

**Board of Selectmen
October 12, 2016**

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

Mr. Edwards called the posted meeting to order at 7p.m., leading those present in the Pledge of Allegiance. Those present included: Jim & Debra Miller; Chuck Robbins; Donna Martin (videographer); a videographer from Government Oversight; Bob Ouellette; Mark LaRoche; Bonnie Cyr; Beth Seldin; Pam Wiggin; Annette Perry; Tom Beeler, *The Granite State News*; Fred Guldbrandsen; Relf Fogg; Priscilla Colbath; Sgt Michael Fenton; and Steve Brown. Gabe Smith and Reuben Knisley joined the session in progress.

1. Public Hearing - Mr. Edwards opened the public hearing, the purpose of which is to consider acceptance of a \$15,000 Certified Local Government Grant under RSA 31:95-b for a survey of most of the area known as the Village of Sanbornville. Mr. Edwards invited Ms. Wiggin to explain the grant. Ms. Wiggin stated that the Board had previously authorized the Heritage Commission to apply for this CLG grant. This grant has been awarded in order to conduct a survey of the Village of Sanbornville, which could then be used for preservation planning. Ms. Wiggin read aloud from the award letter provided by the Division of Historical Resources. Ms. Wiggin applauded the efforts of the Heritage Commission in obtaining this grant.

Mr. Brown asked whether the Board members had actually looked at the grant, which he is confident must have strings attached. He questioned how the Board can accept this grant without knowing this information and referred to his familiarity with school grants. Ms. Wiggin assured everyone there are no strings. This grant would actually fund work that the Commission is supposed to accomplish and would generate a helpful tool for the planning process. Ms. Wiggin advised that this would be the 4th CLG grant received by the Town of Wakefield.

Mr. Brown stressed that the Board should not approve this grant sight-unseen. As a citizen, he would like a copy of the complete grant. He guarantees there are strings attached. Ms. Wiggin stated that the grant does list assurances, including the requirement that the work must be completed by September 2017, work progress must meet various time frames, and the work must be put out to bid. The first grant received many years ago allowed the Commission to document historical sites in Union, with no strings attached. The second grant allowed the Commission to document the 18 mill sites in Wakefield. A book has been published including this information and has been used as a planning resource. The third grant was used to put the Newichawannock Canal on the National Register. This project was 100% funded, with no strings attached and was a joint effort between Acton ME and Wakefield NH.

Mr. Edwards stated that although he has not specifically reviewed this grant, he has seen others. He is confident there are no strings. Ms. Perry stated that this grant is different than grants received by the school and will not affect taxpayers. Mr. Brown then requested copies of all 4 grants. Mr. Fogg asked whether there would be any future maintenance costs, and asked how the survey would affect individual property owners' rights within the survey area, either by limiting or enhancing their ability to develop the property. Ms. Wiggin stated the survey will merely document the historical aspects of our town, with no effect on the property owners' rights. It will document what we have and what is important and will be a planning document if we choose to use it as such. Ms. Wiggin stressed that the

Heritage Commission and the Town of Wakefield have been honored for the completed projects funded by these grants. The subject survey would provide information to the Planning Board for its possible use. In response to a question from Mr. Edwards, Ms. Wiggin confirmed that this a 100% funded grant, with no requirement for matching funds and no payback necessary. Ms. Wiggin spoke strongly in support of the Town's historical assets. State RSA's require the Heritage Commission to document these assets. The subject grant would allow this to occur at no cost to the Town of Wakefield. Mr. Brown requested a copy of the report sent to Washington (as referenced by Ms. Wiggin).

Mr. Fogg again asked whether there are any future costs for maintenance. Ms. Wiggin advised, "Absolutely not." There being no further comments, Mr. Edwards closed the public hearing at 7:20 p.m.

