

**Board of Selectmen
April 22, 2015**

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

Mr. Edwards called the posted meeting to order at 6:31 p.m. **Ms. Twombley moved to enter Non Public Session under RSA 91-A:3, II (a). Mr. Paul seconded the motion. Roll call vote: Ms. Twombley – ‘aye’; Mr. Paul – ‘aye’; Mr. Edwards – ‘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. Edwards led those present in the Pledge of Allegiance. Those present included: Tom Beeler, *The Granite State News*; John Blackwood; Lino Avellani; Ruben Knisley; Ed Comeau (videotaping); Donna Martin (videotaping); and Roland Delisle. Jim Miller joined the session in progress.

1. Appointments – None scheduled.

2. Unscheduled Matters/Public Comment #1

--Mr. Blackwood referred to the value of the Town's equipment at the Highway Department, operators of which should be required, in his opinion, to have a CDL at the start of their employment. Mr. Blackwood also noted that \$5 for a Transfer Station permit, valid for 2 years, is ridiculous. He suggested the Board check with other towns to see what they charge for permits. Mr. Blackwood added that, in his opinion, the Transfer Station attendants should not act as enforcers, rather a police officer should be on site for a period of time to enforce use of stickers. Mr. Paul believes that enforcement is part of the duties of an attendant. Mr. Edwards agreed that the staff does need to hold users more accountable. Ms. Twombley stated that the Transfer Station attendants have the authority to enforce the use of stickers (permits) and it is part of their job to do so. Mr. Paul added that some communities do not charge for permits, rather the cost is included as part of taxes paid. Mr. Beeler advised that the Town of Wolfeboro charges \$5 for a permit.

--Mr. Comeau noted that one year ago, he asked what would be done throughout the year to address the alcohol issue and to bring awareness to the community regarding DUI. He asked what was accomplished via the sobriety checkpoints held for the last several years. Ms. Twombley noted that a number of people who had been drinking were removed from the road. Mr. Comeau stressed that the Town used State and Federal funds only to operate a 6-hour checkpoint. Nothing was done to address the rest of the days in the year. Mr. Edwards suggested that a number of lives may have been saved by removing those 6 drivers. Mr. Paul asked Mr. Comeau if he had any suggestions. Mr. Comeau stated there should be an event to promote widespread awareness, via the schools, families, newspapers, Internet, etc. Mr. Edwards stated he will have some information to share during his liaison report later in the meeting. Mr. Comeau referred to the heroin epidemic, adding that it is also very important to spread awareness about the results of utilizing heroin. He stated that we need to do all we can, which is doing more than a 6-hour sobriety checkpoint each year.

--Mr. Miller opposes the sobriety checkpoint, despite his respect for the Police Chief. He would suggest that the Town increase police presence on the roads. He stated there is absolutely no evidence that a sobriety checkpoint is more effective than increased patrols. Mr. Miller is advocating for the 244 innocent people who were stopped and were asked incriminating questions. People should not be so quick to give up their rights.

--Mr. Knisley stated that he was stopped several years ago for snow on his license plate. Once stopped, he was asked a number of questions about whether he had been drinking. Mr. Knisley suggested that the Police Department concentrate on the drug dealers.

--Mr. Delisle presented a petition signed by an estimated 180 people in favor of allowing residents to "pick" material from along the wall at the Transfer Station.

3. Unfinished Business

a) Transfer Station Plan – Mr. Paul has met with Nate Fogg and W. David Stephen; however, the Transfer Station Manager would like to postpone construction until September. Work on the plan will continue, with the hope of going out to bid later this summer.

b) Review of Transfer Station Ordinance Revisions – Many comments were received regarding the use of clear bags. Ms. Twombly was asked why those of us who recycle are being penalized because of those who do not. She agrees with this sentiment and noted that she would not have voted in favor of the clear bag requirement had she been at the last meeting. Ms. Twombly believes it is up to the Transfer Station staff to enforce recycling. This is a small town and we should be able to handle this at the Transfer Station without making people purchase clear bags. Ms. Twombly would have no issue with having her black bags cut open in order to allow the Transfer Station attendant to view its contents.

