

**BOARD OF SELECTMEN  
MEETING MINUTES  
August 24, 2015**

**PRESENT:** SEAN P. MURPHY, CHAIRMAN, PRISCILLA R. LINDQUIST, SELECTMAN; CHAD BENNETT, SELECTMAN

Visitors: P. Williams (Tri Town News), Chief Beaudoin, J. Worthen, J. Forbes, W. Keating, J George, S. Lancaster, and M. Carrier

**Public Announcements**

- Monday, September 1<sup>st</sup>, a representative from Sen. Ayotte's office will be in attendance at the Town Office building from 10:30 AM to 11:30 AM.
- Thursday, September 3<sup>rd</sup>, from 9AM to noon, there will be continental complimentary breakfast during a mini health clinic for seniors at the Library. There will be a blood pressure clinic, Vial of Life will be given out, Flu shots and pneumonia shots are available, but be sure to bring your insurance card.
- Compost bins are available at the Town Offices. The cost for each bin is \$50 each.
- Waste Oil, car batteries and thermostats are collected at the Town Garage on the first and third Saturdays of the month from 8 am to 1 pm. Books may be dropped off at anytime.

**Visitors Comment**

W. Keating- 5 Croy Path-

Mr. Keating was present to talk to the Selectmen regarding the letter he received in the mail and the article in the Tri-Town News regarding his new fence. He started first by introducing himself to the Selectmen whereas he is the liaison from the Budget Committee to the Board of Selectmen. Regarding the fence, Mr. Keating gave a chronological list of what has gone on regarding the new fence. He stated that back in June he replaced his fence, which was an old post and rail fence and it was near his ornamental plants. He stated that the fence had been there for years with no issues. The new fence was installed along Estes Road and more on the Croy Path side than was there originally. He stated that since the fence was put in he has had issues with the fence and the company that installed it. He was away in NY and came home to see the article in the paper. He felt that it was inflammatory. There was a comment from K. Emerson quoted by Mr. Keating stating that a fence company he knew would come out and mark the area that Mr. Keating read about in the paper. The fence was installed on June 26<sup>th</sup> and on 6/29 he called Lowes and told them to move the fence. He has been working with Lowes to get the issue resolved and stated that if someone had bothered to call him, he could have given them an update. He requested an apology for the comments that made him look bad. The letter he received recently from the Town stated that he needed to move the fence back 12 feet. He said that he could easily point out 15 streets that have fences that are not 12 feet back. Chairman Murphy responded to Mr. Keating by stating that they were addressing his fence because it impedes on the passing of emergency vehicles and that they were responding to the information that was given to them. Mr. Keating responded that if someone that drives a truck knows what they are doing, they wouldn't have a problem. It stated that they need to take a turn after they have passed the fence. Mr. Keating pointed out that the letter from the Road Agent suggested moving the fence back 8 feet and Mr. Keating asked if this could be done instead of the 12 feet. He noted that there was a tree within that area. Mr. Keating stated that he was okay with the letter from Mr. Worthen and Deputy Chief Warnock because he knows that the fence is not where it belongs. He talked with Lowes again on Friday (8/21) and they were due out and didn't come and also didn't come out on Saturday. Today, he stated, he called corporate office to get this resolved. He also mentioned that he was given 30 days to move the fence or it would be removed. He stated that he spent \$3,000 on the fence and he isn't stupid to put it where it would get destroyed. Chairman Murphy said that he was given 30 days to comply because a letter had been sent to him and he didn't follow up on it. Mr. Keating said there was no response because he agreed with it and was trying to correct the issue. Chief Carrier said that from the Fire Department perspective moving it back 8 feet would

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give them enough width for a truck. Mr. Keating offered to sign paperwork holding the town harmless for damage to his fence. Mr. Worthen said that he was okay with the 8 feet. Mr. Lancaster asked to speak. He stated that his family called to complain about the fence but their concern was on the Estes Road side which is a private road. He stated that there are two posts that stick out into the road where it used to curve is now straighter with the location of the fence. He said that the fence was hit by a UPS truck today and a cement truck recently. He said he likes the fence and happy to see it, but feels it needs to be moved back. Chairman Murphy said that he would talk with Mr. Emerson within the next day or so and would get back to Mr. Keating about how far back to move the fence. Selectman Bennett said that he was concerned with the snow removal and was okay with the fence going back 8 feet as long as he was responsible for any damages. Mr. Keating said that in the 30 years he has lived there the snow has not been pushed back that far. Mr. Lancaster asked if the fence could be put back to where it was prior to the new fence installation on the Estee Road side. Chairman Murphy responded that the town has no jurisdiction on a private road, just on the safety aspect. The Board thanked Mr. Keating for coming and Chairman Murphy will be in touch with him.

