

BOS Minutes 04/25/06

Contributed by
Monday, 17 July 2006

Board of Selectmen Meeting

Minutes of 04/25/2006

Official as of July 11, 2006

Chairman Bryer called the meeting to order at 6:00 p.m.

Members Present: Chairman Bryer, Selectman Shaffer, Selectman Witham, Town Administrator Tammie Beaulieu, and Administrative Assistant Jessi Leavitt.

Minutes:

Mr. Bryer noted that the minutes were not on the agenda until 6:30 p.m. and requested that Ms. Beaulieu proceed with the town administrators report.

Reports and Communications from Town Officials:

Town Administrator Report:

Knowing the Territory - A Selectmen's Guide

Ms. Beaulieu stated that she has copies of Knowing the Territory - A Selectmen's Guide, for the board members. She noted that Mr. Shaffer has already picked up his copy.

Matrix:

Ms. Beaulieu stated that she has made two additional copies of the Matrix, which she explained as the town's 2003 wage study, and provided the copies to Mr. Shaffer and Mr. Witham. She added that this Matrix is currently being followed by the town. (HEC: Where was the vote by selectmen to use new wage matrix?)

New File Cabinets:

Ms. Beaulieu stated that in the past there has been concern of confidentiality and staff has priced out new file cabinets. She stated that staff contacted White's Farm who replied that they have not seen any of these types of used, fire proof cabinets in three years. Surplus Office Equipment was also contacted and they have a 4 drawer, fire proof file cabinet, used, and in fair condition for \$495. with an additional cost of \$30. for delivery. Figures from Staples and Quill were also presented and were approximately \$769. for a new cabinet. Mr. Bryer replied that since this is for security purposes, he feels that the refurbished cabinet would be sufficient as long as it is in working order and it would be a savings to the town. Mr. Shaffer stated that it would be better to save the town money if there are no safety issues with the cabinet and asked if there was a problem with the cabinet, if it could be returned. Ms. Beaulieu explained that staff usually previews the merchandise prior to purchasing. Mr. Bryer suggested that she preview the cabinet and determine if it is adequate. She added that she would complete a purchase order and sign for the item.

Public Requests:

Ms. Beaulieu stated that a request has been received from Mark Edwards for a copy of the selectmen's and police commission minutes on a timely, continuing basis without re-filing a request form for every set. Mr. Bryer asked if the minutes are being updated to the website. Ms. Beaulieu stated that the board has not given a final motion for draft minutes to be placed on the website. Mr. Bryer stated that the minutes must be released after 144 hours per RSA and should be stamped draft. Ms. Beaulieu replied that this is being done; however, the minutes are not currently placed on the website. She requested that should the board want the minutes released as drafts and placed on the website, it should be done via motion. Mr. Shaffer stated that there should be a disclaimer added to the minutes. Mr. Witham stated that the board has found some mistakes and discrepancies in the minutes and expressed concern with placing draft minutes on the website. Ms. Beaulieu replied that that is why draft minutes have not been placed on the website. Mr. Shaffer agreed with Mr. Witham. Mr. Bryer suggested that Mr. Edwards can receive hard copies per the RSA's and will need to pay for the copies.

Request to Release Funds - for Tower View Cooperative Park, CDBG:

Ms. Beaulieu stated that Donna Lane has submitted a request for release of funds and certifications for the CDBG for Tower View Cooperative Park; in addition, an exemption form. Motion authorizing Chairman Bryer to sign the Community Development Block Grant was made by Selectman Witham and seconded by Selectman Shaffer. Motion passed unanimously; 3/0.

Finance Request:

Ms. Beaulieu presented the board with a request for a new printer for the finance department for \$629. and \$10. for cables. She explained that \$600. was placed in the finance equipment line for a printer, only if the existing one were to fail. Currently the printer is jamming the checks consistently and with the new ADS system, the toner will be very costly. Quotes were provided and reviewed. Ms. Beaulieu stated that she wanted to make the board aware, and with the board's okay, she would sign the request. The board agreed.

NCC Land Acquisition:

Ms. Beaulieu stated that she has received a memo from Linda Smith and the conservation commission regarding the definition of the purpose of the conservation fund. The board members were not sure what this memo was in reference to and requested additional information from the conservation commission.

Web Hosting:

Ms. Beaulieu stated that she has received information from Ms. Bunker, librarian, who stated that the Library Trustees did approve that the new full time children's librarian would be responsible for updating the web site calendar. She read the memo and noted that the trustees have asked that the selectmen reconsider the appointment of Lucy Edwards. Ms. Beaulieu stated that Ms. Bunker has not submitted for re-appointment for the cable committee and Mr. Curly has submitted his resignation from the cable committee. Mr. Shaffer made a motion to regretfully accept the resignation of Mr. Curly and an advertisement should be done for cable committee members. No second was provided. Mr. Bryer stated that he is glad that the town can save some money by having the library responsible for the website. Mr. Witham requested a copy of the email of the website cable policy as did Mr. Shaffer. No vote was taken.

Gulch Mountain Pond Dam:

Ms. Beaulieu informed the board the Gulch Mountain Pond Dam project was received at a pre-construction meeting Underwood Engineering. She stated that the project has been approved and is in motion and will begin April 26, 2006. She noted that the selectmen have previously signed a contract Eastern Pipe.

Coe-Brown Resource Officer:

Ms. Beaulieu stated that Head Master Dave Smith called regarding replacing the resource officer position at CBNA and if the town would act in the same capacity as in the past. She added that she forwarded the call to Chief D'Alessandro. Mr. Bryer replied that he would like to review this further and asked if the officer would be at a security capacity. A meeting with the police commission and police chief is to be scheduled for further discussion.

