



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
December 21, 2015

Selectmen Present: Nancy Carney, Chris Holman, Susan Silverman

Ms. Carney called the meeting to order at 7:35 p.m.

PRIMARY:

***** APPROVE MINUTES**
- December 14, 2015

Ms. Silverman made a motion to approve the minutes. Ms. Carney seconded. Ms. Carney - Yes, Mr. Holman - Abstained, Ms. Silverman - Yes. Approved – 2-0

***** APPROVE MANIFESTS**

Mr. Holman made a motion to approve the manifests. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

6:00 MEET WITH CONSERVATION COMMISSION AND RICK VAN DE POLL
Re: Prime Wetlands Study

Rick Van de Poll met with the Board of Selectmen, members of the Conservation Commission and Town residents to give an update on the initial findings for the Prime Wetland Study and answer any questions. The next meeting with Dr. Van de Poll would be held on Monday, January 25th. Ms. Favreau will post tonight's presentation on the Town's website.

7:30 MEET WITH HEALTH OFFICER CAROLE ANN ROCHELEAU

At 7:37 p.m. Ms. Silverman made a motion to go into non-public session under RSA 91-A:3 II(c). Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 7:53 p.m. Ms. Silverman made a motion to leave non-public session and seal the minutes. Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

Ms. Rocheleau shared that the previous health officer was contacted regarding the Concord Industries property not being in compliance as of today. Ms. Carney stated that there aren't any more containers underground and there wasn't anything that the Town could do. Ms. Rocheleau stated that an inspection was done on the property on December 15th. Ms. Carney shared that the Town was being notified of the report and received the same information last year.

Ms. Carney thanked Ms. Rocheleau for meeting with them.

***** REVIEW & SIGN HIGHWAY MUTUAL AID AGREEMENT**

The Selectmen reviewed and signed the renewal notice for the NH Public Works Mutual Aid Program for 2016 in the amount of \$25.00.

Mr. Holman made a motion to sign the renewal notice for the NH Public Works Mutual Aid Program for 2016. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

DISCUSS EMAIL FROM BOB FORD
Re: Surveying Questions

Ms. Favreau reported that she had spoken with Sandra Gillis, Land Use Administrative Assistant, about Mr. Ford's inquiry regarding RSA 310-A:53 General Provisions – Land Surveyors - regarding licensure for surveying for Kinder Morgan. Ms. Gillis had no idea why Mr. Ford would be asking about it. The Selectmen discussed and agreed that Ms. Favreau write a letter to Kinder Morgan notifying them that if anyone was doing surveying they should be licensed in the State of New Hampshire and they needed to check in with the Police Department. Ms. Carney would also like it mentioned that they needed to follow State rules and also provide a list of vendors they use for surveying.

DISCUSS TAX COLLECTOR CONTRACT

Ms. Carney reviewed the Memorandum of Agreement for Jane Wright, Tax Collector for the period of January 1, 2016 through December 31, 2016. Ms. Carney discussed the issue that the Tax Collector's Office wasn't open on the Friday before the tax deadline. Ms. Favreau shared that she had the discussion with Ms. Wright and the Selectmen asked that this be included in the Agreement. Mr. Holman stated that we needed to be specific if we were requiring the Tax Collector's Office to be open. Discussion was held on tax season, the need for the Tax Collector's Office to be open and adding additional language to the Agreement to state: during the week that tax bills are due – there needs to be additional hours to accommodate Town residents. Mr. Holman asked that the language be pulled out of the Agreement and sent as a letter to Ms. Wright. Ms. Favreau suggested that when meeting with Ms. Wright that the Selectmen mention that it is a disservice to the Town not to have additional hours.

DISCUSS SANDWICH BOARD

Ms. Favreau reported that she had looked into sandwich boards and had found a couple of options: 22"X28" letter board sidewalk sign – 2 sided - \$198.57, and a 25"X45" neoplex sidewalk sandwich board - \$139.99. The Selectmen reviewed the options and asked that Ms. Favreau contact Ross Tourigny to determine if he could make one as it would be very helpful to have. Ms. Silverman mentioned that the sign needed to hold up in inclement weather and discussed the type of lettering needed and the size.

DISCUSS CONSTRUCTION PERMIT PROCEDURE

Ms. Favreau shared that after the discussion with the Selectmen to move the construction permit process to the Land Use Office, she spoke with Terry Silverman, Chairman, Planning Board and Sandra Gillis, Administrative Assistant, who were receptive to the construction permit transitioning into the Land Use Office.

PIPELINE
- Email from Arthur Cunningham

Ms. Carney reviewed the email from Arthur Cunningham. The Massachusetts' Attorney General Maura Healey has challenged the project in her pre-filing report and Attorney Cunningham doesn't expect a similar challenge from the NH AG.

PURCHASE REQUISITION – FIRE/AMBULANCE DEPARTMENTS

Ms. Carney reviewed the Purchase Requisition for supplies for the Fire Department in the amount of \$1,459.90 and the Ambulance in the amount of \$1,036.25.

Ms. Silverman made a motion to approve the Purchase Requisition of the Fire/Ambulance Departments in the amount of \$2,496.15 (Fire - \$1,459.90 and Ambulance - \$1,036.25). Mr. Holman seconded. Ms. Carney - Abstained, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 2-0

BUDGET
- CIP

Ms. Carney asked if there were any additional comments regarding the recommendations of CIP. Ms. Silverman reported that they have final numbers and ranking. Ms. Favreau asked about the \$36,000 for a police cruiser and questioned if it needed to

be listed if leasing. Ms. Silverman stated that it was what Chief DiSalvo requested. Ms. Favreau stated that the information was needed soon. Discussion was held on the schedule for purchasing police cruisers. Ms. Carney shared that the Water District would be presenting their budget request to the Budget Committee on January 14th and the Water District's public hearing would be held on February 4th. Ms. Silverman shared that the Board of Selectmen's budget presentation to the Budget Committee would be held on January 4th.

