

BOS Minutes 08/14/07

Contributed by
Monday, 01 October 2007

Board of Selectmen

Minutes of 8/14/07

Approved as of 9/25/07

Town Hall Northwood NH – August 14, 2007

Call to Order

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

Roll Call

Chairman Scott Bryer, Selectman Ken Curley, Interim Town Administrator Paul Martel.

Selectman Alden Dill - absent.

Citizen’s Forum

Steve Preston presented a request to the selectmen regarding enforcing the town’s mandatory recycling that has been in affect since 2002. Mr. Bryer replied that this would be addressed during the regular business portion of the meeting.

Marion Knox stated that she has a question regarding the July 31 meeting minutes.

John Lane asked if the board decided not to record the meetings as the cable coordinator is not present. Mr. Bryer replied that the meetings will be recorded; Mr. Garnett was absent and the equipment was not set up.

Interim Town Administrator’s Report

Proposed Fee Schedule

Mr. Martell explained that the board has received the departments proposed changes to the fee schedule. He noted that the public hearing for the fee schedule will be August 28. Mr. Bryer asked about the fee for town hall rental. He believed that the fee was already \$50., as it is being proposed. Mr. Martel replied that the current fee is \$20. He will check into the town hall rental fee.

Mitigation Grants

Mr. Martel stated that he has received some information regarding a request for mitigation grants. He stated that he will speak to the road agent for specific amounts.

Rockingham County Conservation District (RCCD)

Mr. Martel explained that RCCD has sent a letter asking if their services are still a need for the town as they have been doing the inspections for roads within the Deer Ridge subdivision project. Mr. Martel noted that money has been escrowed for the project. Mr. Bryer stated that he believes that there was an issue with the slope and some funds were being held so that the town could re-evaluate the matter. He requested a follow up with the road agent and building inspector.

NHDES - Fee Increase Notice

An updated fee schedule has been received from NHDES relative to the dams and filing fees. Mr. Bryer asked for clarification if this is an annual filing fee and what the town has been paying.

2010 Census

Mr. Martel stated that a workshop has been scheduled for August 29. Training discs and a data base have also been received. He added that he could attend the workshop.

6:15 - Public Hearing

Mr. Bryer read the public hearing public notice for the progress of the emergency CDBG grant project from the Community Development Finance Authority. Mr. Bryer provided an update of the project and explained that the Community Development Block Grant funds were used to finance the engineering and construction to replace 2 failed/failing septic systems at Tower View Co-op on Route 4 in Northwood. The public portion of the hearing was opened and with no additional comment, the public hearing was closed at 6:20 p.m.

6:20 p.m. - A recess was taken to allow Mr. Garnett to set up the recording equipment.

Reports ‐ NHDOT

Mr. Martel noted updates from NHDOT regarding road work.

Consent Calendar

DRA PA-16 Reimbursement Form for Federal and State Forest Land

The form was reviewed and ****Motion**** Mr. Curley motioned to approve and for the chair to sign the DRA PA-16 form. Seconded by Mr. Bryer. The motion passed unanimously; 2/0. Mr. Bryer requested that the numbers be confirmed as one is written and one is typed and they are different.

Proposal for Wolcott - Paving Package

This was previously approved, July 31, 2007. ****Motion**** Mr. Curley motioned to approve and for the chair to sign the proposal for Wolcott. Seconded by Mr. Bryer. The motion passed unanimously; 2/0. Mr. Bryer signed the agreement.

Fleet Prided Credit Card

An application has been received for a credit card. Mr. Bryer stated that he thought there was an existing line of credit. He requested additional information from the road agent for what this is for and the item was tabled.

Appointments

6:30 ~ Bob and Debbie Arena, Class VI Road

The Arenas were not present. Mr. Bryer requested that Mr. Martel speak to Linda Smith, Planning Board Administrator, regarding Class VI roads and the planning board's guidelines for these roads. Mr. Bryer added that he received a phone call from a tax payer regarding what needs to be done on a Class VI road before a building permit can be issued.

Consent Calendar (Continued)

Current Use Penalty ‐ Map 224; Lot 33; Sublot 3

Mr. Martel presented the board with a current use penalty for DelPozzo, Map 224; Lot 33; Sublot 3. The penalty has been recommended by Rod Wood, the town's assessor. ****Motion**** Mr. Curley motioned to approve the current use penalty for DelPozzo, Map 224; Lot 33; Sublot 3. Seconded by Mr. Bryer. The motion passed unanimously; 2/0. The penalty was signed by the board.

