Selectmen's meeting minutes of July 20th, 2006

Present from the Board:
Vice Chair Katherine Dawson, Selectmen Wadleigh, Cavanaugh, and LaPlante. Chairman Manseau was not present.

Also present:
Catherine A. Woessner, secretary.

Vice Chair Dawson called the meeting to order at 6:00PM.

Appointments with Selectmen:

Heather Thibodeau, Welfare Director:

Heather informed the Board that it is time to make an amendment to the town welfare guidelines and presented her proposal to the Board. Heather explained that this reflects New Hampshire Law which is something they need to come into compliance with.

The proposed amendment is; if an applicant is determined eligible for welfare assistance from the Town and the applicant’s landlord will not provide their tax ID or Social Security Number to the Town then the Town is unable to issue payment for said voucher. The Welfare Director will inform the landlord in writing that the client is eligible for a determined amount of current rental assistance, issue a voucher but not a check until such time as the landlord provides to the Town their social security or tax ID number. It remains the applicants' or tenants responsibility to document who is a resident of the residence and this documentation must be verifiable. This written notice to the landlord constitutes payment by the tenant thus putting the responsibility on the landlord to provide the required documentation to the town, and the client therefore cannot be held liable or evicted for the property owner’s unwillingness to cooperate with the town in order to receive payment. (RSA 165:4-a, 540:9a)

Heather informed the Board that she has spoken to NH Legal Assistance regarding this and other towns are doing this they just amend their guidelines to add this in and this is what Heather is proposing to do. The Board was in agreement. Selectman Cavanaugh made a motion to accept the amendment effective immediately to the Town Welfare Guidelines as
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proposed by Welfare Director Heather Thibodeau, seconded by Selectman Wadleigh. All were in favor.

APPROVAL: MINUTES OF JUNE 22, 06 & JULY 6TH, 06.

Minutes of June 22, 2006:  
Vice Chair Dawson made a couple of grammatical changes on pages 13. Selectman LaPlante made a motion to accept the minutes of June 22nd, as amended, seconded by Selectman Wadleigh. All were in favor.

Minutes of July 6, 2006:  
Vice Chair Dawson had corrections on page 1, 2, & 6. Selectman Cavanaugh made a motion to accept the minutes as amended, seconded by Selectman Wadleigh. All were in favor.

AP & PAYROLL MANIFESTS: The selectmen approved and signed the manifests.

Old Business:  
Request from town clerk to change combinations on safes. Selectman Dawson said considering that there are only three people who have the combinations to the safe she feels the contents are quite safe since it is the town clerk, tax collector and the deputy who have the combinations.

The banner was delivered to Bradford and is being appraised for restoration.

The auditor, Grzelak & Co. has not been in yet to check on how things are going with GSB 34.

Selectman Dawson informed the Board that the Search Committee will be a week behind in reviewing the applications for town administrator as some of the members are on vacation. They have received 20 applications for the position.

Joe Plessner will send a letter regarding the Dunlop drive issue that was discussed in the meeting of June 22, 2006.
The Board discussed the State has taken care of patching some of the potholes on Silver Lake Road, but they have not done the shimming yet.

**Chief Kent Chapman:**

Chief Chapman informed the Board that Mr. Zalisko of PMC International who has been hired to do the future needs assessment for the Police Department said there is no doubt that they need a new police station. Chief Chapman said they discussed that once this was determined they would hire an Engineer to work with Mr. Zalisko. Chief Chapman presented a proposal from Ray Corber from Gilford for the Board’s review. The cost for the engineering is $20,000 which as been budgeted for. There was discussion regarding a site for the Police Station and Chief Chapman said Mr. Corber is willing to start from the west side through the east side to determine which is most feasible and where it is probable to put a police station and the concentrate on that area to approach people to purchase land. Selectman Dawson asked to have that information added to the proposal. Chief Chapman said they are also considering a life safety building which would include a fire station. Selectman Cavanaugh suggested having an attorney review the proposal before the Board approves it. The Board discussed the firm asking for a lump sum payment of $20,000 as this is not something the town typically does. Selectman Dawson asked Chief Chapman to have them add a payment schedule rather than a lump sum payment. Chief Chapman said he will have Mr. Corber attend a Selectmen’s meeting if they would like to discuss these items with him. The Board will get back to Chief Chapman after they have an attorney review the contract.