Although Mr. Edwards has not read the "fine print" he is willing to proceed on the experience and recommendation of his fellow Board member and the Heritage Commission. Mr. Brown reiterated that the Board should not approve the grant if it has not been reviewed. Mr. Edward stressed again that he is accepting the guidance of the Heritage Commission and his fellow Board member. Ms. Wiggin noted that all details are available for review on the website of the Division of Historical Resources. Mr. Edwards stated that if he doesn't understand something, he surrounds himself with people who do. He is willing to rely on the experience of Ms. Twombly and the Heritage Commission. **Ms. Twombly moved to accept the CLG grant in the amount of \$15,000, as presented. Mr. Edwards seconded the motion, which passed 2-0.**

2. Appointments

a) Jim Miller, Clearview Community TV – Mr. Miller referred to the Board determining a number of years ago to establish a wage rate for camera operators in order to encourage interest. That rate has not increased. The Clearview Board has been working on budgeting and is recommending increasing that rate of pay. Mr. Edwards has no problem with the recommendations presented. Ms. Twombly agrees and noted that the Selectmen currently authorize the pay checks for Clearview. Both Ms. Twombly and Mr. Edwards agree that the Clearview Board should make those decisions. Ms. Twombly stated that she is willing to act as liaison to the Clearview Board. Mr. Miller stressed that Clearview is trying to live within its means, noting that the Town receives about \$35,000 in franchise fees each year. Ms. Williams stated that the Town expects Clearview to take over accomplishing its payroll. In addition, a 2017 budget is due in November. Ms. Williams believes Mr. Miller is trying to let the Board know how Clearview intends to spend funds provided by the Town (via franchise fees). Mr. Miller noted he is behind on submission of quarterly reports. **Mr. Edwards moved to accept the recommendation for pay rate increases as presented. Ms. Twombly seconded the motion, which passed 2-0.**

Mr. Miller then referred to the need for a second PEG channel and a live feed for Paul School. The Board of Selectmen agreed to move forward with both; however, it appears that Time Warner Cable is coming up with excuses to kick the can down the road. In order to obtain a second channel, the contract states we must prove we are playing non-duplicated shows from 5p to 11p. It does not indicate for how long a period we must prove that. Now TWC is saying 6 months, but that it not in the contract.

According to Mr. Miller the larger issue is a live feed for Paul School. TWC is stating the cost to effect this will be a burden on the rate payers, even though they have not actually provided any cost estimates. Mr. Miller would like the Board to push TWC harder for the live feed. He does not believe there would be any on-going costs, just the initial construction costs. Ms. Williams suggested that a letter from the Board of Selectmen might carry more weight.

b) Priscilla Colbath re: Clearview Community TV – Ms. Colbath received confirmation that the Board had received copies of correspondence from her, as well as between her and Mr. Miller. Mr. Edwards stressed that while the Board of Selectmen tries to have an open door policy and is interested in how this non-profit (Clearview) operates, this Board does not have authority over that non-profit. Ms. Colbath explained that she has tried to meet with the Clearview board to address complaints filed against her by Relf Fogg, as well as to clarify her employment status. According to Ms. Colbath, her emails (to Mr. Miller/Clearview) have been ignored and she now has no recourse other than to file a complaint with the IRS. She believes Clearview is violating the rules of a non-profit. Ms. Colbath also referred to her having been relieved of her duties of recording School Board meetings, apparently due to complaints filed by Mr. Fogg.

Ms. Colbath had a number of questions. Why does the Town process Clearview's payroll? This was done to help the organization get established. The associated costs are reimbursed to the Town via the franchise fees. Why aren't Clearview's meetings aired? Mr. Miller advised that a private non-profit is not required to video its meetings. However, he will bring that suggestion to the Clearview board. Does Clearview have written policies and procedures in place? Mr. Miller stated that Clearview does have written procedures, which he provided to Ms. Williams (on October 7). Ms. Williams will provide this information to Ms. Colbath. Why is the President also the Treasurer? Mr. Miller advised he is the President, but is no longer the Treasurer. He also advised that they have a 5-member board. Mr. Miller does not believe the Selectmen's meeting is the appropriate venue for this discussion and Ms. Colbath should not have used a Selectmen's meeting to talk trash about him. A brief discussion followed as to board members recording meetings. Is Mr. Miller signing as supervisor and paying himself? Mr. Miller has not submitted a time sheet (this year).