Department Heads

Highway Department- J. Worthen

New Business

- 7:15 PM - Public hearing donations during 2015:
  1. Basketball Court - \$49,255.21 and \$11,000 Recreation Funds (Recreation Maintenance Fund for \$5,000 and Recreation Donation Fund \$6,000) - Kim Colbert
  2. Social Security reimbursement - \$51,250.98
  3. HealthTrust premium surplus reimbursement - \$38,792.48
  4. FEMA grant for Juno (January 2015) storm - \$26,311.15

The public hearing was opened at 7:30 pm. The amounts were listed of anticipated funds and the total donation received (on the BB Court Fund). The BB Court Fund has received \$49,255.21 from donations with \$10,000 from the Civic Club. The other funds listed are unanticipated funds for 2015.

The Selectmen thanked the public for their donations and to the committee for the work they put into it. Mrs. Colbert, who spearheaded most of the donations, thanked the committee members along with the Recreation Commission, the residents and businesses in town that contributed. The Public Hearing was closed at 7:34 pm.

Selectman Lindquist motioned to accept \$49,255.21 in donations for the Basketball Court along with \$38,792.48 and \$26,311.15 in unanticipated funds. Selectman Bennett seconded the motion. The motion passed unanimously.

Open bids for wireless communications cell tower(s)

There were four bids received. The results are listed below.

Company	Address	City	State	Zip	Phone	Monthly Rent		Escalator %	Generator	Colocation Revenue	Move FD Equipment	Pole Type	Tower Height	
						Site 1-Kent Farm	Monthly Rent Site 2 HFD						Site 1	Site 2
MCM, Inc.	40 Woodland St.	Hartford	CT	06105-2327	860-547-1444	\$1,200	\$1,200	3%	see note (1)	10%		Monopole	170	100
Bay Communications	391 Oakland St.	Mansfield	MA	02048	774-719-2135	\$1,500	na	3%	no	20%	yes	Monopole	165	na
JGeorge/Blue Sky Tower	352 Park Street. Sulte 106	N. Reading	MA	01864	978-998-9795	\$1,250	\$1,250	3%	see note (4)	25%	yes	not listed	165	75
Varsity Wireless	One NH Ave	Portsmouth	NH	03801	401-447-8500	\$1,500	\$1,500	3%		(see note 2)	(see note 3)	not listed	165	to discuss

**Old Business**

Continued discussion on Town truck lease/purchase – Jon Worthen

Mr. Worthen gave the Selectmen the paperwork he had on the vehicles. They are all pretty close. Mr. Worthen said that he tried to find out how heavy duty the Chevy frame was but the dealer didn't have the information available. The Dodge is 50,000 per square inch and the Ford is 46,000 per square inch. The warranty is close but Chevy does offer a powertrain warranty longer than the other two and the rust warranty is better. The cost for the chassis are as follows Ram \$30,000, Ford \$32,000 and Chevy \$30,500. The 2016 prices are not in yet, these are the 2015 prices. The dump plow at Donovan direct is \$13,000. Chairman Murphy asked Mr. Worthen what his recommendation was and Mr. Worthen said the Dodge. He stated that he spoke to a lot of people and sent out a lot of emails. He said there was nothing bad about any of the trucks. The Chevy and the Ford are smaller motors if not going with diesel he would like a more powerful engine. Selectman Bennett said that he like Chevys they were good trucks and that you got one more year on the rust. It was noted that the estimated costs show a variance of about \$400 with the Chevy being the lowest cost. Mr. Worthen recommended going with the Dodge.

Chairman Murphy motioned to take the recommendation of the Road Agent and purchase a Dodge Ram Truck 3500. Selectman Lindquist seconded the motion. The motion was defeated 0-3.

Chairman Murphy stated that he was more inclined to go with the Chevy because of the cost difference, the extra bumper to bumper warranty and the rust. Selectman Bennett stated that the horsepower of the Chevy was at 50 and that Mr. Worthen wouldn't see any discernable difference.