Underwood Engineering ESR for Bennett's Bridge; \$11,000

Mr. Martell explained that the contract is for work for the town's beach area on Bennett's Bridge Road. The total is \$11,000. Mr. Bryer asked if this would be covered under FEMA. Mr. Martel replied that it should be as it is work for the bridge and he read the scope of work provided. ****Motion**** Mr. Curley motioned to approve the proposal for Bennett's Bridge from Underwood Engineering for \$11,000 and allow the chair to sign the ESR. Seconded by Mr. Bryer. The motion passed unanimously; 2/0. The contract was signed by Mr. Bryer.

Intent to Cut ‐ Andrews, Map 203; Lot 16

Mr. Martel presented the board with an Intent to Cut for Edward and Joyce Andrews, Map 203; Lot 16. ****Motion**** Mr. Bryer motioned to approve the Intent to Cut for Edward and Joyce Andrews, Map 203; Lot 16. Seconded by Mr. Curley. The motion passed unanimously; 2/0. The intent to cut was signed by the board.

Payroll Manifest

Payroll manifest #21 in the amount of \$47,537.40. ****Motion**** Mr. Bryer moved to approve the payroll manifest of \$47,537.40. Mr. Curley seconded. Motion passed unanimously; 2/0.

Agreement and Release, Gaviat Road, Map 210; Lot 45.

Mr. Martel provided the board with an agreement and release for a private road; Gaviat Road, Map 210; Lot 45. After review, ****Motion**** Mr. Curley moved to approve the Agreement and Release, Gaviat Road, Map 210; Lot 45. Mr. Bryer seconded. Motion passed unanimously; 2/0.

Agreement and Release, Gaviat Road, Map 210; Lot 47.

Mr. Martel provided the board with an agreement and release for a private road; Gaviat Road, Map 210; Lot 47. After review, ****Motion**** Mr. Bryer moved to approve the Agreement and Release, Gaviat Road, Map 210; Lot 47. Mr. Curley seconded. Motion passed unanimously; 2/0.

Vendor Manifest

Vendor manifest #36 in the amount of \$300,966.95. ****Motion**** Mr. Curley moved to approve vendor manifest #36 in the amount of \$300,966.95. Mr. Bryer seconded. Motion passed unanimously; 2/0.

Purchase Order - Wolcott

Mr. Martel presented the board with the previously approved purchase order for Wolcott for \$68,625. for signature. The

PO was signed by the board.

Salt Bids

Mr. Martel presented the board with two salt quotes, Morton and Granite State both at \$45. Mr. Wilson's recommendation was noted to accept the bid from Morton as they will usually deliver within 24 hours. **Motion** Mr. Curley motioned to approve the bid for Morton Salt and to allow the chair to sign the agreement. Mr. Bryer seconded. Motion passed unanimously; 2/0. The PO was signed by the board.

Waiver Request Letter

A letter has been received from Chuck Reese of the Pleasant Lake Association, requesting a waiver for town hall rental fees for a presentation on septic system designs on August 30. **Motion** Mr. Curley motioned to grant the waiver for town hall rental fees for the Pleasant Lake Association. Mr. Bryer seconded. Motion passed unanimously; 2/0.

MS-1

Motion Mr. Curley motioned to approve the MS-1, the town inventory. Mr. Bryer seconded. Motion passed unanimously; 2/0.

MS-4

Motion Mr. Curley motioned to approve the MS-4. Mr. Bryer seconded. Mr. Martel explained that this is the estimated town's revenues for next year. He reviewed the received fees at this point and noted that they are within the same area as last year. Motion passed unanimously; 2/0.

The consent calendar was signed by the board.

7:00 p.m. - Recreation Fields

Jim Goad was present regarding the recreation fields along with Russ Eldridge and David Ruth. Mr. Eldridge stated that the committee met last Wednesday and discussed the comments from the planning board. He explained that safety is the major concern; however, NHDOT has permitted the town to move the driveway entrance to the western end of lot 27 and with a width not to exceed 32'. Left hand turns from the property are considered not to be necessary as there are no limitations on any of the lots between the elementary school and the recycling center driveway. He noted that some of the areas are more dangerous than this property.

Mr. Eldridge stated that there is room for over 75 cars to be parked south and north of the two fields. He added that the parking areas are not be indicated on the first stage of the development. With traffic flow of the site, the proposed road within the lot is much greater than many of the roads accepted roads, which are used by vehicles greater than the road would be. Lose balls have been considered and he added that common sense would prevail.

Additional discussion was held regarding a gate. Mr. Eldridge stated that the recreation commission does feel that a gate at the entrance is essential; however, the police will patrol the site as they do all areas in town.

