

**Board of Selectmen
May 14, 2014**

Present: Kenneth S. Paul, Chairperson; Richard C. Edwards; Connie M. Twombly; Teresa A. Williams, Town Administrator; and Toni Bodah, Secretary.

Mr. Paul called the posted meeting to order at 6:15 p.m. **Mr. Edwards moved to enter Non Public Session under RSA 91-A:3, II (a) and (b). Ms. Twombly seconded the motion. Roll call vote: Ms. Twombly – ‘aye’; Mr. Edwards – ‘aye’; Mr. Paul – ‘aye’.** **The motion passed unanimously, and the Board immediately entered Non Public Session.**

The Board returned to public session at 7 p.m. At this time those present included: Tom Beeler, *The Granite State News*; Fred Clough, Road Agent; Nicole Schmidt; John & Carol Fournier; Fred Gray; Rose Gray; Jim Miller; Donna Martin (videotaping); and Ed Comeau (videotaping). Rosemary Stewart and an unidentified gentleman joined the meeting in progress. Mr. Paul led all present in the Pledge of Allegiance.

1. Appointments

a) Nicole Schmidt re: Run Baby Run Baby Ultra 24 Mile Run – Ms. Schmidt explained that she and her husband have established The Baby Alex Foundation in order to support pediatric brain injury research. This ultra-run is being held as a fundraising event for that foundation. The Poor Peoples Pub has offered to provide space for registration, etc. The Police Chief has signed off on the plan. Mr. Paul encouraged Ms. Schmidt to coordinate with Parks & Recreation and the Fire Department as well. Ms. Schmidt confirmed she has done that. Mr. Paul noted that the Town would require a copy of the Foundation’s liability insurance. The Board agreed by consensus to support this event and executed the approval provided by Ms. Schmidt.

b) Annette Perry re: Maple Street Bridge – Ms. Williams advised that Ms. Perry has postponed her appointment to May 28. Ms. Gray asked the status of the situation. Mr. Paul advised that it will cost close to \$1 million to repair the bridge. The State of NH offers some reimbursement, which process takes a number of years to accomplish. He stated that it would be a more pressing issue if area residents did not have another means of access.

Ms. Gray expressed concern in light of the recent fire in that area. Mr. Paul noted that there are many dead-end roads in town. Ms. Williams has discussed this with the Fire Chief, who has indicated that this fire was knocked down quickly. If it had been a bigger fire, it may have been hazardous given the number of responding vehicles. According to Ms. Williams the State inspectors gave the abutments of the bridge poor ratings. Perhaps we could get estimates to repair only the abutments. Discussion followed regarding the overall potential process, which could take a number of years. Mr. Paul noted that the Town might need to hire an engineer to design a plan for the necessary repairs. Ms. Williams believes it would require an environmental study (at around \$5000), as well as a plan for repairs.

Although the Town has a capital reserve fund for Bridge Repair, there is no specific plan in place regarding which bridge to address next, although there has been discussion about the Canal Road Bridge. Ms. Gray asked about the next step. Mr. Edwards stressed the need for area residents to begin raising funds in order to hire an engineer to determine whether the abutments could be repaired, and at what cost. That would allow the Town to vote to appropriate funds for the Bridge CRF with the intent to

address the Maple Street Bridge. Mr. Paul noted that it will likely be difficult to address the abutments without replacing the entire bridge.

Board of Selectmen

May 14, 2014

Page 2

c) John Fournier re: Perambulation of Middleton/Wakefield Town Line - Mr. Fournier produced what he identified as a State survey of his area done in 1985, prior to the State's widening the road. He also referred to the perambulation report from 1984 signed by J. Nason, W. Twombly and W. Meserve. Mr. Fournier states this report refers to a marker on the Wakefield/Middleton Road—not 370' beyond the road. Mr. Fournier stressed that he is prepared to seek a writ to force the 2 towns to comply with the law, including the tax map law. Mr. Fournier then noted that his land keeps growing, according to Wakefield's tax maps. Mr. Paul referred to the availability and use of new and better information.

Mr. Fournier compared the markers noted on the 1985 survey to the survey he had done recently. He noted that the most recent perambulation was done without use of a compass or tape measure. Mr. Paul stated the a previous Board had voted to obtain estimates for the cost of a survey, since Mr. Fournier was then threatening to take the Town to Court; however, that Board chose not to move forward with such a survey. He stressed that tax maps are not 100% accurate. Mr. Fournier indicated that Cartographics cannot tell him why they keep changing his property lines. He added that if the parties involved cannot settle this across the table, then Superior Court will force the towns to comply. He stated he has always believed that he lived in Middleton, not in Wakefield. Mr. Fournier confirmed to Ms. Williams that the Boards of both towns identified the Fournier house as being in Wakefield; however, Mr. Fournier believes this to in error as a marker was used that is not consistent with prior perambulations.