Chairman Murphy motioned to move forward with the Chevy 3500 for a new truck for the reasons stated. Selectman Bennett seconded the motion. The motion passed unanimously 3-0.

Whereas these were 2015 prices, the question was asked as to when this was going to be purchased.

Chairman Murphy explained that as part of the conversion from part time road agent to full time road agent, this would be purchased to replace the truck that is currently leased from the road agent. Mr. Worthen stated that it should be purchased in 2016. His original concern was that the Ford trucks needed a few months lead time to be built so he was trying to start the process early. The Board said that they will relook at this depending on the 2016 prices.

Mr. Worthen also announced that the Town of Derry is working on Drew Road doing grinding. He asked that he be allowed to use money in his budget to do N. Salem Road where it meets Drew Road to make a smooth transition. The estimated cost is under \$10,000 and he should have it in the budget.

Mr. Worthen also mentioned that he has marked about 15 trees along the Eagle Road area and is hoping that PSNH will take down about 5-6 of them where there are wires.

Continued discussion concerning the fence in Ordway Park

Chairman Murphy announced that the town was in receipt of two letters and one email in support of the fence located on town property in front of the Paz residence. There is also a letter from the Paz's explaining the process and that they understand the concerns and are working on getting the issues resolved. They noted that they are willing to make sure it is structurally sound. Based on what Town Counsel stated at the work session, the Selectmen need to determine a benefit to the park for the fence to remain on town property. Mrs. Forbes had a few letters from people regarding the fence as well that she read. Two of the letters were from David Forbes as a donor to the work at the park and from Julia Forbes, as a private citizen and donor of work to the park. The primary reasons it comes down to is the screen to protect equipment that may be stored there and that it does add a visual greeting to the visitors of the park. Selectman Bennett said that it does make that area of the park a little quieter behind the fence than it is in any other part of the park.

The Paz's have agreed to bring the fence up to engineering code and that Mrs. Forbes started the process with the building permits that were required. She noted that the committee did approve the donated improvements conditional on the upgrade to the engineering.

Selectman Lindquist asked if there would be a time limit on getting the engineering correct on the fence. She noted that it is easy to let things slip by. Mrs. Forbes responded that she wouldn't forget. Chairman Murphy suggested 60 days and if more time is needed to come to the Selectmen and asked for an extension. He also noted that any structures on town land need to go to the Selectmen.

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Selectman Lindquist, Selectman Bennett and Chairman Murphy all agreed that that there were okay with the fence and that it is a benefit to the park.

Liaison Reports

**Chairman Murphy**

Schools- Attended the open house at the Central School.

**Selectman Lindquist**

Nothing to report

**Selectman Bennett**

Planning Board- The workshops are winding down. The most recent one was held with the Board of Adjustment and town counsel regarding dos and don'ts for land use. He mentioned that he heard the time was donated by the Town Engineer and Town Counsel.

AA Report:

Emergency Operations Plan

The Emergency Management Director and Mrs. Theriault are working together to update the EOP. They met with a Homeland Security representative last week. Mrs. Theriault had requested quotes to update the plan. Four companies provided quotes and ranged from \$2,500 to \$4,500. The company that did the initial plan five years ago provided them with a quote for \$3,000. Dan Brickett and Mrs. Theriault would like to use the same company, Jon Alberghini. The Town will receive a grant to offset the cost by submitting "in-kind" work. The Town will have to pay for the cost of the plan upfront but will be fully reimbursed.

Budget Meeting Schedule

The 2016 budget schedule was presented to the Selectmen to review. After the BOS's review of the schedule, it will be provided to the department heads and the chairmen of committees/boards. The BOS were asked if they wanted to give direction to the department heads and committees for the upcoming budget. It was suggested to request them come in with the best budget they can after Chief Carrier said that it would be impossible for him to come up with a 1%-2% budget. He explained that in 2016 he will have a full year budget on the per diem staff. The Selectmen said that the best numbers they could and it would be discussed.

MS-1 Extension

Please see MS-1 form for the BOS's signatures. This allows an extension from September 1<sup>st</sup> to October 1<sup>st</sup> for the utility values to be updated before the Town sends its valuation to the Department of Revenue Administration. The Selectmen signed the MS-1.

Prebuy Heating Season Costs for 2015-2016

Propane last year was \$1.85 per gallon. In June it was \$1.39 per gallon, in July it was \$1.36 and \$1.30 on August 20, 2015.

