

BOARD OF SELECTMEN
Minutes of May 18, 2015

MEMBERS PRESENT: Chairman Al Letizio, Jr. called the meeting to order at 7:00 PM. Selectmen Bruce Breton and Roger Hohenberger were present, as was Assistant Town Administrator Dana Call. Selectmen Ross McLeod and Joel Desilets were excused, along with Town Administrator David Sullivan. Mr. Letizio opened with the Pledge of Allegiance.

ANNOUNCEMENTS/LIAISON REPORTS: Mr. Breton noted that the show “Dead Country” will be filming in the Route 28 Town Forest on May 28th from 9AM to 1PM. Discussion ensued in that the filming will involve actors as zombies and fake rifles.

Community Development Director Laura Scott advised that the Adopt-a-Spot Kickoff will take place on the 30th from 8-10AM, and that more information is available on the Town website. She also noted that the Community Garden Kickoff is scheduled for June 6th, and that there only a few spots remaining.

Fire Chief Tom McPherson advised the Board that the Department is currently down two engines. He noted the first is out being repainted, due to issues with same that are covered under the vehicle warranty, and that the second is experiencing engine issues. Chief McPherson indicated that the Town of Londonderry has offered to lend their unused engine to us; and requested the Board authorize him to coordinate same with their Chief. He noted that our insurance carriers are the same, so no issues exist there; and added that surrounding communities have been advised that we are unable to provide mutual aid for station coverage.

After a brief discussion, Mr. Hohenberger moved and Mr. Breton seconded to allow the Chief to proceed as requested. Mr. Letizio inquired how long until the paint job is completed, and Chief McPherson replied completion is approximately 2-3 weeks away. Motion passed 3-0.

Chief McPherson then noted that in response to the formal declaration of the January storm as an emergency, expenses in the amount of approximately \$56,000 had been submitted for reimbursement for January 26th to 28th. Brief discussion ensued.

PUBLIC HEARING, AMBULANCE FEES: Mr. Letizio read the public hearing notice into the record; noting a minor typographical error in that the second ALS 1 fee should be “ALS 2”. Discussion ensued and it was noted no comments had been received in response to the posting. Mr. Hohenberger requested that Chief McPherson explain why the increases were so high.

Chief McPherson noted that the increases reflected the implementation of Obama-care in 2012, and Medicare’s subsequent review/ update to their programs to ensure compliance. He indicated that the Board has historically wanted to keep the fees low, however, the Department is experiencing increased costs; some of which are not budgeted for. Chief McPherson noted that, while the fees look high, they are simply trying to keep up with the norm; clarifying that these fees apply to insurance companies and that residents are able to seek relief from any out of pocket expense, if need be. He explained that Comstar had taken the 50 highest billing rates among their customers and put together a bundled rate based upon same; which was all inclusive of what the trip may involve.

Chief McPherson then noted he had received an inquiry from a resident regarding what the various rate levels (eg ALS 1) represented, and he indicated these relate to a fee schedule established by Comstar based upon the level care provided. He cited, for example, a call for a headache may constitute BLS care, however if stroke symptoms became evident that call would then escalate to an ALS level. He then went on to further clarify that collection of these fees assists in offsetting taxes, and reiterated that any resident having difficulties with expenses not covered by their insurance can contact him.

Mr. Hohenberger moved and Mr. Breton seconded to approve the ambulance rate schedule as proposed by the Chief. Passed 3-0.

BID AWARD, GAUMONT ROAD: Mrs. Call advised that two bids had been received for paving of Gaumont Road, as follows:

- Brox Industries - \$309,500 plus \$500 for installation of a culvert
- Hudson Paving - \$237,515 plus \$2,500 for installation of a culvert

Mrs. Call also noted that prices had been requested of the bidders relative to ledge removal, and that the amount that will be required is unknown at this time. Discussion ensued in that the minimum required will be two days at a cost of \$9,000. Highway Agent Jack McCartney approached to further clarify that cost is based upon the visible ledge, however it is known there will be additional removal required, for which Hudson has quoted \$4,500 per day. Discussion ensued regarding the additional days, which Mr. McCartney indicated he hoped would be no more than 3 or 4, and whether the bid price included tree removal. Mr. McCartney replied in the affirmative to the latter.

Mr. Hohenberger then moved and Mr. Breton seconded to award the paving of Gaumont Road to Hudson Paving for their total bid amount of \$240,015 plus \$4,500/day for ledge removal. Passed 3-0.