Ms. Colbath stressed that the organization is not running the way the Town should want it to be run. Ms. Twombly, noting Mr. Miller's earlier reference to trash talking, began to read a portion of an email sent by Mr. Miller to Ms. Williams. At Mr. Miller's encouragement, Ms. Twombly read the entire email aloud. Ms. Twombly stated strongly that many of Mr. Miller's comments (in the email) were uncalled for and stressed that he owes Ms. Williams an apology. According to Ms. Twombly, Ms. Williams knows her job and does it well. Ms. Colbath requested a copy of the email. Ms. Twombly stressed that the email does not reflect an adult attitude. Mr. Miller still believes this discussion is an inappropriate use of time. Ms. Twombly stated that the door is open to receive complaints or positive comments.

Mr. Edwards stated that this discussion is about an organization, not an individual. The answers to Ms. Colbath's questions should come from the Clearview board. The Town of Wakefield provides funding. He expects Ms. Colbath and the Clearview board to work on these issues. Ms. Colbath then referred to her having turned off the camera at a School Board meeting, which she has done before when a recess is called.

Board of Selectmen

October 12, 2016

Page 4

Only now has it become a problem. She will continue her conversation with the IRS if she does not receive cooperation from the Clearview board. Perhaps the situation will improve since the Board of Selectmen now plans to have a liaison on the Clearview board. Mr. Fogg stressed the need for the public to get the entire picture. Mr. Edwards stressed that rules for recording a meeting are an issue for the Clearview board. A discussion followed as to whether profanity could/should be edited. Mr. Fogg and Mr. Miller both adamantly defended the public's right to see everything that occurs at a public meeting. Debra Miller spoke to Clearview's policy against editing a meeting or shutting off a camera. The Clearview board decided to assign other recording duties to Ms. Colbath. She also spoke to Mr. Miller's many unpaid hours as well as his passion for transparency.

3. Unscheduled Matters/Public Comment

--Ms. Seldin noted that at the end of the School Board meeting video, credit is given to the individual who filmed, as well as who edited. Why would this be listed if editing is not allowed? Why are non-public sessions not filmed? If Clearview accepts money from the Town, why don't they film their own meetings so that taxpayers can see how their money is being used? Ms. Williams explained the franchise fee system, which fee is paid only by those subscribers to Time Warner Cable. Not all subscribers are necessarily taxpayers, and vice-versa. Ms. Martin stated that the editing credits refer only to prepping the film, not to removal of any content. Mr. Fogg stated that listing the videographer, the date, etc., is actually editing. Mr. Gulbrandsen stated that he has occasionally done filming, and added that what happens tonight should be what viewers see in their living rooms. As to why filming continues while a meeting is stopped, Mr. Fogg noted that a quorum of the body politic is still seated and still discussing business of the board (although that should not occur during a recess). It was stated that non-government filming may be edited. Ms. Perry invited all to the meetings of the Heritage Commission!

--Ms. Twombly announced that the caboose will be brought to the Union Station on Friday, October 14 at 10:30a.m. Everyone is encouraged to view this interesting event.

--Mr. Robbins referred to his having worked to increase the hours of the Shoreland Compliance Officer. He provided the Board with a hand-out, including Article 15 of the Wakefield Zoning Ordinance, as well as RSA 676:17. Mr. Robbins stressed that 72% of the Town's tax revenue comes from shoreland property, and we do not want to lose it.

4. Unfinished Business

a) Transfer Station Plan PowerPoint – Since Mr. Paul was unable to attend, the PowerPoint presentation is not available. This will be postponed to the October 26 agenda.

5. New Business

a) Parks & Rec Property Maintenance Bids – Six bids were received as follows (all per year costs): Morrill & Sons - \$15,000; Vanderhoof - \$19,000; Turnkey Construction - \$20,252; Hales - \$21,890.01; Aldens Landscaping - \$23,500; and Master Gardener - \$32,680. Mr. Edwards met with Parks & Rec to consider these bids, with the recommendation being to accept the bid of Hales. **Mr. Edwards moved to award the bid to Hales in the amount of \$21,890.01 per year for 3 years. Ms. Twombly seconded the motion, which passed 2-0.** Mr. LaRoche noted that this past summer was too dry for much mowing. We mowed anyway.

Board of Selectmen

October 12, 2016

Page 5

b) Road Opening Permit – Bond Requirement – Ms. Williams explained that an owner of property on Brackett Road must replace their leach field, which necessitates crossing under Brackett Road. The Town requires a bond was a paved road is involved; however, Brackett Road is dirt. The Board agreed by consensus that no bond would be required for this project.