At 6:25PM Chief Chapman asked to go into executive session regarding a personnel matter. Vice Chair made a motion to go into non-public session regarding the dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted, seconded by Selectman LaPlante. Selectman Wadleigh, yes, Selectman LaPlante, yes, Selectman Cavanaugh, yes, and Vice Chair Dawson, yes.

At 6:37PM the Board resumed their regular meeting.
Franklin Savings Bank:  Deb Tessier and Mike Seymour

Ms. Tessier informed the Board that she and Mr. Seymour are here this evening on behalf of Franklin Savings Bank regarding a deposit analysis that was done on the town’s deposit account. This was in June of 2005 and then again in January. Ms. Tessier said they would like to present this information to the Board and hopefully have a chance to further discuss it once the Board reviews it. Ms. Tessier informed the Board that Franklin Savings has done some financing for the town. The last loan that was done was for Riverfront Park. Mr. Seymour went over the analysis information with the Board and gave them copies of what he has done to date. Mr. Seymour said they offer direct deposit (employee payroll) and also have the ability for online real time internet banking which would allow the administrator or treasurer access to deposits and account history. Ms. Tessier informed the Board that if the town was in need of doing more funding, with building a relationship and having the deposit account they would also take a look at negotiating the legal fees and origination fees that they were not able to do in the past.

Mr. Jarek Hecka-re: abatement on 2005 taxes. At a previous Selectmen’s meeting the Board of Selectmen read Mr. Jarek’s request for an abatement on his 2005 taxes and asked him to bring in information regarding his finances and medical information. Mr. Jarek is requesting a non-public meeting where the Selectmen discuss his financial and medical information. At 6:43PM Selectman Cavanaugh made a motion to go into non-public session, seconded by Selectman Wadleigh regarding matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant. Selectman Wadleigh, yes, Selectman Cavanaugh, yes, Selectman LaPlante, yes, and Vice Chair Dawson, yes.
At 6:55PM the Board resumed their regular meeting.

Vice Chair Dawson made a motion to seal the minutes of the non-public session indefinitely, seconded by Selectman Cavanaugh. All were in favor.

Vice Chair Dawson made a motion to abate the June 20th, tax bill for Jarek Hecka in the amount of $2,464.27, seconded by Selectman LaPlante. All were in favor.

**Appointments with Selectmen continued:**

**Tom & Lois Sellew: Silver Lake Road**

Mr. Sellew said the State has not started the shim work on Silver Lake Road yet. Selectman Cavanaugh said the Board discussed this earlier and asked the secretary to contact Carol Murray to find out what the delay is.

Mr. Sellew asked how the sewer department received funds for the archeological dig. Vice Chair Dawson explained that until the money is bonded it is not in the general fund. The money was not raised by taxation, it was raised by bond. Mr. Sellew said they have been told the reason the sewer project has been held up is because they do not have all of the easements and also had to do with re engineering the project. Selectman Wadleigh informed Mr. Sellew that they did not completely re engineer the project; they redesigned certain points of the project. The Requests for Proposals have been sent out. Mr. Sellew informed Selectman Dawson that she has not given him the complete list of invoices from the Sewer Department for the road engineering. Selectman Dawson will have to get this information from the Sewer Department. The Sellew’s asked why the bonding for the Lochmere Sewer Project had to go before town meeting when there are only 178 to 200 residents that will benefit from the sewer line. Selectman Wadleigh explained that the Sewer Commissioners cannot bond themselves, the town has to vote on this at town meeting and the bond is paid back by the users.