As far as the drainage, Mr. Eldridge stated that drainage was noted on the plans. He suggested that the planning board's engineer review the plans and make recommendations.

With respect to abutters and runoff of the site, Mr. Eldridge stated that there will be no disturbance of the vegetation south and west of the ball fields. Adequate erosion control measures will be provided within the contracts submitted by the contractors.

Lighting location was acknowledged in that there would not be any lighting needed as the hours of operation would be during daylight hours of 7:30 a.m. and dusk, after construction.

Mr. Eldridge explained that the written intent is for practice soccer fields; however, they have discussed T-ball and baseball. The fields committee intent has been presented as practice fields. Proposed uses and future plans will be submitted in the future.

Mr. Eldridge stated that the proposed road is within the property setback. He added that the committee believes that the road is between 18' and 20' of the property setbacks.

In addition, Mr. Eldridge addressed the concern of trespassing of children onto the abutter's property. He stated this should be considered by the abutter's and asked if providing fencing would be necessary. Mr. Eldridge stated that as far as the committee is aware, the town has only provided one fence on town property and that is at the Northwood Lake Beach. He asked if the school's have fencing. Mr. Bryer replied there is some fencing in the elementary school area.

Mr. Eldridge stated that the well will not be used and the committee plans to secure the well cover with a boulder. He added that proper signage will be instituted.

As far as stamped plans, Mr. Eldridge explained that construction can be accomplished as indicated by the

committee's engineers as long as the contractor and the town submit to NHDES than they can go ahead and begin the construction work.

In conclusion, Mr. Eldridge stated that common sense will inure. The fields committee is asking the selectmen if the town will allow them to release bids for the first stage of construction so there will be an athletic area in town.

Mr. Bryer stated that he feels some concerns noted are not major concerns. He explained that he is concerned with the safety issues relative to traffic on site and left hand turns. Mr. Ruth stated that the committee will only have any entrance and exit. He stated that they do not feel that it is necessary to have signs for a right turn only.

Further discussion ensued regarding the concerns of the planning board. Mr. Curley noted that the planning board was concerned regarding the usage of the fields and the fact that concerns of the abutters could change if the field use was to change too. Mr. Eldridge stated that permits would be required by NHDES should the plans change. He added that exact locations of the fields are not able to be located. Mr. Bryer suggested that possible locations should be noted on the plan. He added that a possible parking area should be delineated on the plan, as well. Mr. Ruth added that the uses would be mostly soccer, and the T-ball age group. He explained that there is no diamond set for baseball fields. Mr. Curley requested that when plans are finalized, a set be provided to the planning board. Mr. Bryer stated that the town is exempt; however, the projects should follow the regulations set by town. Mr. Eldridge stated that the fields committee is trying to be reasonable with the project.

Mr. Goad explained that the fields committee will be doing the bid process, which will be provided to the board prior to going out for final bid.

Recycling Committee Meetings

Mr. Bryer read a letter from the Northwood Recycling Committee requesting that Steve Preston be approved for additional hours to allow him to attend monthly recycling meetings. Mr. Preston stated that he works 24 hours per week. ****Motion**** Mr. Bryer motioned to approve an increase of 2 hours per month to allow Mr. Preston to attend the recycling committee's monthly meeting. Mr. Curley seconded. Motion passed unanimously; 2/0.

7:15 p.m. - Conservation Commission & Lucas Pond

Conservation commission members Mike Matson and Wini Young were present to meet with the board along with the town's health officer Don Arsenault. Mr. Matson explained that he works as a conservation officer for NH Fish and Game Department and patrols the Lucas Pond beach area. He has noticed the deteriorating beach front. He explained that the area is a dual purpose area; beach, a great fishing area, and board launch. He explained that the area does not have any type of facilities.

Mr. Matson explained that the area now looks like a poor stairway in where there was a level plain into the beach. He expressed concern with the fact that this stairway is now causing a hazard and it is a safety issue. He added that there are no restroom facilities, which is also causing a health problem. There is a downward slope caused by washout that is draining right into the lake. Pictures were provided and reviewed. He requested that a portable toilet be placed at this beach area from the fourth Saturday in April through Labor Day and use funds from the Bennett's Bridge Beach as this beach does not exist anymore.

Don Arsenault also commented on how clean the water is in the pond. He explained that there was a fishing derby held many years ago. Mr. Bryer asked for some history of why the lifeguards were pulled from the beach. Mr. Arsenault stated that he has been requesting a portable toilet for this area for many years as well as other areas.

