Selectmen's meeting minutes of August 18, 2011.

Present from the Board: Chair Pat Consentino, Selectman Sandy Plessner, Selectman Katherine Dawson, Selectman Norm Boudreau. Selectman Jesseman was not present.

Also present: Secretary Catherine A. Woessner.
Town Administrator Joyce Fulweiler was not present.

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

Frederick and Jennifer Nichols joined the meeting. At this time Chair Consentino asked Mr. & Mrs. Nichols if they would like the meeting to be a non public session. Both Mr. & Mrs., Nichols said they would not. Mr. & Mrs. Nichols are meeting with the Board regarding the tax deeding of their property at 131 Winter Street. Chair Consentino informed them that there is now an additional 15% assessment on the taxes. Mr. Nichols said he has been trying to figure out a plan to pay the taxes owed. He said they are very concerned with the additional 15% assessment on to the taxes. He explained that they have had a hard time with having a house fire caused by a grill at the home in 2007. Mr. Nichols also stated he went out of business, located in Tilton this year. Mrs. Nichols also stated she has not worked for the past couple of years, but is looking for employment.

Mr. Nichols said they have worked out a payment plan for the $16,083.40 if the Selectmen could forgive the 15% they would be able to pay it off in a year and will be current so they do not get further behind. Mr. Nichols said if they pay it off in 12 months it would be $1,340.25 every month would be the most feasible plan for them. Mr. Nichols said they also worked out a 10 month and 8 month not knowing how this works. Chair Consentino informed Mr. & Mrs. Nichols that the $16,083.40 amount is based on if this was paid yesterday. There is interest added on to this figure everyday and if it is not paid in a year it will be a lot more than $16,083.40. Chair Consentino asked how they would be able to pay this if they are both out of work. Mr. Nichols explained that they have someone
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who has worked for them for ten years and he will take over the business, take their inventory and sell it for them under an agreement starting in July. The Nichols would receive $3,500 per month for 24 months that started in July. Mr. Nichols said if this does not work out then they would take over the business themselves.

Selectman Dawson informed Mr. Nichols that right now the town owns the property and it will not be relinquished back to him until all taxes are paid. Chair Consentino asked Mr. Nichols to bring in the documentation that show he will have the income coming in and will be able to pay the back taxes as soon as possible. Chair Consentino informed Mr. Nichols that the Board will take his plan into consideration and will get back to him once he produces the documentation.

Mr. LaFleur, Milford Trust joined the meeting regarding two pieces of property on Sanborn Road, R19-15-5 & R19-15-6. These properties were deeded on August 11, 2011. Mr. LaFleur said he is representing Milford Trust and has power of attorney which he presented a copy to the Board. Mr., LaFleur explained to the Board that he sent an employee to the town office to pay the overdue taxes with Milford Trust company checks. He was turned away because they were not bank checks, certified checks, or money orders. Mr. LaFleur then went to the bank to obtain bank checks to pay the taxes, but did not return to town hall until after 3pm. He said he was turned away because the checks were not at town offices before noon. Mr. LaFleur is concerned because in addition to the taxes he owes there is not a penalty of $8,925.00. He does not wish to loose the properties which is why the checks (company checks) were hand carried to the town.

The Selectmen informed Mr. LaFleur that the Tax Collector sent them certified letters informing him of this. Chair Consentino also informed Mr. LaFleur that over a month ago the Town Clerk/Tax Collector was contacted by Milford Trust asking for a pay off amount. The pay off figure was given to them and was made aware that on August 11th, 2011 the properties would be deeded and also made aware that a bank check or cashier’s check would be needed to pay the taxes. Mr. LaFleur asked the Board if they would waive the penalty and he is prepared to pay the full balance of the taxes as he still has the cashier’s checks to do so. Mr. LaFleur said all information should go to Shari Jenson Office Manager, Milford Trust, Lunenburg, Ma.
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Chair Consentino informed Mr. LeFleur that the taxes due as of August 17, 2011 would be $6,509.31 and then the penalty assessed is $8,925.00 which brings the total to $15,434.31, if he wanted to buy his property back. Chair Consentino informed Mr. LeFleur that the Board will notify him of their decision.