Mr. Edwards has had conversations with other communities, with the result being that we need more enforcement. In some towns, the bags are dropped on a cement slab so that the attendant can hear if it "clangs." Then the attendant will deposit the bag into the appropriate receptacle. If with more enforcement the situation does not improve, then the Board will be forced to require use of clear bags. He also believes the Board should consider increasing the price of the permit if only to help offset the cost of disposal to the Town. Mr. Edwards noted that not many were here to offer comments when the decision was being made, but everyone is willing to offer complaints. Ms. Twombly stated that, if the Board votes to rescind this decision, it is giving the people one last chance to comply. She noted that it would still be possible to hide something in clear plastic bags.

A number of people indicated to Ms. Williams that the attendants are already not enforcing the rules in place, so how can they enforce another rule. Mr. Edwards agreed that we need to enforce the display of permits. It is fine to be generous for the first 30 days, but not thereafter.

Mr. Paul would like to see an on-line petition signed by those against use of clear bags rather than hear about the 30 people who have verbally expressed disagreement. Mr. Blackwood stated that several years ago the Board visited a number of transfer stations. At one station, if you did not want to separate your trash, you had the option of driving on the scale to pay by weight.

Ms. Twombly moved to rescind the vote [taken at the April 8, 2015, Selectmen's meeting] to require use of clear plastic bags at the Transfer Station by July 1, 2015. Mr. Edwards seconded the motion, which passed 2-1. Mr. Edwards stressed that this is a last opportunity for residents to improve their recycling habits.

Mr. Avellani suggested enforcement and education via tax bills or when registering vehicles. Mr. Delisle stated there should be a sign at the Transfer Station stating that clear bags will be required if recycling does not improve. There could also be a sign as to how to obtain a permit.

Mr. Edwards then referred to the petition presented by Mr. Delisle, which asks the Board to bring back the wall. Ms. Twombly read the petition aloud. Mr. Paul stated that he was approached by Mr. Delisle (at the Transfer Station) to sign a petition to continue recycling. He also stated that the Board made a decision with the department head present at the meeting. The Board should not make changes without the department head in attendance. Mr. Paul believes that individuals utilizing the "wall" are actually taking items to scrap in order to make money. Mr. Edwards stated that someone should only be at the "wall" for 10-15 minutes, rather than for hours at a time. Mr. Paul asked whether Mr. Delisle has a restraining order from a prior court case (relating to the Wakefield Transfer Station). Mr. Delisle indicated that there is no restraining order; however, he did admit that there had been a prior court case.

Mr. Blackwood stressed that metal is worth money to the Town. No change was made at this time. Therefore, "picking" at the Wakefield Transfer Station is not allowed. Mr. Delisle referred to an individual driving in to pick up lawnmowers. Mr. Edwards stated that once material comes into the Transfer Station, it is Town property and should not be taken by residents or staff.

4. New Business

a) Highway Safety Grant – Speed Patrol \$4118 – This grant cover additional patrols on Route 16. Ms. Williams noted that this grant was included in the 2015 budget and was approved by the Budget Committee and the voters. **Mr. Paul moved to approve the Highway Safety Grant for Speed Patrols in the amount of \$4118. Ms. Twombly seconded the motion, which passed 3-0.**

b) Highway Safety Grant – Sobriety Checkpoint \$936 – Ms. Williams noted that this grant was also included in the 2015 budget and approved by the Budget Committee and voters. **Ms. Twombly moved to approve the Highway Safety Grant for Sobriety Checkpoint in the amount of \$936. Mr. Edwards seconded the motion.** Ms. Twombly has mixed feelings about the checkpoint. She personally would not have an issue with being stopped. Mr. Edwards understands how this is done. Although he is not in favor of the checkpoint, he is in favor of getting drunk drivers off the road. **The motion then failed by a vote of 1-2.**

c) Revision of Job Description for Road Agent – The job title will be changed to Highway Manager. An addition should be made to include supervision of the part-time maintenance employee. Mr. Edwards stated that the Board needs to decide whether a CDL will be required at the time of application for employment. Mr. Paul noted that an individual with much experience might apply, but he may have not had a CDL for 5 years. However, if the Board allows time to obtain a CDL, the employee must conform to that timeline. Mr. Edwards agreed. However, having seen the applications received, choices have been limited. He noted that staff in other departments receive training. Mr. Blackwood stressed that if the Town keeps an individual without being able to pass a CDL test, the equipment will get damaged or someone will get hurt, for which the Town will be liable. He suggested raising the pay rates in order to attract qualified individuals.

