

## BOARD OF SELECTMEN

### Minutes of May 24, 2004

**ROLL CALL:** Vice-Chairman Christopher Doyle called the meeting to order at 7:10 PM. Those present included Selectmen Bruce Breton, Galen Stearns and Roger Hohenberger. Selectman Carpenter and Mr. Sullivan were delayed. Mr. Doyle read the agenda into the record.

**EDUCATION FUNDING:** Senator Sapareto gave a brief presentation to the Board regarding an impending, proposed change to the State's education funding formula. He outlined the details of past and current formulas, and noted the differences in funding between the current and proposed formulas, as well as an alternative option supported by him and several others. Senator Sapareto will follow-up with the Town regarding the results of the May 26, 2004 vote.

**FINANCE DIRECTOR:** Prior to commencing her workshop with the Board, Mrs. Call presented a request for bond release for Mitchell Pond Road extension. Mr. Stearns moved that the Board release \$187,614 of the total bond amount of \$690,423. Mr. Breton seconded the motion for discussion, then noted that due to the ongoing Hopkins Road issue he would prefer the Board wait on the release.

Mr. Breton moved and Mr. Hohenberger seconded to table the previous motion. Passed 3-1, with Mr. Stearns opposed.

Moving on to their scheduled workshop session, Mrs. Call first discussed the possibility of preparing the necessary paperwork to borrow in anticipation of taxes, if necessary. As Mrs. Call will be on Family Leave for much of the summer, she feels it prudent to complete the paperwork prior to her absence, to ensure the Town is in a position to borrow should the need arise. She stressed that, to date, things look to be moving forward in the Tax Office toward a timely mailing of tax bills, and that the establishment of the credit involved no cost to the Town until used. The line of credit would be for \$1M at 2.13% interest, and would be established at Citizen's Bank.

A brief discussion ensued regarding avoidance of borrowing by deferring of payments until enough taxes are received; interest payments; and, disbursements.

Mr. Stearns moved and Mr. Hohenberger seconded to approve the issuance of a Tax Anticipation Note (TAN) with Citizen's Bank in the amount of \$1,000,000 at an interest rate of 2.13% and due December 31, 2004, under the stipulation than any and all disbursements will be presented to Board of Selectmen for approval. Passed 4-0.

Mrs. Call advised the Board that she and Mr. Sullivan had received and reviewed the draft 2003 Audit Report from Vachon and Clukay. According to the unofficial reports, the audit found no issues with the Town's financial operations. She advised the Board that, in 2005, an increase in the auditors' fees is likely, given the need to convert our financial documents into the GASB34 model. Mrs. Call will work with the auditors to ease this process. As part of the new requirements, fixed assets will now be shown in the audit report, and a policy is being drafted regarding inventory and depreciation.

Mrs. Call reported that, according the Department of Revenue Administration (DRA), the annual setting of the tax rates may be delayed due to staffing issues in the DRA office. Our staff will attempt to get an early appointment with them, in hopes of avoiding such a delay. There was also a discussion regarding the use of the Town's fund balance as part of the tax rate setting.

A discussion ensued regarding future funding requests from Mr. Charles McMahon on behalf of Griffin Park, specifically pertaining to the tennis court fencing and picnic tables at the multi-purpose building, and official acceptance of donations. A workshop will be scheduled in June with the Recreation Committee, Mrs. Call, and the Selectmen to discuss each of these matters.

Mrs. Call submitted her opinion to the Board regarding the proposed regulations regarding use of the multi-purpose building. Items discussed included the 10% user fee, establishment of a Special Revenue Fund, repayment of the WSBL loan, and liability issues arising from use of the building.

The Board thanked Mrs. Call for her efforts, and extended best wishes to her during her leave.

A five minute recess was requested, during which Mr. Carpenter and Mr. Sullivan arrived.

**PRIVATE ROAD WAIVERS:** Mr. Doyle announced that a memo had been received from the Planning Board regarding four (4) requests for building permits on private roads. Mr. Doyle read the memo into the record, which noted only that the availability of off-street parking for construction vehicles and loading/unloading be shown, to which all parties complied.

Mr. Carpenter moved and Mr. Breton seconded to approve the waiver for construction on 15 Viau Road. Passed unanimously.

Mr. Carpenter moved and Mr. Stearns seconded to approve the waiver for construction on 82 Turtle Rock Road. Passed unanimously.

Mr. Hohenberger moved and Mr. Stearns seconded to approve the waiver for construction on 1 Fourth Street. Passed unanimously.

Mr. Hohenberger moved and Mr. Carpenter seconded to approve the waiver for construction on 15 Third Street. Passed unanimously.

**TRAILS COMMITTEE:** Mr. Wayne Morris approached the Board to clarify the Committee's position on Hopkins Road, stating that the Committee had never discussed the possibility of Hopkins Road as a trail.

Mr. Morris then went on to say that the cleared area could be narrowed by replanting, graveled, and it could continue to be used as a trail as it has been since the 1800's.

Mr. Breton suggested that the Trails Committee meet with the Conservation Commission to develop a recommendation for the area. Mr. Bruce Anderson, Chairman, stated that the Commission could meet with the Trails Committee in two weeks. A meeting will be scheduled to discuss Hopkins Road in comparison with similar areas for the best solution, as well as to develop suggestions for the intersection slope.

**RAIL TO TRAIL:** Mr. Mark Samsel, representing the Rail to Trail Alliance, approached the Board to discuss a cooperative agreement with the State for operation of a portion of the Rockingham Recreational Trail.