The Board discussed whether or not they should charge the penalty and if they can change the amount of the percentage of the penalty. Selectman Dawson asked to have the certified, recording costs and administrative costs added into the cost. After further discussion, Chair Consentino will call the Local Government Center tomorrow morning to ask this question.

The Board discussed the e-mails received from Todd Query regarding the Pine Street Bridge. They will be on site Wednesday August 24th and will have a crane. The Board discussed having Public Works Dir., Dennis Allen on the site to oversee the Engineer and Contractor. The Board discussed the amount of compensation and agreed Dennis should be compensated at a rate of $65.00 per hour from Holden Engineering.

Selectman Dawson made a motion to require Public Works Director Dennis Allen to be on the site of the Pine Street Bridge during critical times such as; the installation of the box culvert concrete pieces, the compaction, final fill, asphalting and the installation of the guardrail, but not limited to at the rate of $65.00 per hour, seconded by Selectman Plessner.

Discussion. Selectman Plessner has talked to Dennis and he has a busy work schedule coming up and thinks they should ask Dennis first to see if he can do this. The Board discussed this and they were in agreement they would like to have Dennis there to oversee the work as they will be starting on Wednesday and will not have time to hire someone else. All were in favor.

Selectman Plessner asked to have Catherine e-mail Peter Holden of Holden Engineering informing him that the Selectmen are going to have Dennis Allen on site and the amount Holden Engineering is to pay Dennis is $65.00 per hour. The Board would also like to have a weekly schedule of what is going to be done, prior to it being done. There should be a weekly meeting where the Engineer, the Contractor, Dennis and a member of the Board of Selectmen should attend. The Board agreed this should take place of Friday morning and Peter Holden should be scheduling these meetings. All were in favor of the motion.
Chair Consentino discussed the surveillance equipment that was purchase by the Police Department to replace the old equipment in the amount of $700.00. The invoice received is in the amount of $1,000 plus a $50.00 membership fee. Chair Consentino asked why they did not receive three bids as the amount if over $500.00. Chief Cormier said he has them and will bring the bids in next week. He also checked on amazon.com and did not see the surveillance equipment for $699.00; it is now $999.00 and will check to see if it is the same equipment he purchased from Cosco. Chief Cormier said Cosco has the cheapest price for the particular system they needed at that time. Chief Cormier informed the Board that Mereck and Ryan installed the surveillance system and possibly saved the town $2,000 in doing so. The Selectmen reminded Chief Cormier that all police department invoices are to go directly to the Finance Office.

At 7:00PM Chair Consentino opened the Public Hearing to receive public comment in accordance with RSA 41:14-a regarding the conveyance of lot U06-41Aa owned by the Town of Tilton located off School Street for the abutting lot R17-1 owned by the Tilton School located off School Street. Chair Consentino informed the public that 41A now belongs to the town of Tilton and the property on School Street with the pond is what Tilton School currently owns and it will be an equal swap. The town of Tilton's land is 2.9 acres and the pond property is 1.6 acres and it abuts Buffalo Park.

At this time Chair Consentino opened the hearing to receive public comment.

Roy Wakefield of 9 Daniel Drive lot #36 a resident of Tilton for 43 years. Mr. Wakefield said through the generosity of the owners of lot 41 and 41a over the years has had access to Buffalo Park for 23 years. To deny him this access will devalue his property and it will also be harder to sell. Mr. Wakefield stated that if Tilton School is granted this he would like a dated easement to allow him access to Buffalo Park. Mr. Wakefield is asking the Selectmen to postpone action on this until the Conservation Commission has looked at the properties. Mr. Wakefield feels the pond is a very special place and a lot of intrusion is going to spoil that. Chair Consentino said that it has been strongly suggested that they put a conservation easement on the
town's property if they acquire the pond. The intent is not to change anything. Mr. Wakefield believes the town should spend the money to come off of School Street and build some sort of an access there. Mr. Walkefield would like to have this postponed so he can walk some of the Selectmen through the property. Chair Consentino and Selectman Dawson said they will go and will be in touch with Mr. Wakefield.