Further discussion ensued. Mr. Bryer noted that there are many issues with the area. He added that there are other areas in town that people would like to see a chemical toilet; Harvey Lake, Jenness Pond, etc. Mr. Arsenault added that he would be budgeting for portable toilets at Lucas Pond and Bennett's Bridge areas for next year. Mr. Matson noted that through his patrols of Northwood and with all of the lakes in town, this area is highly concentrated and receives more activity.

Mr. Bryer stated that he does not have a problem with repairing the area and added that the reconstruction of the Lucas Pond Beach area would need to be addressed by a warrant article. He requested figures for the repairs and renovations and suggested that it begin with discussions with the road agent. ****Motion**** Mr. Curley motioned to approve the rental of a porta-potty from now through Labor Day at Lucas Pond. Mr. Bryer seconded. Motion passed unanimously; 2/0. Mr. Curley added that the rentals of porta-potties are a good idea for the budget for next year and should be a part of the recreation department and/or the health department budgets.

Steve Preston's Letter & Mandatory Recycling

Mr. Preston's letter was discussed relative to a proposal for recycling. Mr. Preston explained that something needs to be done with the recyclables that are ending up within the household waste. He stated that mandatory recycling passed in 2002. He suggested that there be something in the newspapers and on the website to get people to recycle.

Mr. Bryer stated that he would not have a problem with putting something in the local paper explaining recycling and what is expected of the citizens in Northwood. He stated that the policy should be enforced if residents are abusing the recycling center. He asked how this would be enforced. Mr. Preston replied that the residence would lose their permit if they are not following the policy. Mr. Bryer stated that Mr. Preston has the authority now as there is a policy in place.

Mr. Curley suggested that there be an area so that residents are able to sort recyclables. Mr. Vaillancourt, Recycling Committee Chair, explained that Mr. Preston would like to do a different type of education and he would like to look at this approach as that. He explained that Mr. Preston would randomly select bags and check them. Mr. Bryer suggested a press release for the Sun and webpage. He added that he does not have a problem with the approach and noted that Mr. Preston has the authority to do random selections now. Mr. Preston added that there is not enough room for people to sort their trash. Mr. Vaillancourt stated that the committee is trying to educate the people and a reminder in the Sun is a good idea. He suggested the process begin like this now and down the road then Mr. Preston can begin to pull permits.

Mr. Bryer suggested that the selectmen and recycling committee submit a press release to the Suncook Valley Sun and add to the website. Mr. Curley stated that this is a good idea; however, the trash needs to be sorted at the transfer station otherwise the trash will be distributed throughout town. Mr. Vaillancourt stated that the recycling committee will work on the press release information and get it to the board.

Selectmen's Comments

Ken Curley addressed Right To Know requests. He stated that over the past few months there has been an increase of requests for minutes, DVD's, documents, etc. He provided a set of guidelines and reviewed the forms. He requested that employees review and comment on the forms. Mr. Bryer would like counsel to review the forms too.

Mr. Curley commented on DVD requests and the purpose. He explained that the cable trust fund is paid for by Metrocast subscribers in Northwood. This fund is what has allowed the town to have public access and make the DVD's. The DVD's are not a public record as they are paid for as a tax from Metrocast subscribers. He explained that all DVD's must be edited due to liability. ****Motion**** Mr. Curley motioned that town hall cease making copies of DVD's as well as stop storing DVD's at town hall. Mr. Bryer seconded. Discussion ensued regarding if the DVD's can be considered part of the public record. Mr. Curley explained that the DVD's are for entertainment purposes, paid for by the Metrocast subscribers, and there is no claim of the DVD's being a public record. Editing can be done due to the fact that the DVD's are played as a show. Mr. Bryer asked if there is a legal opinion on the issue. Mr. Curley replied no; however, he has spoken to Community Cable Media in Concord and others. He added that the policy was created to not have the DVD's stored in town hall so that they could not be misconstrued. Mr. Bryer requested that Mr. Curley speak to legal counsel. Motion and second were rescinded.

Mr. Curley explained that there has recently been a delay in producing DVD's and honoring requests. There have been equipment failures and the Town of Northwood DVD's were not recognized on the machines in LRPA. He added that he has been working to rectify the equipment problems and until that time no DVD requests can be honored; however, all prior requests for DVD's will be honored. Mr. Bryer asked if Laconia High School can fill requests. Mr. Curley replied yes if they have the DVD and are not using it.

Acceptance of Minutes

Minutes of July 10, 2007: ****Motion**** Mr. Bryer made a motion, seconded by Mr. Curley, to approve the minutes of July 10, 2007, as amended as follows:

Page 1: Remove: …elected officials…. Motion passed; 2/0.