REVIEW CORRESPONDENCE FROM ATTORNEY MATTHEW SERGE

- Personnel Matter

Ms. Carney reviewed the letter from Attorney Matthew Serge regarding a personnel matter involving Mr. Holman. Mr. Holman asked if this was someone the Town hired and he didn't realize that the whole process had been going on without any updates. Ms. Favreau stated that this was the first she had heard as the letter was received today. Ms. Silverman stated that there were Town employees that had sent the Selectmen letters of complaint and asked if they needed to receive a copy of the letter from Attorney Serge. Ms. Silverman shared that she had concern about doing it correctly as a legal opinion had been received and she felt that Town employees had a right to know the answer and it was part of the public record.

Mr. Holman stated that he was interested in seeing what was passed along to Attorney Serge and Mr. Holman would like to be aware of what Attorney Serge saw or received. Mr. Holman also stated that this was not part of our protocol and we should look into how we do things. Ms. Favreau stated that she sent letters from employees and the letter Mr. Holman received from NHMA about information that was posted on a public forum that was attorney/client information. Mr. Holman asked if Ms. Favreau had sent the actual email that was sent out to everyone for Attorney Serge to see the difference in what he received from NHMA and what he posted. Mr. Holman shared that part of the problem was that there wasn't a protocol in place for asking questions with NHMA and if Attorney Serge was going to come down on Mr. Holman that there should be a protocol in place. Mr. Holman stated that he felt there was some aspect that he wasn't breaking protocol and the letter from Attorney Serge made it seem that Mr. Holman did and Mr. Holman doesn't want to share the letter with anyone as he wanted to look at it in further detail.

Ms. Favreau shared that the letter was received today and it was a public document. Mr. Holman stated that whatever they decided and Ms. Silverman shared that the Selectmen could wait a week and discuss again at the next meeting, but that the Selectmen determined that it wasn't for non-public. Ms. Silverman stated that the letter from Attorney Serge didn't have to be sent out to the employees that sent letters but it was part of the public record. Mr. Holman stated that he didn't have a problem with that. Ms. Carney asked that it not be sent to individuals and that it was available. Ms. Silverman asked if the letter should be attached to the minutes and Ms. Carney stated that it would be available.

The Selectmen discussed that a motion could be made to have a policy and discussion was held on who could contact NHMA, could the Town Clerk regarding a Town Clerk issue, and the Selectmen designating a contact person. Mr. Holman stated the information that he shared was specifically chosen and that he wasn't the only person on the Board of Selectmen that has had this issue. Mr. Holman felt that he was being isolated for behavior that has happened to all of the Selectmen and that a broad distribution of this created a higher liability across the board. Ms. Carney asked that the letter from Attorney Serge be made available and part of the public record. Ms. Carney stated that the Selectmen could look at the Handbook and enforce what was in it. Mr. Holman asked how much this issue cost the Town and Ms. Favreau shared \$550. Ms. Silverman reviewed the provision in the Handbook that the Board of Selectmen approved.

Mr. Holman asked if he had permission to contact Attorney Serge as the letter stated for Mr. Holman to contact him and Mr. Holman also asked if this was something he needed to keep going with. Ms. Silverman asked to have the discussion at next week's meeting. Mr. Holman stated that he would like to have a professional come in and do a workshop for the Selectmen on goal setting and communication. Ms. Carney stated that working for the Town and doing what was in the best interest of the Town was a goal and Ms. Carney shared that she would prefer to move on.

OTHER BUSINESS:

Thank you – Southwestern Community Services

Stephanie Scherr asked if the property owners affected by the proposed pipeline route should be notified that they have until January 6th to submit comments. Ms. Silverman shared that the Town had filed as an intervenor and discussed what other towns have done about receiving documentation. The Selectmen asked Ms. Favreau to contact Attorney Cunningham to find out how he planned to handle the notifications and keep the Town updated. Mr. Holman suggested that even though everything was going to Attorney Cunningham regarding our intervenor status that we might want to have a back-up and discussion continued on having a separate email where this documentation could be sent.

Discussion was held on the questions asked of Dr. Rick Van de Poll and comments made regarding the pipeline.

Ms. Silverman shared that when she and Mr. Cuomo met with Ian Farley of Eversource that Gary Taylor came out and mentioned that an arborist would be coming back to trim the Christmas tree in the common and gave Ms. Silverman contact information. Mr. Taylor

shared that the arborist had some ideas about the trees in the common and how to prune them so they are healthy. Ms. Silverman asked that the Selectmen talk with the arborist prior to the Town Meeting and find out what he could do and look at the trees in the depot and give an overall plan. Ms. Silverman shared that maybe an option for the Town was planting trees further back, having staggered plantings, or plant new trees and as they get bigger – cut down a tree. Discussion continued on planting in the past and having a plan for the common and space around the Town Hall and look at the trees in front of the Town Hall. Ms. Silverman reported that the tree on the corner of the common was cut down and trimming of new grow was done. Ms. Favreau would contact the arborist and have him meet with the Selectmen at the end of January.

Ms. Silverman made a motion to adjourn the meeting at 9 p.m. Mr. Holman seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Nancy Carney, Chairman

Chris Holman

Susan Silverman
Board of Selectmen