Steve and Diane Thurston informed the Board that they own the property just north of the pond and have live there for 24 years. Mr. Thurston said he is not sure if he has any concerns as he heard at the Planning Board meeting this evening that the intended use of the pond property is not expected to change from what it currently is. Chair Consentino said this is their intent but does not know what will happen ten years from now. Selectman Dawson said the Parks Commissioners and the Conservation Commission have always talked about it being another entrance to Buffalo Park, a place for cars to park. Mr. Thurston said their property line is close to the side of the pond property and this is a potential concern if more people might be using that side of the pond. Mr. Thurston asked if the intent is to have parking continue to be outside of the gate. Chair Consentino said they have not really discussed this issue but their intent is to have it as non intrusive as to what it is right now.

Mr. Haberman addressed Mr. Wakefield's conversation regarding the 41A property which is what the town is swapping for the pond property. There seems to be a very definite grey area about what that particular piece of property is. Mr. Haberman suggests they walk the property and have Mr. Wakefield take them for a walk over the property and make a better decision about what they have. It may be that depending on one's point of view they may already have a much better access to Buffalo Park than the Pond would be. If this is the case Mr. Haberman thinks they should take a closer look at what they are talking about before they make any decision. Mr. Haberman feels they do not know enough of what they are doing to be sure they are doing the right thing. Chair Consentino said they will set up the tour with Mr. Wakefield with whoever would like to go along. Chair Consentino is particularly interested in some of the ecological places he is describing. There will be one more
Public hearing before the Selectmen make a decision that is on September 1, 2011 at 7:00PM at Tilton Town Hall.

At this time Chair Consentino asked if there were any other comments regarding the hearing. Selectman Dawson’s concern is what Mr. Wakefield brought up regarding the Dam in the Pond, the spillway. There are some repair and maintenance issues there. Selectman Dawson said this is an issue they need to address and consider because do they want to adopt something that needs to be repaired. Selectman Dawson said they need to contact the Department of Environmental Services and have they looked at the Dam. The Board will meet with Mr. Wakefield, Mr. Haberman and Jane Alden on Friday August 26th, at 2:00PM at the pond.

At 8:00PM Chair Consentino closed the Public Hearing and invited the public back for the second Public Hearing on September 1st, at 7:00PM at Town Hall for more discussion.

Selectman Dawson reported that she met with Chief Cormier yesterday and have a draft on the School Resource Officer. Selectman Dawson said School is going to start before they have this resolved. Chair Consentino said she talked with the Finance Officer after she saw the draft and her concern is if they change SRO staff are they allowing for the difference variance of pay grades. Selectman Dawson said they will as they have discussed a couple of different ways of doing it. One of the questions is do they try to figure out their actual costs or are they going to be business minded and look at administrative costs and come up with a figure that they feel comfortable with that will cover everything. These are things that are being discussed. Selectman Dawson asked if the Board of Selectmen wants to have an SRO when school starts as they may have a contract for the Board to look at next Thursday but will not be ready for the first day of school. Selectman Plessner said they all agreed that if they are going to have a School Resource Officer it should not cost the townspeople anything. Selectman Dawson said the question is do they have an SRO in place on the first day of school, continue with the contract and make a decision whether they are going to continue with the SRO or not after school started. Selectman
Dawson feels they should have one there as this is what they have been doing, it is what the student body expects. Chief Cormier said he has had only one Officer request this position. Chief Cormier said he has made all of the changes discussed in the contract and will e-mail it to the Finance Officer and the Selectmen for their review.

Chair Consentino reported that last week the Selectmen asked Joyce to send out requests to get an estimate on the cost of the boundary line markers of the Grange Hall property. It was originally surveyed by DMC. Requests were sent to Yerkes Surveying, DMC Surveying and David Krause. Yerkes sent an e-mail and said his estimate to set the missing corners is $400 to $500 dollars. From Dean Clark (DMC), $1,500 for the outlined site work with a retainer of $500.00. David Krause's cost is $200 to $300 for research and reconnaissance and to set/recover the monuments noted on the sketches submitted and an additional $500 to $600 for a total not to exceed $900.00.