Mr. Edwards believes that Mr. Fournier has presented significant documentation. Mr. Paul stressed that Wakefield should hire its own surveyor; otherwise, we should let the Court decide. Mrs. Fournier expressed frustration that when they originally approached the Board, they were told they must get the property surveyed. They spent over \$20,000 for the survey, which the Board chose not to accept.

Mr. Edwards questioned what would happen if it were decided that the Fournier house is in Middleton. Mr. Paul stated that there is too much information to deal with this issue at 1 meeting and suggested that a separate workshop be conducted. Mr. Fournier stated that if it is determined that his home is in Middleton, this would also affect other properties (i.e., Rusty Loring). Mr. Edwards believes that Mr. Fournier has provided documentation and this issue should be discussed with Mr. Loring. Mr. Paul stressed that the Board should be considering the facts. Mr. Edwards would like to see the situation resolved. A decision should be made in a timely manner. Ms. Twombly would also like to see an end to this situation, but she is not sure how to accomplish that. Mr. Paul indicated that Middleton stated previously it would not be interested in spending funds to address this issue. If this Board is prepared to change the previous decision, both Boards would need to re-perambulate that line.

Mr. Fournier suggested that the Town require the State to replace a marker that was removed when the road was widened. Mr. Edwards supported that suggestion, noting that if the State refuses, then this Board will need to make a decision. Ms. Williams will attempt to pursue.

2. Unscheduled Matters/Public Comment #1

--Mr. Beeler noted that the State is supposed to have surveys of all rights-of-way.

Board of Selectmen

May 14, 2014

Page 3

3. Unfinished Business

a) New Salt Shed – Mr. Paul noted that the Board had decided to wait for Ms. Twombly to make a decision on this project. Mr. Edwards advised that Fred Clough dug a test pit and determined the soil is good in the proposed construction area. SteelMaster has provided a copy of their warranty (from which Mr. Edwards read aloud). SteelMaster has suggested that we could use Kilz primer as an extra protective coat where applicable. According to SteelMaster, each town usually takes responsibility for erecting these buildings, rather than SteelMaster doing so. Ms. Williams noted that the Trustees of the Trust Funds have approved use of the Salt Shed capital reserve fund for 2 buildings, as proposed by Mr. Edwards. **Mr. Edwards moved that the Board move forward with purchase of 2 SteelMaster buildings, as proposed. Ms. Twombly seconded the motion, which passed 2-1.**

4. New Business

a) Winter Sand Bids – The Board opened the 2 bids received for provision of winter sand as follows: Turks Sand & Gravel - \$4.50/yard customer pickup and \$7/yard delivered. Landscapers Depot - \$8.50/yard delivered. A brief discussion followed regarding the quality of the sand provided. **Mr. Edwards moved to accept the bid of Turk's at \$7/yard delivered unless the budget is insufficient. In that event the Town will pick up the sand at \$4.50/yard. Ms. Twombly seconded the motion, which passed 2-0-1.**

Ms. Williams provided the Board with a spreadsheet showing the use of winter sand by private contractors for the 2013/2014 season. Mr. Clough plans to relocate the sand for use by private contractors and suggested increasing the price to match that of Ossipee Aggregates. The Board will finalize the price at the end of the summer.

b) Bids for Sale of Tax Acquired Property – The Board opened the 1 bid received for property known as Map 96, Lot 22 on Deer Run Road. **Mr. Edwards moved to accept the bid of Shannon Alden in the amount of \$2050. Ms. Twombly seconded the motion, which passed 3-0.**

c) ClearView Community Television Services – ClearView has submitted a request for payment in the amount of \$4900. This would allow ClearView to reimburse Jim Miller for expenditures made, as well as to purchase equipment. Now that franchise fees are being received, it is hoped that Mr. Miller will not need to advance Clearview any more funds. **Mr. Edwards moved to approve the \$4900 expenditure to ClearView Community Television Services out of the franchise fee funds, as requested. Ms. Twombly seconded the motion, which passed 3-0.** Ms. Williams noted that wages for ClearView have been paid through the Town's budget. This will continue until final IRS approval of ClearView's 501.c.3 status.