Mr. Edwards believes that most applicants fail the CDL test the first time. He referred to the current wage chart which was developed in order to be competitive with surrounding towns. The Town cannot compare with rates offered by the private sector. Mr. Paul suggested adding "Liaison to the Sanbornville Water Precinct" as a duty, to which the Board members agreed. For this position, a CDL must be required at the time of hiring. **Mr. Paul moved to accept the revised job description, with the edits previously noted. Mr. Edwards seconded the motion, which passed 3-0.** Ms. Williams will remove the reference to "Labor Grade" on the front page of the description.

5. Proposed CRF Expenditures – None forthcoming.

6. Correspondence

a) Adopt a Conservation Property Program – This program was developed by the Conservation Commission in an effort to encourage use and maintenance of the Town's conservation properties. The fact sheet and application were provided for the Board's information.

b) Town of Wakefield Septic Approval Procedure – NH DES has established a new e-Permitting procedure, which prompted the Code Enforcement Officer to update our procedure. Ms. Williams stated that the State will no longer provide stamped plans to the Town; however, the plans will be available online at the State office. **Mr. Paul moved to accept the procedure as presented. Ms. Twombly seconded the motion, which passed 3-0.**

c) Vachon Clukay re: Comments of Audit Deficiencies – The auditors have provided recommendations to adjust various procedures within each department. This process is new this year. We expect a representative of Vachon Clukay to address the Board in August with an overview of the final 2014 audit.

7. Unscheduled Matters/Public Comment #2

--It was confirmed for Mr. Comeau that the Board did not approve acceptance of the funds for the Sobriety Checkpoint via the Highway Safety Grant. Mr. Comeau asked whether the Board would be willing to make a motion to ask the Police Chief to prepare a detailed plan to address the DUI issue. Mr. Edwards stated that efforts are being made by the Police Department, which he will address during his liaison report.

--Mr. Miller first referred to the \$1980 he recently paid for a building permit application, noting he did not hear exactly what the Board had been discussing previously (during the new septic approval procedure). Ms. Williams explained that the Board had been discussing the septic design approval process, which was *not* part of Mr. Miller's building permit fees. Mr. Miller then stated he is confused about the changes to the Transfer Station ordinance. The Board conducted a public hearing, which was not well attended by the public. Following that hearing, the Board made decisions, which it has now changed. He is confused about leadership, which he believes the public is looking to the Board to provide. More discussion followed regarding the Transfer Station ordinance revisions.

8. Administrative Matters

a) Liaison Reports – **Ms. Twombly:** The Dunkin Donuts project is moving forward. DIO Homes (Cosmar Drive) received permission from the ZBA for a 1 bedroom apartment over their shop.

Larissa Mulkern has done a great job with the Heritage Commission's web site. The Commission is preparing for the next step regarding the Newichawannock canal and dam. In addition, the Commission was given permission to remove some historic material from the building recently demolished in Union relating to the Dunkin Donuts project. In addition to granting the variance for the 1 bedroom apartment, the ZBA recommended a number of membership appointments. The Conservation Commission has discussed plans for the Gage Hill conservation area. The GWRC has applied for a Moose Plate grant to proceed with work on the second floor. Ms. Twombly then rebutted a number of statements made by Rosemary Stewart in her letter submitted to the Board of Selectmen at its March 25 meeting. She also referred to how much money the Town has spent on abatements filed by Pine River Pond property owners that were subsequently appealed to the BTLA.

Mr. Paul: The new Road Agent started employment this week. Fred Clough will retire as of April 30. Mr. Paul then thanked yours truly on this Administrative Assistants' Day 😊

Mr. Edwards: Wakefield hosted the NH Chiefs of Police Association meeting this week, at which work was done regarding drug counseling and additional programs. We will have an officer attending the Police Academy in May. The new cruiser is coming on line. There have been over 200 calls for service, including a number of burglaries and fires. A rabies clinic will be conducted on April 25. The gun safety course will run in early May. Parks & Rec has baseball and softball sponsors. Work continues on the disc golf course. There will be movies in the park (Turntable) this summer. The summer flyer will be available soon. Swimming instructors are needed at the Town Beach, and the new bus has finally arrived from California!!

Mr. Paul asked what the other Board members thought about the use of body cameras. All agreed it would keep people on their toes. Mr. Comeau sits on the Committee for Criminal Justice and Public Safety. He noted that police in other states have been using body cameras for a while and he believes the Board of Selectmen should consider their use. The legislature is considering whether to require such use.

b) Selectmen's Letter of Appreciation – It was agreed that this month's letter would be sent to the secretaries in all Town departments.