Selectman Dawson discussed that whatever company they choose they want ownership of all of their research information and how they derived at that point, what it is based on. After further discussion Selectman Boudreau made a motion to obtain the services of David Krause to find the three boundary markers at the Grange Hall that are in question at a price not to exceed $900.00, seconded by Selectman Plessner. All were in favor. Selectman Plessner will contact Mr. Krause to inform him of this.

Chair Consentino informed the Board that she met with the manager of Lowe's regarding the grant for the Grange. The grant is submitted and if all of the criteria is met it goes to the manager for his approval. He is very much in favor of the project at the Grange. Lowes has donated all of the lumber for the ramp at the Grange. Chair Consentino said they will know tomorrow whether or not they get the grant for the siding, insulation and the roofing from New Hampshire Preservation.

Selectman Dawson would like to have a page added to the Town Report for 2012 recognizing the benefactors to the town for their donations and monies to the town.
Chair Consentino discussed the two letters that Joyce did regarding the budget to the Commissions and Committee Chairman and to all department heads for the 2012 budget requests.

Chair Consentino asked Catherine Woessner to request copies of the budget committee minutes for the Selectmen from budget committee Secretary Johanna Ames.

Selectman Plessner informed the Board that she is scheduling the employee evaluations for the coming week.

Selectman Dawson discussed the request from the town clerk/tax collector to attend a conference in October and her office will be closed for two days. Her deputy will also be going. The Town Administrator was not aware of this. Selectman Dawson said the Town Administrator should be notified when the town clerk/tax collector’s office if going to be closed, or on vacation. The Board agreed a reminder should be sent to the town clerk/tax collector as the Town Administrator should know the coming and going of her office.

Approval of minutes of July 14, 2011 Selectman Boudreau made a motion to approve the minutes of July 14, 2011 after minor corrections, seconded by Selectman Plessner. All were in favor.

Approval of minutes of July 21, 2011 Selectman Plessner made a motion to approve the minutes of July 21, 2011 as corrected, seconded by Chair Consentino. All were in favor.

Reports from Selectmen:

Selectman Boudreau discussed people using Riverfront Park and the lack of observing the dog ordinance regarding owners picking up dog defecation. There also seems to be more trash along the sides of the roads as there is also a littering ordinance in town. The Board discussed that the ordinance needs to be enforced and citations need to be given.
Chair Consentino informed the Board that it was brought to her attention that there is a farm stand next to Fast Cash on Rte. 3. Selectman Dawson said it has been on that site for years and they do not need a hawkers and peddlers license because it is agricultural. Chair Consentino questioned that it is not taking place on their own property so why would they be excluded from a hawkers & peddlers license. Selectman Dawson explained that the law allows this, agricultural are exempt from a hawkers & peddlers license. Chair Consentino is not in agreement and does not think this farm stand should be allowed or any other farm stand that is not on their own property. Chair Consentino said she will call the Department of Agriculture for clarification and discuss this again next week. Chair Consentino will also call the Local Government Center for clarification as well.

At 9:20PM Chair Consentino made a motion to go into non public session as per RSA 91-A:3 (c) 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, second by Selectman Plessner. Selectman Dawson, yes, Selectman Boudreau, yes, Selectman Plessner, yes, and Chair Consentino, yes.

At 9:55PM the Board resumed their regular session. At this time Chair Consentino made a motion to seal the minutes of the non public session as they pertain to matters if discussed in public could adversely affect the reputation of others until the matters are resolved, seconded by Selectman Plessner. Selectman Boudreau, yes, Selectman Dawson, yes, Selectman Plessner, yes, and Chair Consentino, yes.

Chair Consentino made a motion to keep the current charges for Milford Trust R19-15-5, R19-15-6, the taxes as of August 26, 2011 for $6537.21 with a 15 percent penalty of $8,925.00, which will change to when it is actually paid, for a total of $15,462.21, seconded by Selectman Plessner. All were in favor.

At 10:00PM Selectman Plessner made a motion to adjourn the meeting, seconded by Selectman Dawson. All were in favor.