmen agreed that with the changes it was ready to submit.

Ms. Bates made a motion to approve the description on the LCHIP intent to apply. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

NEXTERA

- **Updated letter from Chinook – Legal Fees**
- **Memo from Suzanne Gray**
- **Renewal energy taxation class**

Updated letter from Chinook – Legal Fees – Mr. Baker shared that the Selectmen were originally concerned but he agreed with the clarification which acknowledges “that for now” we can use fees for whatever the Selectmen wanted. Mr. Baker wanted to get the fees and get started. Ms. Bates asked about Chinook expecting that negotiation would be conducted in non-public. Ms. Favreau shared it wasn’t an unusual request. Ms. Bates wondered if they were trying to exclude the Planning Board. Mr. Baker thought having representatives (Chairs) from the Conservation Commission and Planning Board to attend and not all members. Ms. Favreau shared that the Pilot Agreement dealt with taxes and doesn’t have anything to do with other departments. Ms. Favreau noted the next big decision was to find an attorney. Ms. Bates asked to find someone with solar experience. Ms. Favreau shared that Attorney Arthur Cunningham was used for the pipeline and possibly the Northern pass. Mr. Kenison shared that at the taxation class Ms. Bates would be attending, she may get the list of attorneys that have dealt with this. Mr. Favreau mentioned Christine Fillmore, who used to work with NHMA but Ms. Favreau didn’t know how much experience she had. Mr. Baker explained how the retainer amount came about. The recommendation from the Planning Board was that Attorney Cunningham be used. Mr. Kenison stated we needed to look for someone experienced with the Pilot Agreement and the MOU. Ms. Bates noted that an expert in conservation would be different then the financial aspect. Mr. Baker suggested signing the agreement and when Ms. Bates attends the class on taxation, maybe Attorney Cunningham would be on the list. Mr. Baker asked Ms. Bates to find out if they had one counsel that followed through the entire process or if advantageous for experts in each field.

Mr. Baker asked if there was any objection with the Agreement. Ms. Bates noted the disclosure of any information would happen before the public hearing and she felt the information should be available for that information meeting as well. Mr. Baker shared that NextEra wanted to negotiate with the Selectmen in a non-public session. Mr. Baker discussed what he thought would be their (NextEra) process. Mr. Kenison stated NextEra held a very informative meeting before. Ms. Bates agreed that she would like to see the Chairs at the MOU discussion. Mr. Baker mentioned having the Conservation Commission Chair in attendance as well. Mr. Baker stated the Selectmen and the Chairs do the Pilot Agreement and the MOU but mentioned the Chairs have less to do with the Pilot Agreement. Ms. Bates was in agreement that we have the discussion just not in a public forum.

Mr. Kenison made a motion to approve the Chinook letter – Legal fees agreement. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Ms. Favreau asked if she should draft a letter to the Conservation Commission and the Planning Board, recommending the Chairs be available to help negotiate in a non-public session.

Memo from Suzanne Gray – Mr. Baker reviewed the memo from Suzanne Gray regarding the visit to the Ludlow solar site. Mr. Baker discussed the letter from the Code Enforcement Officer and he didn’t feel compelled to have an expert. Ms. Bates shared that what it said to her was to appoint someone to oversee project and give updates. Mr. Baker asked if anyone knew what the SECs process for construction and inspection. Ms. Favreau wasn’t sure if they did an inspection. Mr. Kenison shared that because of it being a utility they come under a different set of codes. Mr. Kenison asked if this was a town-owned utility project. Ms. Bates shared that the system in Franklin didn’t go through the SEC. Mr. Baker wanted to understand what the SECs process was and he thought if oversight, we may not need anyone. Ms. Bates shared that she was happy to go to Ludlow and learn. She felt it would be helpful to have someone from the Town serve as a point person. Mr. Baker asked if someone wanted to volunteer as the point person. Ms. Bates felt that she could do the communication portion of the project.

Mr. Baker made a motion to appoint Robyn Bates as the point person for the Chinook Project. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Ms. Favreau suggested that information be given to each Board Chair. Mr. Kenison stated that he didn’t have any objection to Ms. Bates going to Ludlow. Ms. Favreau shared that she had gotten information from Ludlow’s Town Administrator and had shared it with the Selectmen. Ms. Favreau would resend the information out to the Selectmen.