Mr. Edwards noted that he attended a recent Eagle Scout Ceremony, which was a wonderful and emotional event.

c) Appointments to Various Commissions – A number of recommendations were received and acted upon as follows:

Mr. Edwards moved to appoint Cory Fothergill to the Heritage Commission as an alternate for 3 years. Ms. Twombly seconded the motion, which passed 2-0-1.

Mr. Edwards moved to appoint John Napkoski to the ZBA as a member for 3 years. Ms. Twombly seconded the motion, which passed 2-0-1.

Mr. Edwards moved to appoint Steve Brown to the ZBA as a member for 3 years. Ms. Twombly seconded the motion, which passed 3-0.

Mr. Edwards moved to appoint Doug Stewart to the ZBA as an alternate for 3 years. Ms. Twombly seconded the motion, which passed 3-0.

d) Petition and Pole License – Ms. Twombly moved to approve the Petition and Pole License with Eversource, as presented. Mr. Paul seconded the motion, which passed 3-0.

e) Town Administrator's Update

--A request to waive an ambulance bill was received. The individual receiving the service lives in a neighboring town. Mr. Paul suggested that Town be billed for the remainder of the invoice. Ms. Williams first will determine in which town the incident actually took place.

--Anne Getchell of USDA Rural Development has contacted Ms. Williams regarding the Town's bond, which was used to construct the sewer system. Approximately \$45,000 (plus interest) remains outstanding, which is scheduled to be paid off in 2019. According to Ms. Getchell, it was part of the original bond agreement that the Town would pay off this debt early, securing another loan through private means if necessary. The Town's sewer fund has a balance of about \$192,000, which fund could be utilized to pay off the bond. Mr. Paul would prefer to pay off the debt each year, rather than lose interest income on the sewer fund. Ms. Williams noted that the system users would still be responsible for ½ of that debt, payable to the Town over the original term of the bond. Ms. Twombly would like to see how much interest income would be lost compared to the amount of interest payments to be saved. Ms. Williams will provide this information at the next meeting.

--WPI has also submitted an application for a Moose Plate grant in order to replace windows in Town Hall. We must provide proof of public ownership (the tax card), as well as provide an authorized signature. **Mr. Paul moved to authorize Mr. Edwards to execute the grant application. Ms. Twombly seconded the motion, which passed 3-0.**

--We have received a GIS data release form in order for our data to be transferred from Ossipee Valley Mutual Aid to Lakes Region Mutual Fire Aid. **Mr. Paul moved to approve the data release form as received. Ms. Twombly seconded the motion, which passed 3-0.**

--The Board executed a purchase order for the CAT loader for the Transfer Station. Mr. Paul suggested we purchase a broom for the front of the loader.

--Ms. Williams asked whether the Board would be in favor of paying Mike Gingras a stipend for using his personal cell phone for work, as is done for the Building Inspector. Mike understands this results in complete access to communications. Mr. Paul believes this is a good idea. **Mr. Paul moved to pay Michael Gingras \$30 per month towards his cell phone. Ms. Twombly seconded the motion, which passed 3-0.**

--The Greater Wakefield Chamber of Commerce is seeking permission to utilize the municipal parking lot for Pride Day. Permission granted.

--There is a broken window in the connector. This is (now) a specialty window and may cost up to \$500 to replace. Mr. Paul suggested waiting until the maintenance person is on staff.

f) Building Permit Releases – None forthcoming.

g) Payment Manifests – Ms. Twombly moved to approve PR #08 in the amount of \$63,669.78. Mr. Edwards seconded the motion, which passed 3-0.

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Ms. Twombly moved to approve AP #11 in the amount of \$79,481.25. Mr. Edwards seconded the motion, which passed 3-0.

h) Minutes – Mr. Edwards moved to approve the minutes of April 8, 2015, as presented. Mr. Paul seconded the motion, which passed 2-0-1.

The Board briefly discussed the decision making process and the need to make informed decisions. All decisions need to be good for the town, rather than for the individual.

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

Respectfully submitted,
Toni Bodah, Secretary

Approval of Minutes:

Richard C. Edwards, Chairperson

Kenneth S. Paul

Connie Twombly