Selectmen's meeting minutes of February 3, 2011.

Present from the Board: Chair Pat Consentino, Selectman Sandy Plessner, Selectman Katherine Dawson, Selectman David Wadleigh, and Selectman Norm Boudreau.

Also present: Town Administrator Joyce Fulweiler, Secretary Catherine A. Woessner, and Finance Dir. Tim Pearson.

Chair Consentino called the meeting to order at 4:30PM.

Chair Consentino informed the Board that she would like to make a motion as suggested by their attorney to ratify and affirm the actions of the Board of February 1st, 2011 at 11:45PM which the Board unanimously agreed to ratify the Union Contract as amended, seconded by Selectman Plessner. All were in favor.

Town Clerk/Tax Collector Cindy Reinartz: Cindy joined the meeting to update the Board regarding the credit card contractor, Govolution. Cindy would like to have this available for February 18th, 2011. Cindy is enclosing a note with the delinquent tax bills and to residents that they will be able to pay by credit card if they wish, on line from February 18th, 2011. Cindy also informed the Board of a credit card program, Interware where residents can use their Visa credit cards over the counter to pay for motor vehicle registrations and there will be a charge to the resident for this service. Cindy informed the Board that Franklin Savings Bank donated to the CHAT Committee a used copy machine and a hard drive computer and will also be looking into a monitor to donate as well.

Approval of Minutes of January 20, 2011: Chair Consentino made a motion to approve the minutes of January 20, 2011, seconded by Selectman Boudreau. Discussion: After a minor correction all were in favor of the minutes as corrected.
Finance Dir Tim Pearson: Tim joined the meeting and asked the Board to sign the two copies of the release for Dick Maher and one copy for George Rogers. Mr. Maher and Mr. Rogers asked the town to rescind the purchase and sales agreement that they had on the property for the Life Safety Building Committee, now that they are considering 61 Business Park Drive. Tim also reported that he is working on revising the wording on White Rock for the Board to review next week. Tim is hoping to have a mock up town report for the Selectmen next week with what he has received so far. The Board agreed to meet Monday, February 7th, at 1:00pm to discuss the Town Report.

Town Admin. Joyce Fulweiler agenda items: Joyce gave the Board an update on the water damage to town hall. Public Works Dir. Dennis Allen met with Mr. Tom Parrot, the Insurance Claims Adjuster from the LGC and showed him the water damage throughout the building. Mr. Parrot said the town does have a claim and will be writing it up and sending it to the Local Government Center. Mr. Parrot recommended pulling off the rubber baseboard in the back hall and drill holes so the air can get in there as there is a lot of moisture behind the baseboard. He also recommended having the carpet in that area pulled up and cleaned. After further discussion Chair Consentino made a motion to have Servepro take care of this, seconded by Selectman Dawson. All were in favor. Joyce will get estimates on refinishing the wood floor in the upstairs offices. Joyce discussed the communication received from Fire Chief Ober, T-N Fire District. At Monday’s T-N Fire District Budget Hearing members of the Northfield Budget Committee will be making a presentation at the hearing requesting that in the Fire District Budget they put in an appropriation for approximately $64,000 so that the cost of the Lakes Region Mutual Aid, Northfield’s and Tilton’s appropriation will come out of the Fire District Budget. Selectman Dawson suggested a warrant article in their warrant to study the Fire District Formula. The Board agrees.

Joyce informed the Board that she received an e-mail from Terri Paige, the Mobility Manager from the Community Action Program. They are in the process of advising their advisory board and would like to have a
representative from the Tilton Town Government. Chair Consentino volunteered to serve on the WTA Advisory Board.

Joyce reported that the Planning Board met Tuesday night and the Land Use Secretary has given her the language for the ballot and the warrant. They have discovered that the petitioned article that came in to change one of the uses in the district did not meet the deadline. The deadline for submitting petitioned zoning amendments is between a period of 120 days and 90 days before town meeting. February 1st is the deadline in getting the approved recommended articles to the town clerk. Joyce said the reason that window is moved up is because whenever there is a petitioned zoning amendment you have to allow the planning board time to work on it. A public hearing has to be held for petitioned zoning articles and they have to allow for two public hearings this is why the date is different. Selectman Dawson stated that she received a phone call that 71 people signed that petition and asked if there was anyway to keep it in. Joyce said she spoke to Attorney Puffer and the LGC regarding this. Selectman Plessner said a letter from the zoning board will be sent to the author of the petitioned warrant article informing him the date is wrong and it cannot be accepted this year as they do not have enough time. Joyce said November 8th was the first day to be submitted and December 8th was the last day it could be submitted and it was submitted in February of 2011.

Joyce reported she placed the ad for the custodial position in the Laconia Daily Sun and the Winnisquam Echo. A copy has been sent to all departments, it is posted and it is also on the town’s web site.