Mr. Letizio noted that he had received several calls regarding a substantial amount of tree clearing that had recently been performed in the West Shore/Range Road area. Discussion ensued, and it was clarified that this related to the Route 93 project and a retention pond, as well as the future roadway behind the Country Shoppes. Mr. Letizio asked that anyone having concerns regarding the project contact the Board, Mr. McCartney, or speak to the DOT directly at their field office on Route 111.

PROPERTY MAINTENANCE TRUST: Mrs. Call advised authorization was being requested to expend funds from the Property Maintenance Trust towards security improvements at the Town Hall. She indicated there have been some issues in the building, and that staff feels a camera should be installed, which would be of a type similar to those at the Transfer Station. Chief Lewis approached and further explained that staff has expressed concerns regarding drug use in the bathroom, as well as the significant amounts of cash the Town Clerk and Tax Collector deal with. He noted, to date, some smaller security measures have been put in place, but cameras are needed which will allow Dispatch to watch the building live. Discussion ensued, and Mrs. Call clarified that the cost would be \$3,800.

Mr. Hohenberger moved and Mr. Breton seconded to approve the expense as requested. Discussion ensued regarding installation of cameras in the other Town buildings, and it was clarified none had requested same. Mr. Breton suggested that a camera also be installed in the second floor of the Town Hall, given that it is used for weekend functions without any supervision.

After further, brief discussion, Mr. Hohenberger amended his motion and Mr. Breton his second to authorize the expense of up to \$5,000 for installation of cameras at Town Hall. Passed 3-0.

FORESTRY COMMITTEE: Mr. Letizio advised that the Committee was present as they were requesting to use the old landfill on Marblehead Road as an access point for forest harvesting. Ms. Wanda Rice, Chairman, approached and clarified that the Committee originally planned to use Osgood Street as their access, as it was the only place where the forest land touches a town road and because there were no wetlands there. Discussion ensued, and Mr. Letizio requested that Ms. Rice clarify what the harvest will entail.

Ms. Rice noted that the harvest will involve thinning of larger trees, as well as smaller low quality trees, in order to make room for larger, better trees. Discussion ensued in that, initially, the area will look very different, however forests recover quickly.

Mr. Breton inquired whether the forest abuts the Town of Salem, and Ms. Rice replied in the affirmative. Discussion ensued as to whether there was a discontinued road which abuts the forest on the Salem side that could be used for access, as well as the areas that will be harvested. Ms. Rice reviewed on a map of the parcel the areas in question, advising that a 3-400' buffer will remain near Osgood Street, and that of the 200 acres approximately 116 will be harvested. Discussion ensued regarding the initial proposed access through Osgood Street, which Ms. Rice indicated would have involved an access road of approximately 1100' long at 30' wide, and Dark Entry/Brookdale Roads in Salem.

Ms. Rice advised that the Committee, in response to opposition from the residents of Osgood Street, would now like to utilize the landfill road then traverse approximately 350' of the landfill itself to a processing area within the forest. Discussion ensued in that the landfill cap would be avoided and that the Committee prefers this access. Mr. Breton suggested that the harvest be processed in conjunction with that collected as part of the yard program, and a discussion ensued.

Ms. Rice clarified that jersey barriers will be installed in the area of the landfill cap to ensure it is avoided, and that the cost of the roadway will be built into the stumpage proceeds; with no upfront cost required. She also noted that the road will only be as wide as needed to get the trucks in and out and that, once begun, the harvest will take approximately 6-10 weeks and involve 5-20 trucks per day. Ms. Rice also noted that the Committee cannot bid the project until the access is determined.

Mr. Hohenberger inquired how much revenue is anticipated from the harvest, and Ms. Rice replied estimates were \$56-62,000 gross. Mr. Hohenberger then asked about the noise levels, and Ms. Rice noted it will be audible, but should not be that loud. Discussion ensued regarding the duration and start of the harvest, which Ms. Rice indicated would likely be in the fall. Mr. Breton sought clarification as to the hours, and Ms. Rice noted 7A-5P was being considered, with no operations on the Saturdays the landfill is open for the yard waste program.

Ms. Rice then reviewed the proposed route/harvest area, and a discussion ensued regarding the lack of a buffer behind the last house on Osgood and whether the forester could re-evaluate/re-mark the area. Ms. Rice noted he could be asked to do so for additional monies, and discussion ensued regarding the wetland related buffer behind the balance of Osgood Street, whether there was a survey of the land, and how the forester had mapped out the harvest.

