SELECTMEN'S MEETING MINUTES OF JUNE 11, 2009


Also present: Town Administrator Joyce Fulweiler, and Secretary Catherine A. Woessner.

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

Approval: Minutes of May 21, 2009: Sel. Boudreau made two minor corrections. Sel. Consentino made a motion to accept the minutes of May 21, 2009 with the corrections, seconded by Selectman Plessner. All were in favor.

Minutes of May 28th, 2009: Sel. Consentino made a motion to accept the minutes of May 28th, 2009 as written, seconded by Sel. Plessner. All were in favor.

Old Business: Sel. Dawson asked to have a definitive response from the Main Street Program that they will be paying the electric bill for the Farmers Market that will start on June 20th. The Town Administrator will contact Vince Paratore of the Main St., Program.
The Town Administrator reported that the Public Works Director has checked the attic for drainage regarding the leak coming from the closet upstairs. Brian Huckins has suggested that they have a plumber come in and do a pressure test the drain to try to find out where the leak is. Dennis asked to delay this as he would like to tear down the tin ceilings in the closet to further investigate where the leak is coming from. Sel.Dawson would like to know what company put the membrane on the roof to see if it is still under warranty.

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Sel. Dawson asked if there was any information on the Lowes property, and if there is an agreement regarding who is responsible for cutting the grass on the property where the "Welcome to Downtown Tilton" is. Sel. Plessner is still checking into it.

Reports from Selectmen:

Sel. Boudreau: Reported he attended the Main Street Program meeting last week and they are anxious to move along with the parking issue. Mr. Sarno does not want to sign a lease; he is willing to sign an agreement. Sel. Boudreau feels this should be for a period of time, or perhaps abate his taxes for that property to zero for as long as he allows the town the use of it. As soon as he no longer allows the town to use it, then the taxes will be back in force. His current taxes for the year would be approximately $500.00 per year. Sel. Dawson said if there was an agreement with Mr. Sarno they would pay him in exchange the amount of his taxes and he would still have to pay his taxes. Sel. Dawson said it does not serve the town's purpose if they do not have a time attached to it, for at least five years, a minimum of five years.

Sel. Boudreau reported the board of Selectmen have to sign the PSNH agreement in order for the Main Street Program to put up new banners on the telephone poles. The Town Administrator reported that there are two documents. One the
Selectmen have to sign annually which is the agreement. The second document is the temporary use. The banners are new and will replace the old one. Joyce said they need a list of the pole numbers attached to the document. All it states is downtown banners. Sel. Boudreau said what they want to do is replace the older banners with something newer and will be up year round and change for the holidays. Sel. Dawson asked Joyce to notify Main Street that they have to provide the pole numbers and more of a description of the banners.

Sel. Boudreau reported that he attended the NRRA conference and tradeshow on Monday. According to the Department of Environmental Services the town of Tilton pays per capita for trash disposal $102.00 and the State averages $86.00 per capita. Tilton is definitely not recycling

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enough and Sel. Boudreau said they really need to get the recycling Committee together. He is hoping that by 2011 they will be moving along and one of the biggest issues is the Single Stream Recycling facility that they are still planning to build.