Renewal energy taxation class – Previously discussed.

BOARD MEETING MINUTES
May 16, 2019

***** LETTER OF RESIGNATION**
- ZBA Cathy Davis

The Selectmen reviewed. Ms. Favreau shared that the ZBA was now down a member. Mr. Kenison shared that Gretchen Wittenborg informed him that the ZBA was working on a recommendation to be given to the Selectmen. Ms. Favreau would follow-up with Laurie Hayward regarding appointments.

Mr. Baker made a motion to accept Ms. Davis' resignation. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Mr. Baker asked Ms. Favreau to draft a thank you letter.

***** REVIEW PRIMEX CONTRIBUTION ASSURANCE PROGRAM**

Ms. Favreau reported that we had signed a three year agreement for property liability and this was for worker's compensation. Mr. Baker shared that the Selectmen looked for competitive bids and explained how insurance companies work. Mr. Baker wanted to look at competitive rates at end of the three year agreement.

Ms. Bates made a motion to accept the Primex Assurance Program for years 2021 – 2023 for the Workers Compensation program. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** REVIEW TAX DEED WAIVERS**

Mr. Baker explained the Selectmen's review process this year for the Deed Notice List they received from Jane Wright, Tax Collector. Ms. Favreau shared that she has written some letters asking the property owner(s) to come in and meet with the Selectmen and a deadline had been given. Ms. Favreau asked the Selectmen to review the list that she had given them for deed waivers.

Bateman, Christopher E., Map 17, Lot 7 – Ms. Favreau shared that Mr. Bateman had passed away and she doesn't know what was going on with the estate. Ms. Bates asked if a letter could be sent to the estate. Ms. Favreau shared that she only has his mailing address. Mr. Baker stated it would be discovered in Probate but suggested that we send a letter to the last known address. Ms. Bates made a motion to send a letter to the estate of Christopher Bateman. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Dickinson, Thelma J Estate, Map 4, Lot 40 – Ms. Favreau shared that the Selectmen have never taken the property and the taxes haven't been paid in years. The Selectmen felt it would be a liability to take the property. Mr. Kenison made a motion to waive taking a tax deed. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0
Mr. Baker shared that Ms. Wright was asking to abate the 2013, 2014 and 2015 taxes. Ms. Favreau recommended not to abate. The Selectmen agreed.

Ford, Lydia W., Map 27, Lot 21 – Mr. Baker shared that the property was in the process of being sold. Ms. Favreau shared she didn't have any updates. Mr. Baker asked Ms. Favreau to follow up with the attorney asking for an update.

Grab, Michael + Lola-Gene, Map 31, Lot 20 – Mr. Baker shared that he has made payments. Ms. Favreau shared that another payment has been made since the creation of the list. Mr. Kenison made a motion to waive taking a tax deed. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

KMO Associates, LLC, Map 11, Lot 7 – Mr. Baker shared there was a problem when making a payment and the Selectmen signed a payment plan agreement. Ms. Bates made a motion to waive taking a tax deed. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Robidoux, Craig + Lori Lyn, Map 12, Lot 11 – Ms. Favreau shared that the Selectmen signed a payment agreement. Mr. Baker shared that a letter was sent asking that payments be made every month. Ms. Bates made a motion to waive taking a tax deed. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Roy, Winston A. Jr. + Lilly E., Map 11, Lot 6 – Ms. Favreau shared that Winston Roy passed away recently and Mrs. Roy plans to sell the property. Ms. Bates made a motion to waive taking a tax deed. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Silvia, Christopher A., Map 36, Lot 8 – Ms. Favreau shared that no payments have been made. The Selectmen agreed to send a letter asking for a payment arrangement.

BOARD MEETING MINUTES
May 16, 2019

Vianey, Noel, Map 15, Lot 4 – Ms. Favreau shared that the Selectmen had met with Mr. Vianey and signed a payment plan agreement. Ms. Bates made a motion to waive taking a tax deed. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** REVIEW STREET LIGHT PROGRAM**

Ms. Favreau shared that she had talked with the Regional manager. Information was sent to her and she talked with the Town Administrator in Swanzey and would talk with the Town Administrator in Winchester who was in the process of doing this program. Ms. Favreau explained how the program worked. The program doesn't cover the entire cost to replace. Ms. Bates asked if it would go on the Warrant at Town Meeting. Mr. Baker felt it was the time to get the information and have a warrant article. Ms. Favreau shared that EverSource charged for the Street Lights that the Town would remove.