Smoking Policy:

Ms. Beaulieu referred to the last selectmen's meeting regarding smoking within 50 ft. of a building. She explained that Kevin Madison checked into this and there are currently no laws or administrative rules stating this. She added that if the selectmen would like to create a smoking radius, this would need to be done within the selectmen's ordinances. Mr. Witham commented that he feels that the board should do something. Mr. Bryer suggested that there be a designated smoking area that would not affect the public. He added that he would like this area to be for everyone; however, it would be an employee policy. Mr. Shaffer noted RSA 275:37 and added that as long as the employee complies with safety there is no distance established; however, as a courtesy if something is reasonable and people have felt that they were being discriminated. He added that he just wanted to make the board aware that there was an RSA established relative to smoking. Ms. Beaulieu replied that the town is allowed to create a stricter guideline than an RSA. Mr. Witham motioned for the town administrator to draft a policy addressing a designated smoking area for town employees. Mr. Shaffer seconded the motion. Motion passes unanimously; 3/0.

6:15: Cable Committee Bulletin Board Policy:

Cable Committee members in attendance were Donna Bunker and Patricia Adams. Ms. Adams explained that the cable committee is willing to take the responsibility of the bulletin board from the selectmen. She added that after researching other towns, the library usually is responsible for a town's cable bulletin board. Mr. Bryer stated that he feels that the library monitoring the cable bulletin is a good idea. Discussion was held regarding the current policy. Mr. Bryer stated that he would still like the selectmen to have final approval over the policy and is okay with the idea as long as the policy is followed. Mr. Shaffer added that the selectmen should be responsible for the content of the bulletin board. The town's volunteer policy was mentioned and the policy of re-appointments. Mr. Shaffer stated that this policy is currently not being followed. Ms. Beaulieu replied that appointments are done and signed by the board when placed on the consent calendar. Mr. Bryer noted that there were appointments on the last consent calendar. Ms. Beaulieu added that there were appointments recently that the board denied. Mr. Shaffer stated that there is still an issue with the denial of appointments; for example, Mr. Curly has submitted a letter to the board and the board voted no. Ms. Beaulieu replied that the board is following the policies. Mr. Bryer stated that he would be willing to review the policy amendments. Mr. Witham asked if the library trustees were now completely responsible for the website and now the cable too. Mr. Bryer replies that the library trustees are responsible for the library, personnel at the library, and the public. Mr. Bryer noted that the library is willing to help out the town in certain areas. Ms. Bunker replied that the town website is separate from the bulletin board policy. She explained that the former chair, Ken Curly, had investigated bulletin board policies of other towns and found that the jurisdiction was under the cable advisory committee itself in those towns and they also write the

policies. The selectmen would still sign the policy. She added that the cable committee has not asked the library to update the bulletin board and she has not presented that to the trustees. Ms. Bunker added that if the cable committee took over the policy, she felt that they would also be choosing the volunteers that would do the work on the bulletin.

Ms. Bunker mentioned that there are currently only two members and asked how the board would like to address this matter. Mr. Bryer suggested there be an ad for members. A copy of Mr. Curly's resignation was provided. Mr. Bryer stated that he would like to not accept Mr. Curley's resignation tonight and noted that Mr. Curley has done a lot for the committee. He would like to speak to him and see him remain on the committee. Ms. Bunker added that Mr. Curley would be willing to rescind his resignation if the selectmen were willing to reconsider their decision to appoint Lucy Edwards to the committee. Mr. Bryer expressed concern regarding losing volunteers. Mr. Witham stated that he has not seen the website policy. He would like the committee to come in and sit down with the board to ask why everyone else is doing all of the work except for her. Mr. Bryer noted that the resignation has not been signed and he is not sure if the board can act on the resignation. Ms. Bunker asked if the committee can even meet with only two members, currently no chair or secretary. Kim Shaffer volunteered to be on the committee. Mr. Shaffer made a motion, seconded by Mr. Witham, for the cable committee to draft a policy for the selectmen to review, with a full disclosure on volunteers and the volunteer process must be followed. Motion passed unanimously; 3/0. Mr. Bryer briefly explained the volunteer process to the other selectmen and members of the public regarding being appointed to the cable committee.

Town Website:

Ms. Bunker noted that Pete Jones promoted her and Danielle Fortin as administrators for the website. She asked the board if they should continue updating the website. Mr. Bryer replied he does not have a problem with this as they are both employees of the town. Ms. Bunker explained that they would be responsible of approving information to be placed on the website and then adding to the site accordingly. Mr. Shaffer stated that the selectmen are not relinquishing anything, just authorizing Ms. Bunker and Ms. Fortin to update and place the items on the website. Mr. Bryer motioned to authorize Ms. Bunker and Ms. Fortin to update items on the website. Mr. Witham seconded. Discussion ensued regarding the selectmen's rights to change the host of the website, should it be necessary. Additional discussion was held regarding meeting with the trustees for the website. Motion passed unanimously; 3/0. Another meeting has been scheduled after May 18, 2006, for further discussion.

Minutes:

March 14, 2006: Mr. Witham motioned to approve the minutes of March 14, 2006, as written. Seconded by Mr. Bryer. Vote: 2/0/1. Mr. Shaffer abstained.

March 28, 2006: Mr. Shaffer made a motion to approve the minutes of March 28, 2006, as amended. Seconded by Mr. Witham. Motion passed unanimously; 3/0.

April 6, 2006: These minutes were not approved as the selectmen did not have copies to review. These minutes were postponed to the next meeting.

April 11, 2006: These minutes were not approved, at this time, as Mr. Witham and Mr. Shaffer expressed concern with the content and wished to address these items during selectmen's comments later in the meeting.