6. Proposed Capital Reserve Fund Expenditures

a) Town Hall Improvements \$20,000 – This represents the amount ear-marked as the Town's share of the Opera House lighting project. **Ms. Twombly moved to approve this expenditure as presented. Mr. Edwards seconded the motion, which passed 2-0.** Nice work!

7. Correspondence

a) Strafford Regional Planning Commission – SRPC announces dues for FY 2018. The Board agreed by consensus not to pay membership dues to SRPC.

b) NHMA – This letter refers to the decline in State aid to municipalities each year.

c) NH DES to M LaRoche – This is provided for the Board's information only. DES has received a complaint regarding activity on Mr. LaRoche's property on Wakefield Road (Map 184, Lot 74) and is working with him to address the issue. Mr. LaRoche has 20 days to respond to DES; and he informed the Board that he has done so and has provided Nate Fogg with copies of his plans.

8. Unscheduled Matters/Public Comment #2

--Ms. Martin stated that both Ed Comeau and Lino Avellani (both State Representatives) would like to see Budget Committee meetings filmed. That is fine with the Board of Selectmen.

--Mr. Knisley had watched this meeting live this evening from his home and noted that the Board did a good job. He also noted that people should be helping each other instead of fighting.

--Mr. Fogg thanked the Board for (once again) declining the offer to pay dues to Strafford Regional Planning Commission.

9. Administrative Matters

a) Town Administrator's Update

--The Wakefield School Board is willing to have the Town and School Deliberative Sessions on the same day. However, due to a scheduling issue for the SAU, the school's session would have to be first, with the Town's session to follow. This Board is in agreement and times will be determined.

--Ms. Williams presented a request to waive an ambulance bill. This individual has made similar requests and just cannot afford to pay. **Ms. Twombly moved to waive the balance of the ambulance bill in the amount of \$118.21, as requested. Mr. Edwards seconded the motion, which passed 2-0.**

--Ms. Williams advised that the volunteer group Pride of Wakefield has cleaned up the yard of a deserving family. Their cost to dispose of refuse at the Transfer Station was \$153. The group is asking whether the Board would consider reimbursing any portion of that cost. Mr. Edwards referred to this act having assisted the Town, as well as the resident. **Mr. Edwards moved to reimburse the Pride of Wakefield Volunteers \$153. Ms. Twombly seconded the motion, which passed 2-0.** Ms. Williams will suggest that the group seek a waiver of fees prior to any similar situations in the future.

b) State of NH General Election Warrant – The Board executed the warrant giving notice of the General Election to be held on November 8. This election will take place at the Paul School. Ms. Williams advised that the Gafney Library is sponsoring a public forum for local candidates on Thursday, October 12, beginning at 6:30 p.m. in the Opera House, which event will be moderated by Ms. Williams. Doors open at 6.

c) Building Permit Releases – None received. However, the Board took this opportunity to execute a Petition and Pole License.

d) Payment Manifests – Ms. Twombly moved to approve PR #27 in the amount of \$70,987.20. Mr. Edwards seconded the motion, which passed 2-0.

Mr. Edwards moved to approve PR #26, a void and reissue with no value. Ms. Twombly seconded the motion, which passed 2-0.

Ms. Twombly moved to approve AP #31 in the amount of \$754,741.32. Mr. Edwards seconded the motion, which passed 2-0.

On Saturday, November 26 from 9a-4p at Heritage Park Railroad Museum—Tour de Chooch Open House! This will be a grand gathering of people in the know about railroads. And the Northern New England Train Show will take place at the American Legion in Rochester on Saturday, November 12, from 10a-3p.

Mr. Edwards advised they are ready to put the hook up for the water sprinkler system at the Public Safety Building out to bid.

e) Minutes – Ms. Twombly moved to approve the minutes of September 27 & 28, 2016, as presented. Mr. Edwards seconded the motion, which passed 2-0.

There being no further business, the meeting adjourned at 8:53 p.m.

Respectfully submitted,
Toni Bodah, Secretary

Approval of Minutes:

Richard C. Edwards, Chairperson

Kenneth S. Paul

Connie Twombly