**Dennis Allen, PWD Report to Selectmen:** Dennis reported that he looked at Ray & Pat LeVasseur’s property on 85 Andrews Road. The Levasseur’s
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wrote a letter to the Selectmen asking for options as to what they can do to protect their property from future flooding and damage. Dennis said the flooding is definitely caused by the lake and the only suggestion he has is to put sand bags around the area. Dennis also said that unless the people in front of them try to correct the situation to try to stop it, the LeVasseur's will always get flooded.

High Street Bridge Project: Dennis reported he has three bids back from the Engineering companies for the High Street Project.

1. Turner Group $13,500-total estimate on the project is $93,900.
2. VHB $19,875-total estimate on the project is $112,000.
3. Casey Partners - $24,000-total estimate on the project is $140,000.

Dennis is recommending they award the bid to the Turner Group. Dennis informed the Board that there is $80,000 in Road Construction Capital Improvements. Dennis said the $13,500 would have to come out of Road Construction money ($80,000) which he just expended $50,000 which leaves him a balance of $16,000.

After the Board discussed this, Selectmen Wadleigh made a motion to authorize Dennis to contract with the Turner Group for the High Street Bridge design, seconded by Selectman LaPlante. All were in favor.

Sewer Project (archeological dig) Dennis reported that upon review of the information he received to use his back hoe for this project it would amount to 28 days. Dennis said he would not be able to spare this time and the use of his back hoe. Dennis has talked to David Kremko who lives on River Road who has a backhoe gave the sewer department an hourly price and will be able to work for the 28 days required. Mr. Kremko also has a six wheel dump truck if they should need gravel he will take care of it.

Ballfield, Rte., 132: Dennis reported they cleaned out behind the goal posts and on the west side of the goal posts the is 30 ft., gone. Dennis said he spoke to Ken Partridge who will spread the loam for $80.00 per hour with an operator and will have it done before July 28th.
GSB 34 Inventory list: Dennis informed the board that he has completed the inventory list of the highway department. Dennis spoke with Steve Grzelak and Jim Roberge regarding the inventory list.

Selectman Dawson asked Dennis if there were any other bridges in need of repair. Dennis said the next one is the Pine Street Bridge. Selectmen Wadleigh said the whole Paker brook area needs to be worked on. Selectman Dawson asked Dennis if he would create a proposal so they can budget it for next year. Dennis will have the Turner Group look at it so he can have an estimate for next year.

Sandy Plessner, Landuse office: Sandy discussed the letter she sent to the Board regarding having the deputy clerk, Carole Chase to continue working in her office with filing from the assessor’s office and land use office. Sandy spoke with Carole and she is willing to do the work if the Selectmen agree with this arrangement. Sandy said she will need her one day per week for five weeks to complete the filing. Sandy also mentioned that the Planning and Zoning Board are still short a couple of people and would like to place an ad in the newspaper letting the public know what position is available on the Boards. Selectman Dawson said the town clerk has compiled a list of all vacancies on the various boards.

Bob Brown—$10,000 attorney’s fees, town clerk. Mr. Brown addressed the Board informing them that as this is his second appearance before the Board on this subject it is not a form of harassment. Mr. Brown said this is a significant expenditure and does not see how the indemnification fits in this matter, and it is a concern he would like to have resolved. Mr. Brown said the public would also like the answer to why the town paid the town clerk’s legal fees. When Mr. Brown was at the last meeting two weeks ago the Board informed him that they would research the records to see if there was any information that could be shared with the public. Selectman Dawson responded that she is in the process of compiling non public minutes, dates of attorney client conversations and most of the decisions that involved reinstating the town clerk and the payment of those attorney’s fees were done in attorney client meetings. Selectman Dawson said Chairman Manseau
was one of those clients but has been away for the past two weeks and now that he is back he will be part of the voting to release those minutes. Selectman said they will not have any information until the next Selectmen's meeting which is in two weeks. Mr. Brown also asked if the Board has implemented the suggestions by the MRI Audit for the town clerk's office. Selectman Dawson reported that the new computers that were budgeted for have been installed. One of the old computers, monitor is being set up for a second area for the deputy clerk to work off of, separate from the town clerk. Selectman Dawson said she does not think it will be necessary to purchase a second cash register because each transaction the town clerk does is under a separate code from the deputy's. Mr. Brown said he would meet with the Board again in two weeks.

