

**Board of Selectmen  
December 10, 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 p.m. **Mr. Edwards moved to enter Non Public Session under RSA 91-A:3, II (a) & (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 7:03 p.m. Mr. Paul led all present in the Pledge of Allegiance. Those present at this time included: Tom Beeler, *The Granite State News*; Donna Martin (videotaping); Ed Comeau (videotaping); Attorney Randy Walker; Mike Tsaltas; Lino Avellani; Angie Casperonis; Leigh Nichols; Chief Ken Fifield; Steve Brown; Relf Fogg; Joh Fournier; and Dan Phelan. Peter Kasprzyk joined the session in progress.

**1. Appointments**

**a) Attorney Randy Walker and Mike Tsaltas** – Attorney Walker advised he is representing Mr. Tsaltas regarding a property recently deeded to the Town for nonpayment of taxes. He stated they are prepared to pay all amounts due, other than the 15% penalty, which they believe has been unfairly assessed. According to Attorney Walker, Mr. Tsaltas tried to pay the taxes prior to the property being deeded. Notices sent by the Town were sent to a post office box which is no longer in service. Discussed followed as to the obligation for the property owner to notify the Town of the change of address, as well as the town’s obligation to locate the property owner.

Attorney Walker provided packets of information, including copies of liens recorded by the Town at the Carroll County Registry of Deeds. Attorney Walker stressed that the Town should have made an effort to contact the property owner. Ms. Williams gave an overview of the process, beginning with the Board’s vote to accept the deed for the property (November 12, 2014), through the actual deeding by the Tax Collector. [Tax deeds were notarized on November 19, 2014.] Attorney Walker stated that Mr. Tsaltas tried to pay the taxes on November 18, having made several calls to the Tax Collector, who said she had to speak with the Board of Selectmen. The next day, Mr. Tsaltas received a call saying the property had already been deeded.

Mr. Paul noted that it appears as though the property was deeded properly. Mr. Edwards, noting that he is against the 15% penalty law, does not see any hardship in this situation; nor does he see any legitimate reason to waive the penalty. Ms. Twombly agrees that it appears as though everything was done properly by the Tax Collector, adding that it is not part of her job to go out to find property owners. Attorney Walker is very confident that if the matter goes to Court, his client will prevail. Mr. Paul suggested that the Board make no decision this evening. Perhaps we can confer with Town Counsel (with whom Attorney Walker has indicated he has spoken). Otherwise, Attorney Walker and Mr. Tsaltas can assume that full payment is expected. **Mr. Edwards moved to deny the request to waive the 15% penalty. No second; motion dies.**

**Ms. Twombly moved to deny the request to waive the 15% penalty and to seek advice from Town Counsel. Mr. Edwards seconded the motion, which passed 3-0.**

**b) Ed Brown re: Winter Sand Policy** – Mr. Brown was not present.

**2. Unscheduled matters/public Comment #1** – None forthcoming ☺

**3. Unfinished Business**

**a) Peter Kasprzyk's Request for Change in Committee Membership** – At the October 22, 2014, Selectmen's meeting, Mr. Kasprzyk had asked that the Board consider removing Relf Fogg as a member of the Conservation Commission. Mr. Kasprzyk stressed that such a member is supposed to take an oath to obey and defend the rules and regulations of the State of NH. Discussion followed regarding an incident involving Mr. Fogg and several rocks on private property. Mr. Kasprzyk stressed that this is not about Peter Kasprzyk versus Relf Fogg, and he referred to incident reports involving Mr. Fogg. He stated that the Board of Selectmen has an appointee to 2 Town boards who has express consent to enter other people's property and who has taken an oath to uphold rules and regulations, but who has violated that oath. Mr. Edwards believes this is really a personal issue between Mr. Kasprzyk and Mr. Fogg. He does not believe the information provided by Mr. Kasprzyk warrants removal of Mr. Fogg. No motion was forthcoming. Mr. Paul advised Mr. Kasprzyk that he is welcome to bring forth more/newer information if available. He thanked Mr. Kasprzyk for the time and effort expended in this matter.