Ms. Favreau asked if the Selectmen wanted her to proceed. Mr. Baker read that this was the most cost effective program the Town could do. Mr. Kenison asked for an estimate from EverSource to find out how long it would be before the Town would see any savings. The Selectmen reviewed Swanzey's cost. An estimate cost for the Town would be \$12-\$13,000. Ms. Favreau shared that there is a street light line item in the budget. If the budget could absorb the expense, this line item could be used. Mr. Baker suggested finding out the payback and if spreading out over a couple of years, to get it done. The Selectmen discussed possible vendors to invite to bid.

Ms. Favreau would do more research and write up an RFP.

***** MEMO FROM KEVIN WOOLEY – LIBRARY PROGRAM – May 22, 2019**

The Selectmen reviewed but noted that it conflicted with their meeting. Ms. Bates asked if the Selectmen came in and signed documents at 5:30 p.m. and went over to the Library to view the documentary. Mr. Baker stated the meeting could begin at 5:30 and a one hour break could be taken to attend the meeting at the Library. The Selectmen would then reconvene their meeting.

Ms. Favreau shared that Suzanne Gray had called and mentioned that Ms. Zug had scheduled someone to come in on June 14th at 6:30 p.m. at the Town Hall to discuss the Brownfields program. Ms. Favreau would get more information to the Selectmen.

***** SELECTMEN'S JUNE SCHEDULE**

After discussion, the Selectmen agreed to keep their original schedule: Wednesday, June 5th at 7 p.m., Thursday, June 13th at 9 a.m., and Wednesday, June 19th at 7 p.m.

***** NON-PUBLIC SESSION RSA 91-A:3 II (c)**

At 10:38 a.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:3 II(c). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 10:49 a.m. Ms. Bates made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

***** NON-PUBLIC SESSION RSA 91-A:3 II (a) - Hiring**

At 10:49 a.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 10:53 a.m. Ms. Bates made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

ON-GOING BUSINESS:

Mr. Baker reviewed the letter of appreciation to Garden Club members for keeping the Town beautiful.

Ms. Bates asked if Gene Cuomo could be added to the Agenda to discuss recycling glass. Ms. Favreau shared that the Selectmen haven't met with the Department Heads in a while. She would schedule Mr. Cuomo to come in next week.

Mr. Baker shared that the Selectmen needed to do evaluations of the Department Heads.

BOARD MEETING MINUTES
May 16, 2019

Dana Pinney mentioned the NH Law Foundation and shared that he has developed a relationship with Tom Irwin, President of the NH Law Office. Mr. Pinney thought they probably have a lot of information on who the Town could work with on problems like Meadowood. He would reach out to Attorney Irwin if the Selectmen wanted. Mr. Baker shared that we have a committee that is to evaluate accepting the Meadowood property and we need to get them information to make an educated recommendation. The Selectmen have been keeping abreast of the process. Mr. Baker understood due to his experience with Pease Air Force Base, that there wasn't remediation for PFAS and he welcomed any information Mr. Pinney had. Ms. Bates asked if it made sense to wait until the Brownfields report came back. Mr. Pinney shared that Attorney Irwin might be able to give a name of an expert. The Selectmen agreed to have Mr. Pinney proceed.

- **STEEPLE PROJECT** – Working on LCHIP.

Meeting Schedule: **9:00 a.m. – Thursday, May 2, 2019**
 7:00 p.m. – Wednesday, May 8, 2019
 9:00 a.m. – Thursday, May 16, 2019
 7:00 p.m. – Wednesday, May 22, 2019
 9:00 a.m. – Thursday, May 30, 2019

Ms. Bates made a motion to adjourn the meeting at 11:00 a.m. Mr. Kenison seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Daniel Baker, Chairman

Robyn Bates

Charles Kenison
Board of Selectmen