Town Administrator's Report ~ Continued:

Library Hire:

Ms. Beaulieu informed the selectmen that the library hired Danielle Fortin as the children's librarian for 35 hours per week. She added that the trustees stated that they would be hiring two new employees due to the May 16, 2006, resignation of Eunice Frasier.

Abatement and Assessing Letter:

Ms. Beaulieu read a letter received from Assessor Rod Wood relative to the abatement for Mr. Rockwell of Mountain View Mobile Home Park. Mr. Wood stated that there was an error and is recommending the abatement in good faith, even though the deadline was not met. Ms. Beaulieu explained there are deadlines established by the state and added that the board can make an exception. She further explained the abatement process and discussion ensued regarding if the error was a clerical error. Mr. Bryer requested a written recommendation from Mr. Wood and any additional information if the town has granted these abatements before.

7:00 ~ Public Hearing for SNHS/Elderly Housing:

The public hearing information was reviewed and Mr. Bryer opened the hearing for public comments. Janet Delfuco-Goad expressed concern with the road, culvert issues, and the fact that the posting signs are not being followed. Road Agent Jim Wilson replied that he has viewed the area and asked if there was a bond posted. Ms. Beaulieu replied that she was not aware of a bond. Mr. Bryer requested that the road be viewed for damages. With no additional comments, Mr. Bryer closed the public portion and the public hearing.

Mr. Bryer called for a 5 minute recess.

Newbury North/Deer Ridge Subdivision-Bonding and Engineering Costs:

Attorney Malcolm McNeill was present representing Newbury North, along with owner Frank Catapano, and Scott Cole of

Beals Engineering. Atty. McNeill explained that he represented Newbury North through the planning board approval process. He stated that a letter was received from the town administrator relative to the anticipated bonding expenses as well as the review of Underwood Engineering. Atty. McNeil stated that they would like to address the board regarding the 4900 feet of roadway at the cost of \$43,000 for the review from Underwood Engineering. Review costs from other towns for similar services were provided by Atty. McNeil and explained. Atty. McNeil requested that the town consider using Rockingham County Conservation District (RCCD) as the estimate is \$30-\$40,000, too high. He added that they would not be here if they didn't feel that this quote was a significant amount. Mr. Bryer agreed that the amount seemed high and suggested that the information from RCCD be forwarded to Underwood for review. Ms. Beaulieu asked if the board would like her to contact RCCD to see if they would like to view the project and the quote. Mr. Bryer and Mr. Shaffer felt that that was a reasonable request. Mr. Catapano mentioned other projects that he has completed and the engineering quotes for the projects. Mr. Witham stated that he believes that this is serious and he wants to look into this and the RCCD engineering costs. Mr. Shaffer stated that he too would like to see RCCD checked out, as there is such a disparity in the amounts. He added that a comparative needs to be done. Mr. Catapano stated that he does not want to begin any work until this matter is worked out.

Culvert sizing is mentioned. Ms. Beaulieu stated that the culvert size for this project is large and was noted by Underwood as an item of concern. She added that this is a box culvert and is larger than the one the town placed in Harmony Road. Mr. Catapano comments that Underwood is estimating 32 hours for watching the installation of the culvert. Mr. Shaffer made a motion to obtain an explanation from Underwood Engineering, why costs are so high and for the town administrator to contact Rockingham County Conservation District for an estimate. Seconded by Mr. Bryer. Vote: 2/1. Mr. Witham was opposed. This was given a time frame of two weeks for completion.

7:30 p.m. ~ Public Comment:

Deborah Locke stated that she was hoping that Mr. Witham or Mr. Shaffer would remove the recreation director issue off of the table and reconsider the recreation position. She explained that she has a petition with 104 signatures that she would like to submit if the selectmen do not wish to address the matter. In addition, she stated that this would be her last request. Mr. Shaffer stated that the recreation director has submitted a letter of resignation, although the part time position is still available. He added that it was his understanding that a vote had been taken. Ms. Locke stated that the petition is for a full time recreation director. Mr. Bryer read the petition requesting a special town meeting and also read RSA 39:3. Mr. Witham stated that they should hold a special town meeting, in which Ms. Locke replied the selectmen should hold the special meeting and added that it would not all come out of her pocket. Mr. Witham replied that the issue remains tabled. Mr. Bryer replied that the petition needs to be addressed and suggested that the petition be reviewed by counsel.