Sel. Dawson: Reported she attended the Parks Commission meeting last night and they still have a problem with a portion of the parking lot they share with Riverfront Place owed by Jim Cropsey. All of the parking spaces were taken at Riverfront Park, yet there was no one in the park. And none of the spaces along Rte., 3 were taken. The board discussed this and can only come to the conclusion that the employees of the businesses at the Riverfront place are taking up these spaces. They should also be encouraged to park along the street. Sel. Dawson met with Dennis, PWD who suggested they put up two signs in buckets with concrete in them so they can be moved that say "for Park Use Only". Sel. Dawson asked Police Chief Cormier if they can add to the sign that they will be ticketed or towed. The board would send a letter to Mr. Cropsey to inform his tenants or send directly to his tenants letting them know what the town will be doing as they are using up all of the Riverfront Parks parking. After further discussion the board agreed they need to inform the Parks Commission of this situation. Sel. Boudreau suggests they put notices under the windshield wipers notifying people that the Riverfront Park parking spaces are reserved for the users of the Riverfront Park only; could be subject to a fine and towing. The board agreed they would have to have a sign that warns people of that before they give them a ticket. Sel. Dawson will e-mail the Parks Commissioners of this conversation and also discuss the language for the signs with Chief Cormier.
Sel. Dawson said the other issue discussed at the Parks Commission meeting is the CCI/TurfPro issue; the punch list is not getting done. The sidewalks need to be re-edged, weeds in the sidewalk, weeds coming up through the brick sidewalks, and the bricks in the pavilion. There are a number of trees that need to be replaced as they were not taken care of. There are also trees that need pruning. There are many issues that need to be taken care of. The Parks Commission will be sending a letter to CCI informing them they need to address these issues immediately. The Parks Commission would like the board’s support in sending this letter. Sel. Dawson discussed with the Commissioners having Dennis take care of the bark mulch under the swings needs to be replaced. The other issue discussed is the Commissioners have received estimates to address and take care of all of the trees on the Island, the Main Street trees, and the trees in the Civil War Monument Park. There is only enough money in their budget to take care of the parks; they do not have enough money to do the additional trees on Main Street. Sel. Dawson said there is a grounds maintenance line item that was put in there in case they had to do the maintenance of the lawns and trees in RFPark. Sel. Dawson is suggesting to the board that they take $4,500 out of that line item and put it in the Park Commissioners budget for the maintenance of the trees so they do not lose them. Sel. Consentino asked if any of the care of the trees can wait until next year. Sel. Dawson said perhaps the replacement of the trees that are dead can wait until next year, but that is the least amount of expense on the list. The greatest expense is to the mature trees on the Island. Sel. Dawson asked the board how they feel about this request. Sel. Dawson said the Parks Commission is looking for an additional $3,500 to $3,800 dollars and this is an approximate figure. Sel. Boudreau suggested an adopt a tree program and also the town belongs to Tree City USA, this should be looked into for grants and the Arbor Day Foundation should be looked into. Also check with Main Street to see if they have any funds available for the trees on Main Street. Sel. Dawson will contact the Parks Commission and let them know that there is the possibility of funds being available but they would like to know more about the cost and to look into the various programs first. The board would also like to know the contract amount for the arborist.
Sel. Consentino: Reported the Life Safety Committee met and they formed a sub-committee to look at Grants. They are on the site selection process. Sel. Consentino reported there were issues with the Selectmen's phone and computer moved upstairs. During this process the (ESI) phone man quit. There are two other phone support companies that would be able to support our present phones, ESI system.

Sel. Consentino reported that there are some issues with downtown parking and has spoken to the Chief about it. The same merchants are parking in the parking spaces and they wait two hours and then move their vehicle and then

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return and park in the same spot two more hours. This is an on going issue and the same merchants. The Police are going to be checking into this.

Sel. Consentino discussed different issues happening in town and would like to have reports from department heads, either monthly or bi-weekly reports. She would like a report informing the board what they are working on and the progress on it. The board is in agreement.

The Farmers Market in downtown Tilton starts on June 20th, and June 24th at the Tanger Outlet Mall. The Main Street Program is sponsoring both of them in conjunction with the Tanger Outlets. It will say Tilton Farmers Market brought to you at two different locations this year, Historic Downtown Tilton, and the Tanger Outlet Center.

Sel. Plessner: Reported that this past week she has had several incidents come up that if she had known someone else had been working on it would have been much easier to deal with. She is complete agreement with having department heads submit reports to the Selectmen so they are aware of what is going on when approached by residents. Sel. Plessner also asked Sel. Dawson for health reports just a rundown on how things are going. Sel. Plessner talked to the Welfare Director regarding this and she usually gives quarterly reports unless there is a particular incident that the board needs to be aware of. Sel. Plessner asked the board who would be doing the employee evaluations. Sel. Dawson said they usually have the Selectmen's liaison do that department for them. After further discussion the board agreed to have Sel. Plessner, liaison to town hall do the evaluations.
Sel. Plessner reported to the board when she was talking to the town attorney it was discovered he is working on a legal issue for the Code Enforcement Officer. Sel. Plessner thought the board would like to be apprised whenever the attorney is going to be used as far as them keeping an eye on attorney’s costs. Sel. Dawson informed the board that the previous board gave the Code Enforcement permission to contact the attorney when needed. Sel. Dawson said if this board would like to change this policy they can. Sel. Plessner said she is just asking that the Selectmen

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are informed when he needs to contact an attorney. They will inform the Code Enforcement Officer of this.