PUBLIC INPUT: STEVE O'LEARY

Mr. O'Leary inquired of the Selectmen why the town clerk and tax collector who are elected officials, not town employees are going to receive a merit raise. Mr. O'Leary said it was his understanding that merit raises were budgeted for town employees only. Selectman Dawson responded that in last year's budget merit raises were included for the tax collector and town clerk. Mr. O'Leary said he would like to know how they can justify giving the town clerk a merit raise when she was out on suspension for so many months. Selectman Dawson said if Mr. O'Leary read the reports he would see that the suspension was pretty much unwarranted. Mr. O'Leary said he has not read all of the reports but heard that some information was blocked out. Selectman Dawson said this was edited by the County Attorney and the Selectmen do not have copies of the unedited report. The Selectmen informed Mr. O'Leary that the reports are public and there are copies in the town offices and if he has any questions to get back to the Selectmen.

Regarding the ball field Mr. O'Leary asked if the Board has received estimates on back stops yet. Selectman Dawson said this is something they will have to address and put in the budget for town meeting to vote on next year.

Correspondence: Franklin Savings Bank, Joe Thornton Re: Alternative solutions to the safety problem at the US3/shared commercial driveway
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intersection (located east of NH 140), including the installation of traffic signals at this location.

Selectman Dawson informed the Board that she spoke to Joe Thornton of Franklin Savings Bank regarding the Board’s concerns on creating a letter to DOT. Some of the concerns the Board had are if they commit to a traffic light does it mean if there is no barrier there, will there still be accidents while they are waiting for a light. Mr. Thornton asked if the Board will hold off on the letter and he and Selectmen Dawson both agreed that the next step would be to have another meeting with DOT to see what they would commit to as far as paying for the traffic light.

Selectman Cavanaugh discussed the Kiosk requested by Ken Randall to be placed at the WRHS. Selectman Cavanaugh asked secretary Catherine Woessner to write a letter to the School Board asking permission to place a Kiosk at the school for election notices. Catherine will also get estimates on the kiosk.

Selectman Dawson discussed the Riverfront Park rules that were submitted to the Board at the July 6th meeting regarding an ordinance for alcoholic beverages at the park. Selectman Cavanaugh spoke with Pat Clark regarding this and Pat’s suggestion is to make it where there is no alcohol allowed and that will be the rule, no alcoholic beverages allowed. If someone is going to have a wedding or other event they may make an exception for this. The Board discussed this and do not feel there should be an exception as there are no alcoholic beverages allowed on the Island, or the ball field. The rule will be no alcoholic beverages, no exception.

Selectman Dawson informed the Board that Officer Paulhus brought to her attention that the sign is missing from the Island that said “NO DOGS, NO ALCOHOL. The discussion was mainly regarding dogs as there is a leash law in Tilton, but there are limited areas to walk dogs. There was discussion as to allow dogs in these areas (the Island) with exceptions, such as cleaning up after your dogs, give officers more control to remove a dog if becoming a nuisance at the Island. The Board discussed this and agree it should remain no dogs allowed at the Island and this should be enforced. The Board further
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discussed the rules for the Riverfront Park and were in agreement to endorse the rules that were submitted.

The Board discussed having Dennis place a Hazardous Waste Day sign on the monument in the center of town. The Board agreed.

Selectman Dawson informed the Board that Chuck Mitchell, Chairman of the Conservation Commission has submitted his recommendation of two alternates to the Conservation Commission, Jim Cropsey and Kathi Mitchell. Selectman Wadleigh made a motion to accept Chuck Mitchell’s recommendation of Jim Cropsey and Kathy Mitchell as alternates to the Conservation Commission, seconded by Selectman Cavanaugh. All were in favor.