Steve Bailey referred to the right to know law and asked how much the selectmen have cost the town. He requested that this information should be in writing and posted and added that the special town meeting just asked for will also cost the town money. He referred to an instance in which new locks were placed in town hall. Mr. Shaffer replied that he had many times requested keys to the office and file cabinets since he had been elected. Mr. Shaffer stated that there were employee's files throughout town hall. He was provided a key that could have been copied at any hardware store and therefore contracted a lock smith. Mr. Bryer stated that Mr. Shaffer did not speak to him regarding installing new locks. Mr. Shaffer replied that he spoke to Ms. Beaulieu who filled out the purchase order. Ms. Beaulieu replied that she had Mr. Shaffer sign the PO. Mr. Bryer stated that he thought that Mr. Bailey was changing the locks on Thursday. Ms. Beaulieu explained that Mr. Bailey did change the locks on Thursday. She added that they were not able to get a lock with a non-duplicatable key so when she came to drop off personnel files on Friday; Mr. Shaffer was in town hall with RL Locksmith and was changing the locks. Mr. Shaffer stated that that is correct and asked how many times he had asked for keys. Mr. Bailey replied that that is not the issue and Mr. Shaffer is doing things without the other selectmen's approval. Mr. Witham added that he approved it. Ms. Beaulieu stated that Thursday, April 20, Mr. Witham and Mr. Shaffer were out together reviewing the roads and it was posted. Mr. Witham explained that at that point he was approached with the locksmith plan as they had requested and requested keys. Ms. Beaulieu stated that she was asked for keys to her office as well as personnel files be prepared and left out in the front office area. She stated that this was a breach of confidentiality and she could not follow the direction from the day before. Mr. Shaffer stated that that is not a breach of confidentiality and asked why there was no note left on anything. In addition, Ms. Beaulieu stated that she received a phone call Thursday evening, asking her to have the personnel keys and the office keys ready by that evening for the selectmen's packets. She added that at the Monday evening meeting copies of keys for the current locks were requested. Mr. Bryer stated that he remembers that discussion. Ms. Beaulieu added that she had spoken to Mr. Shaffer on Tuesday after the Monday evenings meeting and asked if he would mind if she changed the locks as she had learned that the administration office key also opened up three other doors within the town hall offices. She was told yes and had not had an opportunity to get the locks changed by Thursday afternoon. Other deadlines were needed to be met with the auditors and she needed to prioritize and apologized for the delay. She added that she did have Mr. Bailey come in to change the locks on Thursday afternoon. She continued to explain that she came in to town hall on Friday after she went to True Value Hardware to get keys made for the personnel files, due to the fact that the hardware store had closed on Thursday before she could get the keys copied. Mr. Bryer asked when the meeting was posted and Ms. Beaulieu replied that it was posted Wednesday, by noon. Mr. Bryer stated that he was not aware of the meeting and asked why he was not informed. He added that he feels that the other selectmen are getting out of control. Mr. Witham stated that there is a serious problem. Ms. Beaulieu stated that she has been in the municipal business for 13 years and this is the first

board of selectmen that have ever asked for keys to the personnel files. She added that she also contacted other town administrators and they too have never had such a request. She stated that this is not a normal practice. Steve Bailey commented that this is a violation of Health Information Patient Privacy Act (HIPPA) laws. Mr. Bryer apologized for losing his temper and asked for additional public comments.

Kate McNally asked about the process of posting notices. Mr. Shaffer replied that he had a list of roads pertinent to an upcoming meeting and nothing was discussed about keys. Additional discussion was held regarding fielding telephone calls. Ms. Beaulieu stated that she can receive phone calls as the administrator who can field calls to the selectmen. She added that this needs to be done through a public forum, through the town hall. Ms. McNally stated that she thought that the board can only act as a board and no one or two people can act without a legally posted notice. Ms. Beaulieu clarified that the roads meeting was legally posted in the necessary time. She explained that Mr. Witham had requested the meeting to view the roads and she explained that Mr. Bryer was out of town and added that under the Right to Know Laws, no decisions can be made as the decisions are required to be made in a public forum.

Bob Fletcher asked about the teen center and the liability insurance that the town had on the building. He asked the board to consider allowing the teen's to utilize the teen center even though they can get their own insurance. He explained that other organizations use the facility and felt that it is a shame to exclude them from the building. Ms. Beaulieu replied that the town's liability covers the town's building for the town's use. It will not cover a non profit organization to use the building and it would be necessary for that organization to have their own insurance. Mr. Fletcher replied that he does not understand why the program cannot be under the recreation department. Mr. Bryer replied that the board can take this under consideration. Further discussion was held regarding the need for a certificate of insurance for use of town buildings. Ms. Beaulieu stated that the board had discussed having the teen center be a part of the recreation department at an earlier meeting and had been put on hold. She explained that the board had discussed the recreation coordinator overseeing the process and at this time there is no one in that position. Mr. Bryer stated that the board would need to look at the legalities of the petition that was submitted and once the position is filled, either full time or part time, that person can look into this matter. Ms. Beaulieu stated that the board could allow the use of the building as long as the board clarified that they can use the building and the board is not requiring a certificate of insurance. Ms. Knox asked if the lease still existed. Ms. Beaulieu explained that the teen center did have a lease with the town; however, did not renew the lease as insurance companies are no longer insuring teen centers. Mr. Shaffer made a motion to rename the teen center to the Northwood Recreation Center and any group that would use the facility would not need liability insurance as they would be covered under the town's blanket insurance. Mr. Witham seconded. Motion passed unanimously; 3/0. Mr. Bryer suggested that Ms. Beaulieu further look into this and the board will address it at the next meeting. Mr. Shaffer added that he would like the public to know that they are not wasting their time with wanting activities for the children. He stated that he wanted recreation for the kids too from a long time ago and they all know why nothing happened. Additional discussion is held regarding the use of the building. Mr. Fletcher stated that he has spoken to Mr. Curly and Ms. Gendron from the school and insurance was an issue; it would be great so everyone can use the building. He asked if the utilities are being paid by the town. Ms. Beaulieu replied that the non profit organization is currently paying for the utilities and will until June. Then the town will need to pay for the utilities. Mr. Bryer asked for the interested parties provide some suggestions and this will be further addressed at the next meeting. Mr. Shaffer makes a motion to reconsider the previous motion of renaming the teen center and discuss this matter in two weeks. Mr. Witham seconded. Motion passed; 3/0.

Hershey Track Program, Barbara Hoover.

Ms. Hoover provided packets of the proposal along with an annual report from last year. She explained that the Northwood Track and Field program was held for another year and was another successful year with approximately 21 participants. She requested to continue the program under the Northwood Recreation Program in which she requested that the program remain with the ability to operate under the town's insurance and also to place the funds into the town and submit receipts for reimbursement. Ms. Beaulieu explained that the town's parks and recreation would fund the program and then expended out of the recreation revolving fund. Additional discussion was held regarding who would be responsible for the program and the funding process as the position is currently vacant. Ms. Hoover stated that she would like to begin the program May 1 and apologized for the short notice. She explained that she could do the receipts and all other record keeping was done by her last year. Mr. Bryer stated that he was not comfortable asking the town administrator to do the additional duties for this. Further explanation is provided regarding the revolving fund and the registration duties required for the program. Ms. Hoover stated that she would prefer to see the registration process be done by volunteer status and explained that her son would volunteer to do this as a part of community service even though he will be employed as a lifeguard. Ms. Beaulieu explained that the town cannot have an employee doing any type of services within their department without paying that person. Mr. Shaffer motioned, seconded by Mr. Witham, to pay Gary Hoover for the track and field registrations. Motion passed unanimously; 3/0. Ms. Beaulieu added that last year the board approved this as a program and no motion is necessary for the program this year.