Mr. Breton noted he believed that there was a formal survey of the land available, and further discussion ensued. Mr. Wayne Morris, Conservation Commission, noted that the survey Mr. Breton spoke of was for a different property. Ms. Rice then pointed out that the Forestry Committee was here relative to the access issue only. Ms. Scott approached and noted that, assuming the access is granted, the Committee will then go to the Planning Board for a Public Hearing. She indicated all abutters will be notified of same and, although it will be advisory only as this is a Town project, it will be required to go through the formal Planning Board process.

Mr. Bruce Anderson, Osgood Street, approached and indicated that he had only learned of this by running into members of the Committee in the forest. He went on to cite several issues and concerns he had with the harvest; including those of an ecological and historic nature. Mr. Anderson noted that the area was purchased with the assistance of State funds and that harvesting would devalue the area homes. He expressed his respect for the volunteers, but noted that they only meet once per month at 1 PM, and indicated he felt the Board should control the land. Mr. Anderson also expressed that he felt it was horrible there would be no buffer for the Khans, who own the last house on Osgood Street.

Mr. Khan then approached indicating he had spoken to the forester and inquired why they were on Conservation land, and that that had been the first he heard of its designation as a Town Forest; adding he had then spoken to the neighbors who also had no idea. He felt that such a lack of notification exhibited there was something wrong with the process. Mr. Khan noted that the land had been purchased for conservation, but it was now going to have an over 500' road for which there was no plan; adding that if this were a developer the abutters would have been notified. Mr. Khan felt that the harvest is not compatible with conservation, that the net revenue is not known, and questioned the benefits.

Ms. Rice explained that the trees are stagnant as far as growth, and that many of those selected for harvest are already showing signs of rot; likening tree harvesting to weeding a garden for healthy growth. Discussion ensued, and Mr. Breton pointed out that the Forestry Committee is an autonomous entity over which the Selectmen have no jurisdiction. He did note, however, that to Mr. Anderson's point more public input is necessary; suggesting that the Committee schedule an evening meeting for same.

Mr. Breton then inquired whether the land was going to end up looking like the area on Route 28 which had been cleared, and whether it was going to be stumped. Ms. Rice replied in the negative, stressing this was not going to a clear cut. She suggested that interested individual visit the NH Society for the Preservation of Forests website and/or the Bockes Forest in Londonderry which is currently being harvested.

Mr. Tim Ignacio, Fletcher Road, sought clarification as to where the roadway would go relative to the cap at the landfill; noting the potential for health-related effects of disturbing the landfill. Mr. Hohenberger clarified that the landfill is not a hazardous site; rather it is a closed landfill that is regularly monitored. Mr. Ignacio questioned why it was capped if it did not contain hazards; adding he had been told it was hazardous. Mr. Hohenberger reiterated it was not, and that the Committee had explained jersey barriers would be in place. Mr. Ignacio replied that accidents happen; then went on to question where the environmental and other impact studies are. Discussion ensued, and Mr. Babineau noted that the plan is being completed by a licensed forester and all permits and requirements will be met. Further discussion ensued, and Mr. Ignacio advised the Board that he was putting the Town on notice in the event health impacts result.

Mr. Chris Pessinis, Osgood Street, approached noting the many hours residents spend in area hiking; adding how beautiful it is. He questioned whether the Board would find such activity acceptable in their back yard; adding that, to him, it is no brainer and the Board should stop it now before a precedent is set relative to the remaining Conservation parcels in Town.

Mrs. Gina Anderson, Osgood Street, approached seeking clarification as to whether the Selectmen had made the Forestry Committee autonomous as noted by Mr. Breton; and it was clarified in the negative, as that had been part of the Town Meeting approval. Lengthy discussion ensued regarding the overall process, the Committee's following of the Forest Management Plan, and their unavailability/meeting schedule. Mrs. Anderson did not feel the Board should approve either access option.

Mr. Ken Perrotta, Osgood Street, expressed his agreement with everything said by his neighbors; and asked that the Board assist the residents. Discussion ensued as to the status of the Committee and the upcoming Planning Board hearing. Ms. Scott clarified that while the Planning Board may make recommendations, or set conditions of approval, those would be of a non-binding nature given that this is a Town project by a Town Committee.

Ms. Scott went on to note that the Forest and the Committee had been established at the 2015 Town Meeting, the Forest Management Plan had been completed in 2012 and the harvest intended to be undertaken since then. She also indicated that the forester, who is licensed, is required to get permits from the State and adhere to best practices. Ms. Scott also noted that such plans are submitted to the Technical Review Committee where they are looked at by Police, Fire, Historic and others. Discussion ensued, and Mr. Breton suggested all take a step back, reiterating that the Committee should schedule a public meeting regarding the harvest.