Selectman Dawson informed the Board that Mrs. Colby called regarding Mr. Hast placing two cable wires across the entrance to his property. The Board sent Mr. Hast a letter (January 23, 2003) suggesting he could put a temporary gate at the entrance. Selectman Dawson said the reason they allowed Mr. Hast to do this is because people were driving down onto his property and dumping asphalt shingles and other items on his property and this is why the Board allowed him to put the gate up. Selectman Dawson read the last paragraph which pertains to the gate. “the second issue that was decided by the Board of Selectmen by unanimous vote was as follows: “You may maintain a temporary type of blockade on the town owned right of way portion leading to your back property to prevent unauthorized vehicular traffic only. Further the blockade or gate must be temporary in nature and removable if requested by the town. After the Board discussed this they agreed Selectmen Wadleigh and LaPlante will take a look at the property and report back to the Board. Selectman Dawson suggested that if the Selectmen determine that those gates are not temporary in nature, that people cannot pass down which is a town right of way a letter should be sent before the next meeting asking Mr. Hast to remove them.

The Board discussed the correspondence from Louise Loncar regarding the town’s air conditioner that Ms. Loncar believes is encroaching on her
property and is extremely loud. This issue was addressed in 1997 by a previous owner and was handled by Attorney Chandler. The Board agreed to send a letter to Ms. Loncar and a copy of the letter that previously addressed this issue.

**AVITAR CONTRACT:** The Board discussed the Avitar contract and Selectman Cavanaugh made a motion to approve the contract with the stipulation that the year is effectively cut in half from the $25,000 down to $12,500 and also include the $6,500 for the software conversion which will total $19,000, seconded by Selectman Wadleigh. All were in favor.

A letter from Joann Poloni stating her concern regarding the fuel pumps at the Cumberland Farms and does not feel they are accurate. The Board suggests Ms. Poloni contact the State of NH Bureau of Weights and Measures. Ms. Poloni also reported this to the police. Captain Wellington also suggested she contact the Bureau of Weights and Measures. A letter will be sent to Ms. Poloni notifying her of this.

**REPORTS FROM SELECTMEN:**

**Selectman Cavanaugh:** After the preliminary MRI report was published, the Citizen asked the town to release the final report and this is when the Selectmen found the reasons for them to be sealed had now changed. There was no longer any reason to seal this report so the selectmen released it. Subsequently, the Citizen sued the town of Tilton for not releasing what they claimed to be an audit. The town settled with the Citizen in the amount of $3,200 not the original amount of $3,600 for their legal fees. Selectman Cavanaugh said the Board was under the impression that if the Board released the document they would not have to pay attorneys fees. Selectman Dawson said the Citizen’s claim was that the town should not have sealed the MRI report as it was referred to as an audit, but in fact it was not an audit but for the town to defend themselves it would have probably been more costly.
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Selectman LaPlante: The Board has been working on a resolution for coverage for the front office during lunch breaks when there is only one clerk in the office. Selectman Cavanaugh would like to wait to resolve Sandy Plessner's request to allow Carole Chase to help her with filing. The Board agreed.

The Selectmen signed the statement to the finance officer approving overtime for employees.

The Board approved and signed the abatements recommended by Avitar.

Selectman Dawson discussed a letter received from Caring Community Network of Twin Rivers. It states that the State Department of Health and Human Services Requires that a local emergency operations plan for each town served by CCNTR be submitted to the State. More specifically the State requires Emergency Support Function (ESF) #8 as outlined by FEMA to be included within each town's Local Emergency Operations Plan. They are offering to help towns write this. Selectman Wadleigh said he is part of the Emergency Planning and Chief Chapman is the Director. They have gone through the preliminary phase that has been done and there is a second phase that needs to be done. A copy was given to Selectmen Wadleigh who will discuss it with Chief Chapman.

At 8:20PM Vice Chair Dawson made a motion to adjourn the meeting, seconded by Selectman LaPlante. All were in favor.