Non-Public Session:

A motion was made by Ken Witham to enter into a non-public session according to RSA 91-A:3,II(a). Mr. Shaffer seconded the motion.

Roll Call Vote:

Scott Bryer - yes

Ken Witham - yes

Doug Shaffer - yes

Motion passed unanimously; 3/0 at 8:00 p.m.

Mr. Shaffer made a motion, seconded by Mr. Witham, to come out of non-public session. Motion passed unanimously; 3/0.

A motion to seal the minutes was offered by Mr. Shaffer and Mr. Witham seconded. Motion passed unanimously; 3/0.

Mr. Bryer stated that the board entered into a non public session to discuss a personnel issue.

Meeting with Paul Belliveau and Jim Wilson:

Mr. Wilson was present and provided quotes for paving services for the upcoming highway advisory committee (HAC) meeting, April 26. This information was to be provided to the HAC secretary, Marion Knox.

Transfer Station Procedures:

Mr. Bryer stated that there appears to be some confusion and there may be a problem with the policy. He explained that several years ago the town went out to bid for picking up the compost pile. No bids were submitted. Mr. Docko stated that he would help out and remove the piles. Mr. Bryer stated that he believes that since then the town has not formally put this out for bid again and Mr. Docko was to come in once a year and pick up the compost pile. He added that he does not feel that there was any ill intent, this was just an oversight. Mr. Bryer asked Mr. Docko if in fact he had been doing this for a few years. Mr. Docko replied yes. Mr. Bryer stated that if the selectmen can change the policy if the new board would like. He added that he heard that an investigation had been done and feels that there was some miscommunication. Mr. Preston stated that the compost pile consists of old tires, bags, etc. There is no money in the compost pile, it is all garbage. He added that Mr. Docko takes the pile at no charge and has also done some site work for the town, at no charge. Mr. Preston provided documentation for the board to read and stated that should the board agree to sell the compost, it needs to be done correctly and equipment is required. He noted that the town's back hoe will not be sufficient to do the job correctly. Mr. Bryer asked if it would be cheaper for Mr. Docko to continue to remove the compost pile or have the town purchase the necessary equipment. Mr. Preston replied that until the town has the equipment, Mr. Docko should continue to take it or leave the piles. He added that the equipment would be in the thousands. Mr. Witham noted that he was not sure as to why Mr. Docko is present. Mr. Preston explained that Mr. Docko was being blamed for stealing and the chief of police was investigating the matter. Mr. Fletcher explained that Mr. Witham was doing his job as a selectman as he was the person who requested who had authorized the release of the compost pile. It was never an issue as to who took the compost pile; it was an issue with the overall supervision of the transfer station. Mr. Preston suggested that the board review the materials and take it under advisement and then they can either stop taking the material or get the equipment to do the job right and when it is done correctly, there is money in compost. Mr. Docko explained that he reworks the material into his top soil but does not grind it and resell it as a compost product. Mr. Witham stated that once the material is dumped at the transfer station, it becomes town property and asked who has the authority to give away town property. Ms. Beaulieu replied the board of selectmen has the right to donate or sell town property. Mr. Witham asked about the process that needs to be followed and if this would need to be posted. Ms. Beaulieu replied yes and stated that in 1999 it was posted. Additional discussion is held regarding 250 yards being removed in 2004. Mr. Preston stated that a gentleman from Hooksett baseball met with the selectmen and asked if he could take the compost pile. Mr. Bryer stated that he does recall that someone did approach the selectmen for the compost pile. Ms. Knox verified this information as she was a selectperson at this time. Mr. Witham asked if the Firebird and tractor that went out for bid, if they could have been given away prior to the board advertising the items for sale. Mr. Bryer replied that a car would have some value. Mr. Preston suggested that the town not accept compost any more and explained that he has attended seminars on this subject, paid for by the town. Mr. Bryer stated that he feels that the town should offer this service to the town's people and agreed that the board could place the compost pile out for bid. Mr. Shaffer stated that the way this matter materialized was a circus. He stated that there are not policies and procedures for all things. He recalled that the transfer station is to be self governing. Mr. Shaffer stated that the town could have used some of the materials to mix in for road work to cut down costs. Mr. Preston stated that compost must be worked. Mr. Shaffer stated that it would be best to have a policy. Mr. Witham again stated that proper procedure was not followed. Ms. Beaulieu stated that she was not aware that the compost was being removed and referred to the investigation materials which note that Mr. Witham was there and aware and also Mr. Shaffer was on the premises; however, was not aware as a new selectmen. Mr. Bryer stated that this has identified a communication problem and that the board should adopt a policy. Ms. Beaulieu stated that the process will be followed as all other town property and the compost will go out to bid.

Part-time Building Inspector Secretarial Position:

Mr. Bryer stated that there is a position in the budget for a secretary for the building department. Mr. Shaffer made a motion, second by Mr. Witham, to follow the process to hire the budgeted position for a part time secretary for the building department with the criteria to be written by the building inspector. Motion passed unanimously; 3/0.