**4. New Business**

**a) Town Hall Renovation Bids** – Ms. Williams previously opened the 3 bids received and prepared a spreadsheet with pertinent information for the Board's review. She also contacted 3 references for each bidder. According to Ms. Williams, there is currently \$29,000 available in the relevant CRF, so there is only enough to do the base project—no alternatives. **Mr. Paul moved to accept the bid of Phelan Building & Remodeling for the base project. Mr. Edwards seconded the motion.** Bids received for the base project and alternatives were as follows: Phelan - \$30,518; Target New England - \$31,821; and Robillard Teague Group - \$39,484. Discussed the possible timetable for the project. The Tax Collector will need to relocate (either to the conference room or the Selectmen/Finance area) for the duration of the project. **The motion then passed 3-0.**

Mr. Phelan asked whether some materials could be stored in the conference room and whether that room could be used for some fabrication. Mr. Paul noted that use of that room by Mr. Phelan would be limited; however, he was confident space could be made available.

**b) Proposed Encumbrances of 2014 Funds** – Ms. Williams presented the following proposed encumbrances:

Property Assessment - \$7000 – This would be used for a portion of the 2015 Statistical Update. **Mr. Edwards moved to approve the encumbrance as presented. Ms. Twombly seconded the motion, which passed 3-0.**

Highway Construction - \$4400 – These funds would be used to complete the High Street project. **Mr. Edwards moved to approve the encumbrance as presented. Ms. Twombly seconded the motion, which passed 3-0.**

Parks & Rec Van - \$27,000 – As the original appropriation was via a special warrant article, the funds can be encumbered (without a contract) for one year. **Mr. Paul moved to approve the encumbrance as presented. Ms. Twombly seconded the motion, which passed 3-0.**

Town Hall Annex - \$2000 – It is probable that the work will actually get done by the end of the year. If this is the case, Ms. Williams will ask the Board to withdraw this encumbrance. **Mr. Edwards moved to approve the encumbrance as presented. Mr. Paul seconded the motion, which passed 3-0.**

Town Hall Repairs - \$3070 – Ms. Williams referred to the quote from A&B Locksmith, which relates to various doors at Town Hall. Some of the work (for interior doors) has been included in the 2015 budget. This encumbrance would cover work for the exterior connector door. **Mr. Paul moved to approve the encumbrance as presented. Mr. Edwards seconded the motion, which passed 3-0.**

Land Use - \$2700 – This represents the cost for Mike Garrepy to update several regulations, as well as funds for FB Environmental to add Balch & Belleau Lakes to the lake quality data report. **Mr. Edwards moved to approve the encumbrance as presented. Ms. Twombly seconded the motion, which passed 3-0.**

**c) Revised Job Description FF/EMT-A** – Mr. Paul referred to the national change in qualifications. Chief Nason has revised the job description accordingly. **Mr. Edwards moved to accept the revised job description for FF/EMT-A as presented. Ms. Twombly seconded the motion, which passed 3-0.**

**d) Proposed Purchase of Skid Steer Loader for Transfer Station** – Warren Winn obtained 2 proposals, both of which include rubber tires. Ms. Williams noted that the original skid steer was used to mow the cap. If it has tires, it will not be usable for mowing the cap. Ms. Williams expressed concern that the quote on the Bobcat does not specify the trade in value of our existing equipment. Mr. Edwards believes we could get a used tracked CAP for around \$24,000. Ms. Williams recommended that the Board wait until she can discuss this further with the Transfer Station Manager. The issue was tabled.

**e) Investment Policy** – This policy should be reviewed/adopted by the Board annually. Ms. Williams advised that this policy was reviewed/adopted by the Trustees of the Trust Funds. **Mr. Paul moved to accept the Investment Policy as presented. Ms. Twombly seconded the motion, which passed 3-0.**

**f) Fund Balance Policy** – This is another policy that should be reviewed annually. Ms. Williams noted that this is one policy which contributes to the Town receiving an unqualified audit. **Mr. Edwards moved to adopt the Fund Balance Policy as presented. Ms. Twombly seconded the motion, which passed 3-0.**

**g) GWRC Management Agreement** – There were minor changes to the agreement, which are highlighted in red in the electronic version. **Mr. Paul moved to execute the GWRC Management Agreement as presented. Ms. Twombly seconded the motion, which passed 3-0.**

## **5. Proposed CRF Expenditures**

**a) Highway Truck \$184,852** – The new truck has been delivered and put in use. **Mr. Edwards** moved to approve the \$184,852 expenditure as presented. **Ms. Twombly** seconded the motion, which passed 3-0.

**b) Fire Truck \$359,515** – The new truck is expected by the end of the week. **Mr. Edwards** moved to approve the \$359,515 expenditure as presented. **Ms. Twombly** seconded the motion, which passed 3-0.