As part of his presentation, Mr. Samsel gave a brief background of the project, and a current status report including the results of the May 7 Project Initiation Request meeting on May 7. The meeting, which was fairly well attended, resulted in the proposed cooperative agreement.

The Board reviewed the agreement, which Mr. Sullivan stated had also been forwarded to Town Counsel for review. To date, Attorney Campbell has not formed an opinion. Several concerns with the language were raised, including the burden of cost and liability to the Town as well as maintenance issues, and the fact that the State would retain ownership of the area.

Further discussion ensued regarding several issues including: possibly paving the trail; approaching the State to purchase the area for \$1; and snowmobile travel in the winter.

Mr. Sullivan and Mark Samsel will meet with the individual who drafted the agreement to discuss the Board's concerns sometime after receipt of Town Counsel comments.

Mr. Morris advised the Board that the Committee had applied for a Recreational Trail grant, and had successfully received \$16,000. With \$4,000 in matching funds from the Conservation Commission, repairs will be done at Deer Leap, Foster's Pond, and the Gage Land.

**CONSERVATION COMMISSION:** Mr. Bruce Anderson, Chairman, expressed concerns to the Board regarding the Commission's input into the Planning Board process. The Commission feels there is inadequate contact between themselves and the Planning Board, and that plans are submitted to them too late for review. The Commission would like some process to be established ensuring Conservation Commission comments are allowed before financial risks to the developers.

After further discussion, Mr. Carpenter moved and Mr. Breton seconded that the Planning Board staff be instructed to immediately provide to the Conservation Commission any conceptual plans or revised plans submitted. Also, to have Mr. Sullivan conduct an analysis of the Tuesday morning engineering meetings and provide a summary of his analysis within the next 45-60 days. Passed unanimously.

Mr. Anderson requested that the Board increase its efforts to solicit members to the Commission, as several times they have been unable to meet due to lack of a quorum.

Mrs. Linowes stated that the Commission had been approached by the Fire Chief for assistance in funding a new forestry truck for the department. The cost of the truck would be \$45,000, and it is the only departmental vehicle that can gain access to the trails and wooded areas. Mr. Sullivan will check with Town Counsel on the legality of expending Conservation funds in such a situation.

Mr. Sullivan advised the Commission that an official letter had been drafted that day, authorizing them to expend Conservation funds for the repair of Woodbury Road, as previously discussed. He noted that, in making their motion to approve the expenditure, the Commission should include language that states the funds are to provide access to conservation land.

**DEPOT CHARGE:** The Board briefly reviewed the proposed charge of the Depot Advisory Committee. Mr. Carpenter moved to approve the charge as written. Mr. Breton seconded the motion for discussion.

After a brief discussion, Mr. Carpenter amended his motion to remove section 6a, which stated that "If recommendation is to re-locate Highway Department, undertake research into alternative location(s)." Passed unanimously.

**ANNOUNCEMENTS:** Mr. Sullivan announced that the Annual Memorial Day Parade will commence at 9:30AM on Monday and, on behalf of the Legion, extended an invitation to the Board to participate.

A *scoping meeting* has been scheduled for July 15 between the Lowell Road Bike Path Committee and the Department of Transportation. Meeting will begin at 7:00 PM at the Planning and Development Department.

*Mr. Sullivan* announced that Jill Moe had submitted her resignation from the Cemetery Trustees, and that the Board must appoint someone to fill the remainder of her term. She will continue as a Supervisor of the Checklist. Mr. Stearns moved and Mr. Hohenberger seconded to accept the resignation with regrets. Passed unanimously.

*Mr. Stearns* expressed his concerns that the scheduled workshop with the Recreation Committee did not occur, stating that no beach staff had been hired and no salaries set. He believed that, until those issues were addressed, the Board should consider postponing the clean-up and/or opening of the beach. Mr. Sullivan noted that he had received the proposed salaries and personnel from the Recreation Committee and would be discussed in non-public session.

Mr. Carpenter moved and Mr. Hohenberger seconded to enter into a non-public session in accordance with RSA 93-A:3d and a. Roll call vote – all members "yes". The topics of discussion were land acquisition and personnel. The Board, Mr. Sullivan, and Conservation Commission were in attendance in the former session; and the Board and Mr. Sullivan in the latter.

#### **NON-PUBLIC SESSION:**

Land Acquisition: The Board and members of the Conservation Commission discussed the purchase of a piece of property. Mr. Carpenter moved to support the Commission's proposed purchase and to have them submit an offer to purchase. Mr. Breton seconded. Passed unanimously.

The Commission discussed two other potential purchases, but no decisions were made.

Personnel: The Board discussed the list of lifeguards submitted by the Recreation Committee along with proposed wages. Mr. Carpenter moved to increase the wage scale for lifeguards by 5% across the board. Mr. Hohenberger seconded. Passed 4-0-1 (Mr. Stearns abstained).

Mr. Hohenberger moved to hire the list of lifeguards as recommended by the Recreation Commission for the 2004 season. Mr. Breton seconded. Passed 4-0-1 (Mr. Stearns abstained).

Personnel: The Board discussed the hiring of a part time maintenance person as proposed in the 2004 budget. Mr. Carpenter moved to hire the candidate as recommended by Mr. Barlow pending successful background and medical clearance. Mr. Breton seconded. Passed unanimously.

Mr. Carpenter moved and Mr. Stearns seconded to adjourn. Passed unanimously.

The meeting was adjourned at 11:00 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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