Town Administrator's Report ~ Continued:

Distribution of Selectmen's Minutes:

Ms. Beaulieu has requested that the public be provided copies of the BOS minutes at no charge due to the fact that the

website is not being maintained. Mr. Bryer suggested a copy be posted at the library and town hall, not for town hall staff making copies.

Tax Deeded Property - Map 217; Lot 9:

The board had authorized waiving of half of the interest if it were to close within a certain time frame and did not. The closing date is scheduled for 5/19/06. Ms. Beaulieu asked if the board would still be willing to waive half the interest although it is now a month later. Ms. Beaulieu stated that the back taxes as of April 4, 2006 are \$50,865.19. Total interest was \$11,852.92 and what the board agreed to waive would have been \$5,926.50 at that point. She added the there is now additional interest due to the later closing date. Mr. Bryer replied that he would be satisfied with the agreement. Mr. Shaffer motioned, seconded by Mr. Witham, to approve the agreement as long as this is the only time to extend the agreement. Motion passed, 3/0. Ms. Beaulieu asked who would represent the town at the closing. Mr. Bryer felt that Ms. Beaulieu should attend the closing and all board members agreed.

Timber Tax:

Ms. Beaulieu stated that a timber tax form was received along with a letter requesting the board to review the materials as it was not provided by the new consent calendar deadline. After review, the timber tax cut was signed the board.

Perambulation Walk with Strafford:

Ms. Beaulieu stated that she received a phone call from Joann Brown, a selectman from Strafford. A meeting was scheduled with the Town of Strafford for a perambulation walk along the town line boundaries and the Town of Strafford selectmen are requesting a change to May 11, 5:00 p.m. Mr. Bryer made a motion, second by Mr. Shaffer, to allow Ken Witham to meet with Strafford selectmen for the perambulation walk. Motion passed unanimously; 3/0.

Town Clerk/Tax Collector:

Judy Pease stated that the Town of Strafford tax collector had called her asking her to cover and do registrations for them due to a medical emergency. She took in \$1100. in registrations for Strafford and the board of selectmen consented the money to the Town of Northwood. Motion to accept the funds from the Town of Strafford was made by Mr. Shaffer, second by Mr. With am. Motion passed unanimously; 3/0.

Key Log:

Ms. Beaulieu distributed a key log for signature of receipt of keys. Mr. Witham was provided a personnel file key and Mr. Bryer received a complete new set of town hall office keys.

Televised ~ May 9th

Ms. Beaulieu reminded that the selectmen's meetings will be televised beginning May 9, 2006 by the cable coordinator.

Process of Receiving Abutter's Notices:

Ms. Beaulieu stated that Ms. Leavitt submitted a request of process for abutter's notices. Past practice has been that the notices were emailed to the selectmen so that there would be enough time for research or comments. Mr. Shaffer stated that he does not have email and the board will just review them when they come in.

Janitor's Request:

Ms. Beaulieu stated that a request has been received from the town's janitor's regarding access to the administration office. A discussion was held regarding having another key made for the janitor. Mr. Shaffer motioned to have a non-duplicated key made for the janitor that will be signed out. Seconded by Mr. Witham. Motion passed unanimously; 3/0.

Consent Calendar:

ADS Agreement:

A motion was made by Mr. Shaffer for Mr. Bryer to sign the Advanced Data System (ADS) agreement to purchase the accounting software, seconded by Mr. Witham. Motion passed unanimously; 3/0.

Ramey Deed Changes/Notice to Convey:

Ms. Beaulieu stated that this item (Item #3) must be tabled as there has been new information received from the Ramey's relative to deed changes, which must be reviewed by town counsel. Mr. Bryer motioned to table item 3 and seconded was offered by Mr. Witham. Motion passed unanimously; 3/0.

All other consent calendar items were reviewed. Mr. Shaffer made a motion, seconded by Mr. Witham, to approve the consent calendar.

Motion passed unanimously; 3/0.

Selectmen's Comments:

Mr. Bryer:

Mr. Bryer stated that he knows that there have been disagreements between the board and he would like to move

forward. He would like to see that items are discussed as a group and delegate to the town administrator. He added that he did sign the purchase order for the lock replacements and felt that there was no ill intent. He reiterated that one selectman does not have any authority and matters such as this, the town administrator should complete the purchase order and the board should make these decisions as a group.

Mr. Shaffer:

Mr. Shaffer stated that, in his opinion, it appears that people are having a good time questioning what the elected officials are doing; i.e. making rules that do not exist, etc. He explained that he followed the RSA's and interpreting these laws to the best of his abilities. He added that he questions some internal matters going on and is annoyed; everyone has their own agenda and fan club. He added that he was elected for a reason; he is tired of the spending. He explained that he is disgusted with things that have occurred in the meetings and feels that he has been set up for many things. In closing, he added that he is not happy with a lot of people.

Mr. Witham:

Mr. Witham stated regarding the building inspector secretary position that he feels that the amount of pressure upon the building department is ungodly with all of the ordinances that keep getting passed. This creates a massive cost to the taxpayers over any recreation position. He stated that he had concerns regarding the ball fields right at town meeting with the comment from Mr. Bailey regarding ledge. He noted that he feels that the town is not ready for a big recreation field with a snack bar, bathrooms, etc. He continued to state that there would be an increase of \$77,000 between the planning, building, and recreation. He explained that for 13 years he has worked with children and is tired of people quitting on things when the selectmen say no to something that maybe devastating to the tax structure of Northwood. He exclaimed that he would not apologize for tightening things up in town with an increase of 1.2 million over the biggest assessed value that the town has ever experienced. Mr. Witham stated that the recently selectmen have promised to hammer and hammer, to abuse the privilege of a few that are sitting as the board and are trying to work to the job that is right for the people and the children. Mr. Witham stated that he was tired of fighting; but would continue to fight for the next 300 days because he promised the people he would be here. He added that if they want him removed from office to work feverishly because he is not quitting and he is here to make a change. He stated that there is no massive growth in the town and the children will survive without a \$36,000. recreation program director. He continued to state that the people that make \$8-\$12 per hour will not be able to survive and no one cares and he is sick of it.