The propane contract is for 6,750 gallons for the heating season of 2015-2016. This is a conservative estimate but the Town may be liable for purchasing additional gallons that it doesn't use if the estimated usage is too high. According to Irving Oil, the Town used 7,120 gallons of propane during the 2014-2015 heating season. The BOS must sign the agreement with Irving Oil tonight if the quote given is satisfactory. The BOS can also opt out of any agreement and pay the market price.

Selectman Lindquist motioned to enter into agreement with Irving Oil for propane up to 6,750 gallons. Selectman Bennett seconded the motion. The motion passed unanimously.

Diesel fuel is at the market rate.

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Oil last year was \$3.38 per gallon. The per gallon fixed price is currently \$2.04 per gallon, last month it was \$2.30 per gallon and in June it was \$2.35 per gallon. If you would like to hold the price at \$2.04 per gallon, the BOS should sign an agreement with Palmer Gas tonight. Again the BOS does not need to enter into an agreement and then the town will pay at the market rate.

Selectman Murphy motioned to enter into agreement with Palmer Gas for the 2015-2016 heating season at \$2.04 per gallon of oil and for service of equipment at \$85 per hour. Selectman Bennett seconded the motion. The motion passed unanimously.

### Meeting Minutes

The July 27, 2015 meeting minutes have been signed and are ready for approval.

Selectman Lindquist motioned to approve the amended minutes for July 27, 2015. Selectman Bennett seconded the motion. The motion passed unanimously.

### Activity Log

There was no log for this meeting.

### Re- Appointments/Appointments

Call for candidates:

- o Ordway Park, full members and alternates – monthly meetings
- o Recycling and Waste Disposal Committee – monthly meetings
- o Trustees of the Trust Funds, alternate members – meetings as needed
- o Recreation Commission, alternate member – monthly meetings

Nikki O'Donnell was present from the Recreation Commission. She explained that the current Chairman, Julie Ahern resigned from the Recreation Commission and they have a person interested, Caitlin Parnell to take that spot. There was a letter of resignation and a letter of interest. Ms. O'Donnell also informed the Selectmen that the Recreation Commission is in agreement with having Kim Colbert be reappointed to the open space on the Recreation Commission.

Selectman Lindquist motioned to accept the resignation of Julie Ahern from the Recreation Commission with regret. Selectman Bennett seconded the motion. The motion passed unanimously.

Selectman Lindquist motioned to appoint Caitlyn Parnell to the Recreation Commission to complete the balance of Julie Ahern's term which is 2017. Selectman Bennett seconded the motion and the motion passed unanimously.

### Correspondence

Fairpoint Communications- There was a request for a pole license to be located at Russet Lane in East Hampstead.

Chairman Murphy motioned to authorize Fairpoint Communications to place a pole on Russet Lane. Selectman Lindquist seconded the motion. The motion passed unanimously.

### Visitors Comments

There was none

### Nonpublic Session

Selectman Bennett motioned to enter into a nonpublic session at 8:47 pm under RSA 91A: 3 II (c) reputation. The motion was seconded by Selectman Lindquist.

Roll Call Vote: Selectman Bennett- yes, Selectman Lindquist - yes and Chairman Murphy- yes.

The Selectmen discussed an appeal of an elderly exemption. It was noted that not all of the required information had been submitted when the application was denied. The Selectmen agreed to grant the exemption for 2016 based on the information they now have. It was noted that if the application is incomplete and denied next year, they would not accept an appeal. It would need to be timely and complete.

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Selectman Lindquist motioned to come out of nonpublic session at 9:00 pm under RSA 91A: 3 II (c) reputation. The motion was seconded by Selectman Bennett.

Roll Call Vote: Selectman Bennett- yes, Selectman Lindquist - yes and Chairman Murphy- yes.

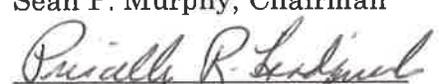
Selectman Lindquist motioned to adjourn at 9:00 pm. Selectman Bennett seconded the motion. The motion passed unanimously.

A True Record.

  
\_\_\_\_\_  
Tina Harrington, Recording Secretary

Approved By:

  
\_\_\_\_\_  
Sean P. Murphy, Chairman

  
\_\_\_\_\_  
Priscilla R. Lindquist, Selectman

  
\_\_\_\_\_  
Chad Bennett, Selectman