Minutes of July 31, 2007: ****Motion**** Mr. Curley made a motion, seconded by Mr. Bryer, to approve the minutes of July 31, 2007, as amended as follows:

Page 4: Change: 2007 to 2010. Motion passed; 2/0.

Minutes of July 24, 2007: ****Motion**** Mr. Bryer made a motion, seconded by Mr. Curley, to approve the minutes of July 24, 2007, as written. Motion passed; 2/0.

Non-Public Minutes of July 31, 2007: ****Motion**** Mr. Bryer made a motion, seconded by Mr. Curly, to approve the non-public minutes of July 31, 2007, relative to the recreation director position, as written. Motion passed; 2/0.

Non-Public Minutes of July 31, 2007: ****Motion**** Mr. Bryer made a motion, seconded by Mr. Curly, to approve the non-public minutes of July 24, 2007, regarding the discussion for a waiver due to hardship, as written. Motion passed; 2/0.

Mr. Bryer asked about the bus situation relative to Gulf Road. Mr. Martel explained that he has a few complaints that the limbs are hanging out into the road. Mr. Bryer asked Mr. Martel to speak to the road agent and noted that if this is tree work, there is a line within the budget.

Non-public Session

8:50 p.m. ****Motion**** Mr. Curley made a motion, seconded by Mr. Bryer, to go into a non-public session under RSA 91-

A:3II(c).

Roll Call Vote:

Selectman Curley-yes

Selectman Bryer-yes

Motion passed unanimously; 2/0.

9:10 p.m. ****Motion**** Mr. Curley motioned to come out of the non-public session. Seconded by Mr. Bryer. The motion passed unanimously; 2/0.

****Motion**** Mr. Curley motioned to seal the minutes of the non-public session. Seconded by Mr. Bryer. Motion passed unanimously; 2/0.

Mr. Bryer stated that the board made some decisions while in the non-public session.

****Motion**** Mr. Bryer motioned to change the step and grades for the following people, based on the Local Government Center (LGC) recommendations:

• Lisa Fellows-Weaver to be moved from a Grade 6, Step 7 to a Grade 6, Step 8 at a new rate of \$14.13 per hour.

• Linda Smith to be moved from a Grade 7, Step 11 to a Grade 8, Step 10, with a new rate of \$16.52 per hour.

Seconded by Mr. Curley. Mr. Bryer stated that the LGC had recommended higher steps for these employees; however, the board agreed to go up one step for one employee due to budgetary concerns and to adjust the other to another labor grade. The motion passed unanimously; 2/0.

Mr. Bryer added that the finance technician also appealed the salary and grade to the LGC. The recommendation came back that the labor grade should be moved up from a Grade 9, to a Grade 10, Step 9, which is \$17.69 per hour. In addition, the LGC also recommended a title change for this position to finance administrator due to the change in labor grade. ****Motion**** Mr. Bryer motioned to change the title of the finance technician to finance administrator with a grade and step change to Grade 10, Step 9. Seconded by Mr. Curley. The motion passed unanimously; 2/0.

Mr. Bryer stated that the planner, and the director of library also contested the results and the LGC recommended that there be no changes for these two other positions. Mr. Bryer added that the selectmen agreed with the LGC recommendations.

****Motion**** Mr. Curley motioned for the town administrator to contact and make an offer to the recreation director applicant, Kathy Boudreau. Seconded by Mr. Bryer. The motion passed unanimously; 2/0.

Public Comment

Joe Knox expressed concern relative to Lucas Pond. He explained that the state stocks the pond and by adding a portable toilet, the area will become a beach. He feels that the state should be providing the toilet not the town.

Marion Knox added that she too has concerns regarding Lucas Pond. She stated that she will put her comments and suggestions in writing and provide to the board. She noted that there is a lot of background relative to this area.

Kate McNally asked for clarification regarding the LGC wage study and placements, that the people did not meet the grade and step that LGC had said that they should be at. Mr. Bryer replied that the board has changed them to meet the grade; however, the board may not have met the exact step that was recommended. Ms. McNally asked if these people will be placed where the LGC had recommended during the next budgeting process. Mr. Bryer replied that this will depend on performance over the year and added in his opinion, not necessarily. He added that part of the decisions for raises will be based on evaluations and performance over the year.

Ms. McNally asked for qualifications for the new recreation director. Mr. Bryer replied that he would take this under advisement as he would prefer to discuss this with the applicant prior to making the resume public information.

With no further public comment, **** Motion**** Mr. Curley motioned to adjourn the meeting at 9:20 p.m. Mr. Bryer seconded the motion and the motion passed; 2/0.

Respectfully submitted,

Lisa Fellows-Weaver
Board Secretary