Ms. Locke commented about the selectmen not wanting to support the recreation programs. Mr. Bryer exclaimed that this time is for selectmen's comments and the public portion was at 7:30. ??? (Kate McNally???) stated that she appreciated that public comment time at 7:30; however, there have been additional issues raised since that time. Mr. Bryer replied that this was a selectmen's meeting and there are certain times for the public. She requested that the meeting be more like the school board's meeting with a time for public comment in the beginning and at the end too. Mr. Fletcher added that the board could recognize people in the public to speak. Mr. Bryer replied that the board informed him that these meetings need to be cut down to 10:00 p.m. and he cannot do that by allowing everyone to continue to speak. Additional discussion was held and Mr. Bryer stated that the board would take the suggestion under advisement. Mr. Shaffer stated that this is a democracy and there are obviously items that the public wants to discuss and they want to engage in an argument. Mr. Fletcher stated that he had an inquiry and approached Mr. Witham who did his job as a selectman and did get the answer; however, the town blows everything out of proportion. The inquiry had nothing to do with Mr. Docko or Mr. Preston, or their integrity. Mr. Fletcher continued and stated that there is a lack of management in the town. Ms. Beaulieu replied that an investigation was requested to be followed through and then turned over to the police department so that they too could also be involved. She explained the town hall process of an investigation, which requires statements from those involved. She obtained statements from Transfer Station Supervisor Steve Preston, Department Head Jim Wilson, Dave Docko, the individual who removed the product, and Charles Pease who was also in attendance at the time the situation occurred. Mr. Fletcher asked if it was the town administrator's job to advise the selectmen. Mr. Bryer explained that in this form of town government, a town manager or town administrator has very little power as it is set up in the statutes. The three selectmen are to direct a town administrator from their selectmen's meetings. Mr. Fletcher asked if it is the town administrator's job to offer council to the selectmen at the meetings. He feels that the selectmen cannot get the answers that they need and are frustrated. He added that when Mr. Witham asks something, Ms. Beaulieu turns to the audience and is laughing and he feels that this is repulsive. Mr. Bryer replied that what should occur from a selectmen's meeting is during the meeting the selectmen delegate the town administrator a list of items that must be ready for the next meeting. He noted that there are only two full time employees within town hall.

A member of the public commented that it has appeared that the board of selectmen is not acting as a group, working together, and thus are not fully aware of what is being done.

Further discussion was held regarding the amount of members for a quorum and selectmen's business being conducted outside of a meeting. Mr. Bryer stated that he was not aware of rules and laws when he became a selectman. He added that he does not feel that there was any ill intent of the new selectmen; however, he feels that there is a learning curve.

Mr. Witham stated that he does not believe everything he has heard about the transfer station issue. He referred to the

minutes of April 1 and a discussion with Ms. Leavitt. He stated that he handed Ms. Leavitt the minutes to be date stamped and she directed him to Ms. Severance. Ms. Leavitt explained that Mr. Witham wanted a copy of his request date stamped and it to be acted on immediately. Mr. Witham asked if Ms. Beaulieu was in yet and Ms. Leavitt replied that she would be in soon (the time was 9:30). Ms. Leavitt added that she did not read it but was told it was important. Ms. Leavitt stated that she was really tired of being lied to and saying that she has said things that she has not said. (additional confrontation was ongoing but I can not make it out) Mr. Witham stated that there was a serious conversation that never ??? Mr. Bryer yelled that this is enough! Mr. Witham stated this is what you have to go through people to get anything accomplished at town hall. Ms. Beaulieu stated that this can not be a one selectman show and this is not proper. Mr. Shaffer replied that this is not a one-selectman show. He explained that (Ms. Beaulieu) is trying to make accusation that he was been doing something illegal. Ms. Beaulieu asked if he was referring to her making accusations. Mr. Bryer stated that no one has been doing anything illegal. Ms. Beaulieu asked for specific accusations. Mr. Shaffer then replied that at first they were told that they had done an illegal road tour. Ms. Beaulieu replied that she had made sure that the tour was posted. Mr. Bryer stated that he has to stop and Mr. Shaffer added that a lot of things have got to stop. This is the circus that he was talking about and what people want answers to and a lot of these people have seen the crap that has been going on since he and Mr. Witham were elected. Ms. Leavitt and Ms. Beaulieu asked for specifics.

Ms. McNally mentioned the volunteer policy that must be followed. Comments were stated that the policy has not been followed. Ms. Beaulieu and Ms. Leavitt simultaneously replied that the policy has been followed. Mr. Bryer again gathered order of the meeting and reiterated that the town administrator is assigned tasks from a selectmen's meeting. He does not want to see people coming in to the office and assigning to staff after a meeting.