5. Proposed CRF Expenditures

a) Police Cruiser \$474.50 – This expenditure reflects the cost of decals for the new police cruiser. **Mr. Paul moved to approve the expenditure as presented. Ms. Twombly seconded the motion, which passed 3-0.**

b) Technology \$8855 – This expenditure represents the cost to replace the server at the Police Department. **Mr. Edwards moved to approve the expenditure as presented. Ms. Twombly seconded the motion, which passed 3-0.**

6. Correspondence

a) Food Pantry – The Food Pantry is requesting that the Board waive the building permit fees relative to their movement of the electric meter. **Mr. Paul moved to waive the building permit fee for the Food Pantry's movement of their electric meter, as requested. Ms. Twombly seconded the motion, which passed 3-0.**

b) David Stevens – Mr. Stevens has submitted his resignation from the Board of Assessors. **Mr. Edwards moved to accept, with regret, the resignation of David Stevens from the Board of Assessors. Ms. Twombly seconded the motion, which passed 3-0.**

c) NH Liquor Commission – The Commission is offering the Board an opportunity to submit comments regarding Blue Bay Seafood & Steak's application for a liquor license.

7. Unscheduled Matters/Public Comment

--Ms. Stewart stated that the current members of the Board of Assessors recommend the appointment of Relf Fogg to the Board, due to his experience and his having been runner-up for that Board in the recent election.

8. Administrative Matters

a) Appointment to Board of Assessors – The Board of Selectmen received 2 letters of interest regarding this vacancy—from Relf Fogg and Jim Miller. Mr. Miller noted that although Mr. Fogg has experience on that Board, he was not re-elected at the last election. Mr. Miller noted that he would bring no personal agenda to the table. Ms. Twombly expressed her belief that Mr. Fogg has no agenda either. With Ms. Stewart being new to that Board, it might be best to have 2 experienced individuals to assist her. **Ms. Twombly moved to appoint Relf Fogg to the Board of Assessors until the March 2015 election. Mr. Edwards seconded the motion, which passed 2-1.**

b) Selectmen's Letter of Appreciation – This month's letter will be sent to David Stevens.

c) Town Administrator's Update

--The Town Administrator in Tamworth is interested in procuring our unused partitions currently stored in the 2nd floor of the Public Safety Building. The Board was in agreement that the Town Administrator of Tamworth may have, at no cost, the partitions...as long as she does not give them back!

--We have received a request to waive an ambulance bill. Chief Nason supports that waiver. **Mr. Paul moved to waive the ambulance bill presented. Ms. Twombly seconded and the motion passed 3-0.**

--Strafford Regional has again billed the Town for membership dues. This expense is not part of the 2014 budget. **Mr. Edwards moved not to pay the invoice received from Strafford Regional Planning Commission. Ms. Twombly seconded the motion, which passed 3-0.**

--The new police cruiser has been ordered, received and is now being equipped.

Board of Selectmen

May 14, 2014

Page 5

--In 2006 CMA did some engineering work for the Town at the wastewater facility regarding the spreading of solids. The cost of that project was \$74,000. In 2010 a grant became available, and we were recently reimbursed \$14,987!

d) Appointment to Agricultural Commission – The Commission has recommended the re-appointment of Mike Hickey. **Mr. Paul moved to appoint Michael Hickey as a member of the Agricultural Commission for a 3-year term (through March 2017). Mr. Edwards seconded the motion, which passed 3-0.**

e) Petition and Pole License – Mr. Paul moved to approve the Petition and Pole License on Ballards Ridge Road, as presented. Mr. Edwards seconded the motion, which passed 3-0.

f) Building Permit Releases – Mr. Edwards moved to approve building permit releases for Matarazzo on Concord Lane, Bryant on Pennsylvania and Bintz on Barend Drive, as presented. Mr. Paul seconded the motion, which passed 3-0.

g) Payment Manifests – Mr. Edwards moved to approve PR #10 in the amount of \$70,350.56. Ms. Twombly seconded the motion, which passed 3-0.

Mr. Edwards moved to approve AP #15, a void in the amount of \$468.49. Ms. Twombly seconded the motion, which passed 3-0.

Mr. Edwards moved to approve AP #16 in the amount of \$735,511.06. Ms. Twombly seconded the motion, which passed 3-0.

h) Minutes – Mr. Edwards moved to approve the minutes of April 23, 2014, as presented. Mr. Paul seconded the motion, which passed 2-0-1.

There being no further business, the meeting adjourned at 9:08 p.m.

Respectfully submitted,
Toni Bodah, Secretary

Approval of Minutes:

Kenneth S. Paul, Chairperson

Richard C. Edwards

Connie M. Twombly