Joyce informed the Board that Loren Martin, Avitar assessor would like to meet with the Board at their February 10th meeting to discuss settlement of an abatement for 2009 & 2010. This would be a non public meeting. The Board agreed to meet with her at 4:30PM on February 10th.

Joyce discussed liability regarding Court Ordered Community Service workers. Joyce contacted the LGC to find out if they would be covered under our insurance and was told that yes, they would be under the town’s
membership agreement. Joyce has contacted Property Liability Trust to get this information in writing.

It states: first, the town’s liability coverage with PLT does not extend to those people who have been ordered to perform community service in lieu of jail or restitution. Since these people are neither public employees nor volunteers the PLT coverage is not available.

Secondly there is a new law, RSA -B:13 III became effective on January 1, 2011 and it appears to address our circumstances of wanting to assist these children but also not wanting to be held liable for their actions or any injuries they might sustain while doing their hours with you or one of your departments. Joyce said our community service program is for minors, we only had one individual who was not a minor. The town is covered for minors participating in the community service program. Joyce said what the new law is stating is that they are not considered employees and therefore they are not covered under our insurance. Chair Consentino said if they offer the community service program to people that are older or come to the program that are disabled in some manner then they are offered community service. The Board would like to know if they be covered under the court or would they be covered under the county. Chair Consentino asked Joyce to get this in writing.

Chair Consentino said they need to look closely at the offense before they offer the community service, and are taking them on an individual basis. Chair Consentino asked the Board if they want to make it available to minors only with the understanding that they take each one individually. The Board agrees with the first offense and the nature of the offense.

Chair Consentino discussed the police department use of time regarding the Special Operations Unit. There are currently three officers that are members of the SOU. The town has membership in the SOU by donation and have voted each year whether or not to accept the membership. In order for the Officers to continue into the SOU it is mandated for them to have eight hours each month for training. The Board has frozen the comp time so they cannot use comp time for training. When the town first joined the NH Central Special Operations Unit it was agreed that it was not going to cost the taxpayers any money if any of our officers joined.
Chief Cormier said he feels the Officers should participate in the SOU training on duty or on comp time. Chief Cormier said other towns that are involved are doing the training on duty and their are a couple of departments that use comp.time.

After much discussion, Selectman Plessner suggested they have another public hearing to further discuss this matter and point out the benefits the town receives for being part of this program. Chair Consentino discussed the possibility of having a benefactor to pay for the three officer's training and then there would be not cost to the town. The Board agreed to have two public hearings, the first one will be on Thursday, February 10th, 2011 at 6:30pm, and Thursday, February 24, 2011 at 6:30pm at the Tilton Town Hall to receive public comment on the Town's required training in the Central New Hampshire Special Operations Unit.

Reports from Selectmen:

Selectman Plessner reported she has received complaints regarding the condition of the roads after the roads have been plowed. Their complaints are that the roads are very bumpy and getting narrower because of the way they are plowed. Selectman Plessner has reported this to Public Works Dir. Dennis Allen. Selectman Plessner said considering all of the snow we have had the highway crew has done a phenomenal job of keeping town roads open and people need to be understanding that we do not have smooth roads.

Selectman Plessner reported that they can belong to the Cable T.V. Franchise renewal as there is a lot more to it than charging residents a fee. They can belong to it and receive other benefits from it and never charge a fee to residents.

Joe Jesseman addressed this issue. He stated in addition to the benefit of broadcasting the Selectmen's meetings and other board's meetings that the Selectmen have voted to start broadcasting. Mr. Jesseman said they can negate the pole permit. This pole permit gives Metrocast, in perpetuity, the right to have the wires on our poles in Tilton that they got from Community Access T.V. back in 1996. The Town does not have any leverage with
Metrocast at all as they have the pole permit. If Tilton does become a member of the consortium they will receive all of the benefits that other Consortium towns receive as well as being able to negotiate away the pole permit. Mr. Jesseman feels it is a good idea to revisit the consortium. Selectman Dawson asked Mr. Jesseman if town meeting votes not to continue broadcasting on LRPA that the town should still join the consortium. Mr. Jesseman said yes and feels that by doing so they do not have to be a part of the pole permit. Mr. Jesseman has done research on this and will bring copies of all the paper work to next week’s Selectmen’s meeting. Chair Consentino said by not having the pole permit they can allow other cable companies to come into Tilton, but is not in favor of taxing cable users, which is what the consortium wants to do.

**Selectman Dawson** would like to consider a warrant article asking the citizens to allow the Selectmen to appoint a committee to study the Tilton-Northfield Fire District apportionment formula as it pertains to the town of Tilton and to report back to report back to the Selectmen by January 1, 2012.

**Finance Dir. Tim Pearson** joined the meeting and presented the Collective Bargaining Agreement cost items. Tim said in 2012 the contract will be $11,384.00, in 2013, $31,270.00, and in 2014 it will be $16,352 for a total of $59,006.

Selectman Plessner made a motion to adjourn the meeting at 7:40PM, seconded by Selectman Boudreau. All were in favor.