Mr. Shaffer stated that if there is going to be full disclosure on everything; he explained that while he was out on the road tour, Ms. Beaulieu contacted Mr. Witham and began screaming at him over the phone. Ms. Beaulieu replied that since the board is going to be completely public, she asked Mr. Shaffer if the board had given him permission to contact the town's former town administrator and ask him for a report to be submitted on her. She added that they should be non-accusational and factual. She stated that this is unfair. She again asked Mr. Shaffer if he had contacted Steve Fournier, Town Administrator of Epping, and asked him to submit a written record about her. Mr. Shaffer replied that he did not request a written record. He added that he did call him to find out what the story was about and if he had done annual evaluations. Ms. Beaulieu interrupted and asked if all three selectmen had agreed for him to do that. Mr. Bryer added that Mr. Fournier had contacted him and asked if he should write a letter regarding the employment status of Ms. Beaulieu while he was employed for the town. Ms. Beaulieu added that Mr. Fournier also contacted her. Mr. Shaffer stated that his biggest concern was the fact that the files had been in the office with no explanation. He added that he went through the routine why they are there and stored there. Ms. Beaulieu commented that this appears to be a witch-hunt into her background and she requested that after this, she would like the board of selectmen to review her personnel file. She exclaimed that there is not one derogatory item in the file; it is excellent, and if you were to go to the Town of Gilmanton, you would find the same. She stated that this is not acceptable behavior for a selectman. She added that she did not want it put on record, but it does seem as though accusations are being thrown. Mr. Shaffer replied that this is not acceptable behavior of a town administrator and no one is making accusations. He added that his opinion is that it seems as though a lot of things are being obstructed.

Mr. Shaffer asked for information on the policy change relative to the step raises that he requested three weeks ago. Mr. Bryer explained that this is a study done on the wages, which was distributed tonight. Mr. Bryer stated that the personnel policy must be done with the selectmen, the library trustees, and the police commission as it is for the entire town and it has not been able to be finalized. The meeting next week is to complete the policy. He added that Mr. Shaffer is not the only selectman that has started and hit roadblocks; it is the system that is created and that the selectmen are elected into. Mr. Bryer added that the personnel policy has been going on for 8 years and there has not been a consensus with the selectmen with the revisions. Ms. Beaulieu added that there have been 4 documents completed and then forwarded to the selectmen. Mr. Bryer added that the town is decentralized. Public comments were provided in dismay of the attempts of the personnel policy revisions. Ms. Beaulieu replied that this has been going on since 1993. Mr. Witham stated that when he reviews these minutes, he will see that someone was orientated on every area that was addressed tonight other than two selectmen. Ms. Beaulieu stated that she really did not think that Mr. Witham would like her to address some items that she has been told that he has mentioned at the transfer station. Mr. Witham replied that Ms. Beaulieu can push the buttons with him all she wants but it almost looks like everything... Ms. Beaulieu interrupted and stated that it is all fact. Additional discussion was held referencing a December meeting and how he has been humiliated in every session, at every meeting. He referred to a vote regarding a warrant article or an item to be placed in the operating budget, in which he added that he received the worst pounding from Ms. Edwards, Mr. Bryer, and Mr. Beaulieu. Mr. Bryer exclaimed that this is not the forum for this and that will be enough; it is out of hand and is unprofessional. Mr. Witham stated that this is his problem; he was forced to make a vote. Ms. Leavitt stated that he was not forced; you make your vote. Mr. Bryer asked for order and again stated that this was not professional. Ms. Leavitt stated that it is not a problem and asked to speak. Mr. Bryer replied no, and stated for her to shut up. Mr. Bryer stated he was sorry, again stated that this was not professional, there would be no more it and stated that he was not going to sit here and have a circus.

Administrative Assistant Memo/Missing Tapes:

Ms. Beaulieu stated that she has received an interoffice memo from Administrative Assistant Jessi Leavitt and asked the

board if Ms. Leavitt could address it with the selectmen. Mr. Bryer replied that he did not want to get into this tonight. Ms. Leavitt noted that she wanted it in the record that this was submitted this evening. Ms. Leavitt read the memo into the record, which stated that she received a request from Selectman Witham for copies of the December 13, 2005 tapes. She noted that there were 4 tapes and on April 10, 2006 listened to the 4th tape, with a staff member, for purposes to verify accuracy of the tape with the minutes. She added that she placed all of the tapes on her desk and April 18, when the request for tapes was received, she was missing tape 4. She explained that she has been unable to locate tape 4 and noted that she has never lost a tape in 6 years of employment. The original request for information is reviewed noting and Mr. Witham stated that there is something definitely wrong and added that of all the tapes he wanted, he wanted that one. Ms. Leavitt agreed. Mr. Witham did not take any of the recorded December 13 tapes and stated that he did not need them.

In House Postings of Positions:

Ms. Beaulieu explained that the board has established a 5-day in house posting for positions. She stated that an application has been received and asked if the board would like to proceed or hold off.

Northwood Fire/Rescue Member:

Ms. Beaulieu stated that she has received a request from Fire Chief Ashford for a fire/rescue member. Mr. Bryer replied that it could wait until the next meeting.

Special Meeting Request Petition:

Mr. Bryer confirmed that the special meeting petition would be presented to town counsel for their review. Ms. Beaulieu replied yes.

A recess request was made by Mr. Witham.

Non-Public Session:

A motion was made by Mr. Bryer, seconded by Mr. Shaffer, to enter into a non-public session under 91-A:3II(b).

Roll Call Vote:

Doug Shaffer - yes

Ken Witham - yes

Scott Bryer - yes

Motion passed unanimously; 3/0.

Mr. Witham made a motion to come out of non-public session per RSA 91-A:3. Mr. Shaffer accepted the motion to come out of non-public.

Mr. Shaffer stated that Mr. Bryer left the chairmanship and left meeting. In attendance were Doug Shaffer, Ken Witham, and Tammie Beaulieu. Mr. Shaffer stated that he made the recommendation to terminate Tammie Beaulieu on the grounds of insubordination. A motion to terminate Tammie Beaulieu was made by Mr. Shaffer, regrettably. Mr. Shaffer stated that it is not working out and the meetings need to be a lot better. Mr. Witham seconded the motion and motioned to adjourn. Ms. Beaulieu requested an appeal as allowed by the personnel policy, and added that it would be submitted in writing. Ms. Beaulieu stated that there were still issues for the board to address in non-public session and asked the board to clean up and she then left the meeting.

No further action was taken at this meeting.