The board would like to have the Town Administrator send an inter office memo to employees from the Selectmen when any expenditure is requested and an attorney is needed the board would like to be informed of this.

Sel. Plessner made a motion that the Selectmen are requesting monthly reports from the different department heads to keep the board up-to-date and any expense to the town, such as legal fees that the board be notified as soon as possible, seconded, by Selectman Boudreau. All were in favor.

Sel. Consentino asked the board for clarification on who would be doing the evaluation on the Finance Officer. Sel. Dawson said the Selectmen should probably his evaluation since he works directly for them and reports directly to them. The board agreed it should be done by the liaison to the Selectmen which is Sel. Plessner. Joyce said Sel. Plessner should do hers as well as the Administrative Assistant’s. The Board agreed. The Town Administrator will do the evaluations for the Code Enforcement Officer and the Land Use Assistant. Sel. Dawson discussed the Welfare Director’s sign up sheet on her door for clients. Sel. Dawson said anyone can see this and she thinks this information should be more private rather a
public sign-up sheet. Sel. Boudreau suggested a form and/or letter box or letter slot going in her office. Sel. Dawson feels they are in violation of privacy laws. Sel. Consentino suggested they have Catherine handle the sign in clip board for applicants and keep it in her office until they can further discuss this with Heather at their June 25th meeting. The board was in agreement.

**Town Administrators agenda items. Winnipesaukee River Trail:** Joyce reported on the legislation dealing with the Insurance Liability and the Department of Transportation Rail Bureau and the Railroad operators. Tilton is the first section of trail that will be in the active rail line. The dead line is June 25th for everything to be passed. Joyce said they need to expedite this project otherwise they will loose their AARA Funding. The Winnipesaukee River Trail Associations met Tuesday evening and they agreed to pay for three years of insurance. This is additional insurance that can indemnify the railroad operator. Joyce informed the board that the

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Department of Transportation Bureau of Rails is requiring the Town of Tilton to sign the Rail Trail Agreement. Tilton and Northfield already signed a Temporary Use Agreement, but now that they are getting ready for construction it has to become a permanent agreement. Joyce explained the agreement that the Attorney General's office has drawn up. It does not reflect the current relationship that the project has, which is two municipalities. Northfield is responsible for all of the construction. The Trails Association is responsible for the maintenance, but the way it is written and the way they insist it be developed and they want to make sure someone is responsible; they have it all in the name of Town of Tilton. Joyce said what they are asking is to have them change it so that the Town of Northfield is responsible for the construction and Tilton will be responsible for the maintenance and any repairs after it is constructed. What they are proposing is to enter into a sub-agreement or a maintenance agreement with the Trails Association where they would be responsible for the maintenance. What they propose to do is to start a maintenance fund of $10,000. Joyce explained they spoke to Jamie Dow of DRA to find out how they take donated money and put it into an expendable Trust Fund. Joyce said there is a way to do this and they will continue to do fund raising every year.
Sel. Dawson asked if Tilton is not going to be responsible for maintenance, repair and construction, why are they agreeing to it. Joyce explained that Tilton is responsible for making sure that there is a maintenance plan and it is carried out, it does not mean that the town would be doing it.

Joyce said they are asking the board if they would let them proceed to draft some agreements and bring them back to the board. The Finance Officer has met with them and has agreed to help them with it. Joyce said the two things to check into our with the town’s insurance company to be sure that the insurance that the Trails Association is planning on purchasing meets the needs and protects the town. The second item is to develop the agreement for the maintenance and a maintenance plan.

Sel. Dawson said she has some concerns regarding obligating the town to maintaining, repairing, and construction of the trail as at some point it will be a big expense. Also does not understand how the town can insure something it does not own. Joyce gave the board copies of the original application form

Selectmen’s meeting minutes of 6/11/09 for their review. Sel. Dawson said she thought this was not going to be an expense to the town and now she sees that it is and is unfair to the voters.

Joyce asked the board when they want the warrant for the Lochmere Betterment Assessment due. After the board discussed this they agreed they will sign the warrant at the June 25th meeting and the bills will be due August 1st, 2009.