Ms. Betsey Couture, Osgood Street, approached noting that her concerns have nothing to do with noise or where the harvest is planned; rather she would question the removal of 25% of trees anywhere in Town. She went on to express concern that if the area is harvested every 10 years that is not adequate time for re-growth. Mr. Babineau clarified that a new harvest plan would be developed each time.

Mr. Bob Coole, Morrison Road, approached noting that the land had stopped being "Conservation" land with the Town meeting vote. He noted the newness of the Committee; which he felt consisted of good people who were knowledgeable in what they were doing. Mr. Coole also noted that he understood the concerns of the residents on Osgood Street, however, the Committee was present only regarding access via the landfill. He urged that the Board return to addressing that request.

Ms. Barbara Coish approached noting that the harvest needs to happen for the overall health of the forest; likening it to hunters culling the herd. She then expressed her support of the Committee's request.

Mr. Khan approached noting that the Committee is requesting access in order to undertake a specific action and that, if there are concerns about the project those should be a factor in the Board's decision.

Mr. Anderson approached and noted that the forest will survive and remain beautiful without a harvest; followed by Mrs. Anderson who added that she had reviewed the Forestry Plan, which was simply a series of statements with nothing to back them up.

There being no one else who wished to address the Board, Mr. Letizio closed the public input portion. Mr. Hohenberger noted that the Selectmen do not have the authority to tell the Committee they cannot harvest the Forest; noting establishment of same had been overwhelmingly supported by the voters and that the Selectmen had opted this year not to place the control of the Forest back into the Conservation Commission's hands. He then inquired whether the harvest would be stopped if the Board did not support the Committee's access request. Ms. Rice replied in the negative, clarifying they can still access the Forest through Osgood Street. Discussion ensued.

Mr. Hohenberger moved and Mr. Breton seconded to allow access via Marblehead Road over the old landfill in order to harvest the Town Forest; provided a public hearing is held to educate and gather input from the public.

Ms. Rice sought clarification as to whether the necessary Planning Board Public Hearing would suffice to fulfill that requirement, and Mr. Hohenberger replied in the negative. Discussion ensued, and Mr. Breton sought clarification as to whether a formal plan would be submitted to the Planning Board. Ms. Scott replied their presentation would be similar to that presented this evening and there would be no engineered plan required.

Motion passed 3-0.

SNHPC REPRESENTATIVE: Mr. Letizio noted that the Planning Board had voted unanimously to recommend Mrs. Eileen Mashimo be reappointed as an alternate to the Southern NH Planning Commission. Mr. Breton moved and Mr. Hohenberger seconded accordingly. Passed 3-0.

I-93 PROJECT: Mrs. Call advised that the Board must formally execute the agreement with the State relative to installation of a lighted box culvert/trail blazing. Discussion ensued in that the State is installing the culvert/lights, for which the Town will assume the electricity costs/maintenance, as well as that the Town has two more years to blaze a trail from the culvert to North Lowell Road.

Mr. Hohenberger moved and Mr. Breton seconded to authorize the Chair to execute the MOU with the State relative to the culvert installation under I-93. Mr. Breton then sought clarification as to the trail costs, and Mr. Hohenberger noted the estimated cost to blaze the trail is \$25,000. Discussion ensued, and Mr. Breton noted he would strongly recommend solar lighting for the culvert.

Motion passed 3-0.

ASSESSING REVALUATION: Mrs. Call reviewed with the Board a revised contract amendment with KRT for completion of the assessing revaluation at a cost of \$76,200; noting that savings in salaries will cover some, but not all, of this expense. She noted that this project must be completed and KRT is the best option to get it done. She then reviewed with the Board a proposed contract with Rex Norman to return as a consultant to assist/oversee KRT.

After a brief discussion, Mr. Hohenberger moved and Mr. Breton seconded to approve the contracts as recommended. Mr. Breton sought clarification as to what the total delta is between available and necessary funds. Mrs. Call replied approximately \$42,000. Motion passed 3-0.

2015 BOARD GOALS: Mr. Letizio noted that he had received input from the absent members on the status of the following 2014 goals and inclusion of any new.

1. Determine future use of former Skateboard Park area at Griffin Park. Design completed - awaiting Recreation to propose for funding to CIP in Fall.
2. Adoption of an Operations Plan – this will address the non-CIP related equipment, vehicle, and infrastructure/building needs of all departments over the next ten years. Fire cisterns included with this plan. Completed and Operational, referred to as the VEIP plan - used as part of 2015 budget process prioritization.