**c) Town Hall Improvement \$13,800** – This represents the cost of fire alarm installation on the main floor. **Mr. Edwards** moved to approve the \$13,800 expenditure as presented. **Ms. Twombly** seconded the motion, which passed 3-0.

**d) Cemetery Water Supply \$969** – This represents the cost to purchase and install the pole, anchor and grounding materials at Stonehedge Cemetery. **Mr. Edwards** moved to approve the \$969 expenditure as presented. **Mr. Paul** seconded the motion, which passed 3-0.

**6. Correspondence** – None forthcoming.

#### **7. Unscheduled Matters/Public Comment #2**

--Mr. Fogg noted that the opera house looks great! He also spoke to the savings experienced by the Town while Rod Wood has been our contracted assessor. He added that the Board of Assessors knew that we would eventually have to do a statistical update.

--Mr. Avellani referred to Huggins Hospital closing its Wakefield facility and wondered whether the Town has received any correspondence as to why this occurred. The Town has received no information. Mr. Paul noted that with current times, he expects it is not cost effective to operate out of a house. Mr. Avellani stressed that residents want to know why, and he asked whether the Board will be asking that question. The Board will not be seeking that information. Mr. Paul suggested that additional information may be found on the lawn of the former practice.

#### **8. Administrative Matters**

##### **a) Town Administrator's Update**

--The Highway Department is having issues with its loader. It will be taken to CAT for repair, which is estimated at \$3,000 to \$5,000 and involves a "wet" brake system for which the Town does not have the proper tools for repair. The loader will be out of service for several weeks, and that department will share the Transfer Station's loader.

--The tax rate has been set at \$12.74 per thousand. This was quite a process which was held up by several factors. All information is due by September 1; however, the County was not apportioned until October 23 (which affected a number of towns); the Water Precinct did not submit required material until mid-October; and the School submitted their material on October 25. Some towns had to take out a tax anticipation note in order to pay the County by December 17 (as required by law). If payment is late, interest is assessed. Ms. Williams asked whether the Board is interested in sending a letter expressing our frustration/concern. Mr. Comeau immediately offered to hand-deliver such a letter. He hopes other communities will also send letters. Mr. Brown is of the opinion that Carroll County is corrupt, noting that he would refuse to pay the bill.

Ms. Williams will work with other Town Administrators/Managers to develop an appropriate letter. Mr. Avellani asked that the County Delegation be copies on that letter.

--Ms. Williams and our Transfer Station Manager met with Milton's Public Works Director. Milton residents can no longer take their leaves to Earthtenders in Farmington. The Milton facility is not large enough to accommodate leaf collection. Would the Board consider a 1-year contract with Milton (for which the Town would receive \$960) to accept leaves from Milton residents? Valid Milton stickers would be required (for which our staff would have to check). Monitoring would be required in order to ensure that nothing extraneous was hidden in the leaves. Mr. Paul noted that there are a number of private venues eager to accept leaves. The Board agreed by consensus not to enter into this contract.

--The Board agreed there would be no meeting on December 24! Next meeting is scheduled for January 14, 2015.

**b) Building Permit Releases** – None forthcoming.

**c) Payment Manifests** – Mr. Edwards moved to approve Payroll #27 in the amount of \$83,994.11. Ms. Twombly seconded the motion, which passed 3-0.

Mr. Edwards moved to approve AP #40 in the amount of \$498,971.41. Mr. Paul seconded the motion, which passed 3-0.

**d) Minutes** – Mr. Paul moved to approve the minutes of October 15, 2014, as presented. Ms. Twombly seconded the motion, which passed 2-0-1.

Mr. Edwards moved to approve the minutes of October 22, 2014, as presented. Ms. Twombly seconded the motion, which passed 2-0-1.

Mr. Edwards moved to approve all minutes for November 12, 2014, as presented. Mr. Paul seconded the motion, which passed 2-0-1.

Mr. Edwards moved to approve the minutes of November 17 and December 1, 2014, as presented. Ms. Twombly seconded the motion, which passed 3-0.

There being no further business, the meeting adjourned at 8:35 p.m.

Respectfully submitted,  
Toni Bodah, Secretary

**Board of Selectmen  
December 10, 2014  
Page 6**

Approval of Minutes:

---

Kenneth S. Paul, Chairperson

---

Richard C. Edwards

---

Connie M. Twombly