Joyce informed the board that she spoke to Chief Adams of Northfield regarding the towing issue. He is not going to change the policy and would be glad to discuss this with the Selectmen. Sel. Plessner and Sel. Consentino will contact the Chief to meet with him and discuss this issue.
Joyce also reported she contacted Nancy Mayville regarding the Pine Street Bridge Repairs and the project is not eligible for the municipal bridge aid program because the length is less than ten feet. It also does not have any history of water topping over it.

**Finance Officer's update:** A copy of a quotation from the Local Government Center for unemployment insurance which will cover the town for one year for claims and is about what has been paid out in claims in the first six months. The town has spent year to date a little under $2,300 in unemployment insurance because the town is self insured. Tim presented a quote from the LGC which is $2,636.00 and would cover from July 1, 2009 to June 30, 2010. Tim said this amount is not in the budget. Sel. Dawson asked if there is another entity they could get a quote from. Tim said he did attempt to get a quote from another company and they did get back to him yet. There is also Primex that they can get a quote from. Tim feel it is a good idea to move forward with this rather than self insuring with a certain amount of money in the budget they should just have the insurance. Tim said if the board is in agreement the insurance can be effective for July 1, 2009. Sel. Dawson said she agrees with Tim as does Sel. Plessner.

At this time Sel. Dawson made a motion to sign the contract with LGC for unemployment insurance in the amount of $2,636.00 effective July 1, 2009, as recommended by the Finance Officer, seconded by Sel. Plessner. All were in favor.

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Tim informed the board that the current copier agreement (Konica) is for $165 per quarter. It was budgeted for $300.00 per quarter for copier maintenance. The Mita copier agreement (old copier) for $27.00 per month which would cover for 25,000 copies per year with 1.4 cent per page overage cost. This would be $82.00 per month for both maintenance agreements. Tim informed the board that the Mita Maintenance agreement expires tomorrow. After the board discussed this they were in agreement to renew the agreement for the Mita copier.

**Public Works Dir., Dennis Allen:** Dennis informed the board that he has additional information regarding the Pine Street Bridge Project. He asked the engineer, Lisa Martin to perform a weights and unit pricing. They are looking into the box culvert which Dennis said is the proper way as it will last a lot longer. Ms. Martin has given Dennis information on two, a rigid box culvert and a box culver. The only difference is that the rigid does not have a bottom in it and requires more forming for the box to sit on, on a regular box has all four sides, less forming with footings. Dennis
said the first step they have to address is the permitting. Ms. Martin has submitted a permit fee estimate in the amount of $10,680.00. Dennis said the process to obtain the permits is anywhere from three to four months and will not be able to start the project until the middle of October or the 1st of November. Dennis suggested to the board that they rent more barricades and block the road off and put up signs. They would have all their permits by the end of the year and come up with an estimate of what they thought either the ridged or box culvert would be and at that time they would know how much they have left in the Capital Reserve Fund. Dennis said if they need more money for the project they would go back to town meeting to ask for more money. They would then advertise for bids after town meeting. Dennis informed the board that even if they started the project in the fall, Dennis asked the board to authorize the expenditure of the $10,680 for the permits needed for the project. After the board discussed this they were in agreement with Dennis's plan for the Pine Street Project.

At 8:30PM Sel. Consentino made a motion to enter into non-public session, seconded by Sel. Boudreau regarding (e) consideration or negotiation of pending claims or litigation which has been threatened in writing or filed

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against the body or agency or any subdivision thereof, or against any member thereof because of his or her membership in such body agency, until the claim or litigation has been fully adjudicated or otherwise settled. A roll call vote was taken. Sel. K. Dawson, yes, Sel. D. Wadleigh, yes, Sel. P. Consentino, yes, Sel. N. Boudreau, yes, and Sel. S. Plessner, yes.


The Board resumed their regular session and at this time Sel. Dawson made a motion to seal the minutes of the non-public session, seconded by Sel. Consentino. Sel. Dawson, yes, Sel. Wadleigh, yes, Sel. Consentino, yes, Sel. Boudreau, yes, and Sel.
Plessner, yes.

At 9:21PM Sel. Consentino made a motion to adjourn the meeting, seconded by Selectman Boudreau. All were in favor.