3. Review Organizational Structure of the town and its departments, including Employee Professional Development. Worked on Maintenance department structure - implemented "hybrid" approach for management oversight; tried but was unsuccessful to negotiate agreement with Municipal Union to allow Town to subcontract janitorial services while maintaining/absorbing current staff for two years.
4. Enhance our use of the Web and Social Media
5. Review of all undesignated Town Lands for possible sale or reclassification (ie into Conservation). Completed and being implemented - RFP's for Engineering and Land Surveying Services (for Fourth Street and Blueberry Road lots) are due April 30th; RFP for Real Estate Marketing services has been developed and will be solicited following engineering work noted before.
6. Establish individual Workshops with the following School Board, Planning Board, State Legislative Delegation.
7. Review of all Town Buildings and Properties to determine plans for current and future uses. Including Searles Building, and former Pre-School (Old Police Station).
8. Establish a Beautification Program for the town.
9. Develop new Strategic Plan.
10. Review former sections of the old Route 111 conveyed to the Town and determine those sections to retain and those that should be presented to town meeting to be disposed of. Completed engineering reviews - discontinued three sections of the former 111 at Town meeting - additional sections to be reviewed for consideration by the 2016 town meeting.
11. Review State roads given to the Town as part of Route 93 project - includes Route 111 between Wall Street and Castleton, and Old Range Road. Pending additional information from State as to exactly which sections would be turned over to the town.
12. Review Town Class VI Roads for possible discontinuance. Reviewed - no roads considered for discontinuance in 2015.

Mr. Letizio noted that Mr. McLeod had requested that Campbell Farm be made priority as it pertains to the house, and that the road items be moved up to items 2, 3 and 4. Discussion ensued regarding the need for an update from the Conservation Commission regarding Campbell Farm.

Mr. Letizio then advised that Mr. Desilets was in favor of proceeding with the current list, plus the beautification program, staff organization/recognition. Further discussion ensued regarding Campbell Farm, and it was the consensus of the Board to include same on the goal list for 2015.

The list was trimmed by removal of the completed items; and Mr. Breton noted that he felt Social Media should be #1; including the enhancement and definition of same. Mr. Breton also noted that goals such as the strategic plan and beautification project should require inclusion of a funding mechanism.

Mr. Breton then noted there is a serious need to review the Town properties, and discussion ensued regarding the VEIP plan versus everyday facility needs. It was the consensus to place this on a future agenda for an update. Mrs. Call sought clarification as to whether the Board had established a particular order on the items, and it was the consensus not to do so until a full Board.

OLD/NEW BUSINESS: The Community Service Officer job description approval was deferred.

CORRESPONDENCE: *Bond Release/ McIntosh Hollow* – Ms. Scott explained that this is a partial release which has been approved by the Planning Board et al. Mr. Hohenberger moved and Mr. Breton seconded to approve the partial release, retaining \$20,472, as recommended. Passed 3-0.

Trenching permit received from Comcast for work on Lexington Road; which Mrs. Call advised had been approved by the Highway Agent. She also noted that Comcast has a standing bond in place. Mr. Hohenberger moved and Mr. Breton seconded to approve the permit request. Passed 3-0.

The Board executed one (1) timber tax bill in the amount of \$238.15; as well as a timber tax bond in the amount of \$2,530 for parcel 16D-400.

The Board executed the warrant for the first tax billing.

In follow up to the Board's vote the previous week to continue with Primex³, Mrs. Call read the following resolution into the record for the Board's confirmation: "To hereby accept the offer of the New Hampshire Public Risk Management Exchange (Primex³) to enter into its Workers' Compensation Contribution Assurance Programs (CAP) as of the date of the adoption of this resolution, and to be contractually bound to all of the terms and conditions of Primex³ risk management pool membership during the term of the Workers' Compensation Contribution Assurance Program (CAP). The coverage provided by Primex³ in each year of member shall be as then set forth in the Coverage Documents of Primex³."

Mr. Hohenberger moved and Mr. Breton seconded as resolved; authorizing the Chairman to execute same. Passed 3-0.

MINUTES: None.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. Desilets seconded to enter into nonpublic session in accordance with RSA 91-A:3 II a and e. Roll call vote all "yes". The topics of discussion were personnel and legal and the Board, Mrs. Call and Ms. Devlin were in attendance in all sessions.

Mr. Hohenberger moved and Mr. Breton seconded to hire the recommended lifeguard candidate. Passed 3-0.

Mrs. Call updated the Board on a potential legal matter relative to contracts. It was the consensus of the Board to proceed as discussed under amended contract terms.

Mr. Hohenberger moved and several seconded to adjourn. Passed 3-0.

Meeting was adjourned at 9:50 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

Note: These minutes are in draft form and have not been submitted to the Board for approval.