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**Town of Henniker  
Selectmen Meeting  
July 19, 2016  
Henniker Town Hall**

**Members Present:** Kris Blomback, Chairman; Tia Hooper, Vice Chairman; Robert French, Selectman; Ben Fortner, Selectman; Scott Osgood, Selectman

**Town Administrator:** Christine Trovato

**Guests:** Steve Forster, Kathleen Labonte, Tom Weston, Bruce Trivellini, Bill Marko, Kim Johnson, Chief Matt French; Jeremy Giglio, Bill Marko, Rita Duchesne, Erika Giglio, Cordelia Giglio, Kim Violette, Tom Weston, Gail Abramowicz, Jesse Colby, Michael Martin, Jenn McCourt, Kimberly Johnson, Jim O'Brien, Kell O'Brien

**Recording Secretary:** Karen Rose

**Chair Blomback called the meeting to order at 6:15 pm with the Pledge of Allegiance.**

**CONSENT AGENDA—**

1. Intent to Excavate; Lot 1-603-X1 (Signed by the Board on 6-28-16)
2. Intent to Cut; Lot 1-12 (Signed by the Board on 6-28-16)
3. Warrant; Yield Tax Levy in all to the sum of: \$12,525.35
4. Warrant; Yield Tax Levy in all to the sum of: \$3,053.96
5. Warrant; Yield Tax Levy in all to the sum of: \$3,301.12
6. Warrant; Yield Tax Levy in all to the sum of: \$1,916.76
7. Warrant; Yield Tax Levy in all to the sum of \$2,509.86
8. MS-1 Extension Request
9. Abatement Application Lot 612-B15
10. Request for Reimbursement from Fire Truck Fund \$59,010
11. Request for Reimbursement from the Athletic Field Capital Reserve \$2,138.25
12. Request for Reimbursement to the General Fund from the Athletic Revolving Trust \$4,590.53
13. PA-28 Inventory of Taxable Property Form for 2017

Addendum:

1. Warrant for the collection of PA-28 penalty taxes for the State of NH

**Selectman French moved, Vice Chair Hooper seconded to approve the Consent Agenda. Motion Passed 5-0**

**Public Forum #1**

No comments

**APPOINTMENT**

**Item 1: Appointment of Jeremy J. Giglio as a Full-time Police Officer**

Due to the resignation of Officer Rinaldi effective 7-31-2016, Chief Matt French has requested to appoint Officer Jeremy Giglio to full-time.

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**A motion was made by Vice Chair Hooper to appoint Officer Jeremy Giglio to full-time status; Selectman French seconded. Motion passed 5-0**

Town Clerk Kim Johnson swore in Officer Jeremy Giglio. His family and friends were present. Chair Blomback congratulated Officer Giglio on behalf of the entire board and the community and stated that the town is 100% behind its police officers. A party will be held for Officer Rinaldi on July 21<sup>st</sup>.

**OLD BUSINESS**

**Item 2: Sewer abatement for 63 Rush Road**

This item was removed from the June 21, 2016 consent agenda. Mr. Daniel is seeking a sewer abatement for the individual rental unit. In his letter he stated that the café had operated in Unit 1 but the business ended in October 2014. Renovations began in July 2015 and completed in February 2016 for a change of use.

TA Trovato stated that Ken Levesque looked at the units and he was okay with the change in units. Selectman Fortner and French had concerns that the applicant had use of the 5 units last year and questioned whether he should be entitled to an abatement looking backwards. Selectman Osgood stated that he was not using it, it would be fair to not charge him.

**Vice Chair Hooper made a motion to approve the abatement; Selectman Osgood seconded. Motion passed 4-1 (Fortner).**

**NEW BUSINESS**

**Item 3: Request by Azalea Park Riverwalk Committee to reduce the number of committee members.**

Jenn McCourt, Chair of the Azalea Park Riverwalk Committee (APRC) asked to have the number of committee members reduced from 10 to 9. This would help with the quorum that is needed. She asked also for 3 alternate positions and one person to work on a sub-committee.

**Vice Chair Hooper made a motion to change the APRC from 10 members to 9 and include 3 alternates and one sub-committee member; Selectman French seconded. Motion passed 5-0.**

**Item 4: Resident request to discuss traffic issues on Browns Way.**

Item 4 was removed from the agenda at the request of Laura Roberts.

**Item 5: Non Public RSA 91-A:3II(a)**

Moved to the end of the meeting

**Item 6: Non Public RSA 91-A:3II(a)**

Moved to the end of the meeting

**OTHER BUSINESS**

**Item 7: Review public minutes—**

*Note: Vice Chair Tia Hooper recused herself*

Selectman Fortner stated that the June 21, 2016 minutes do not reflect the acting chair not allowing one of the members to abstain from voting. Selectman Osgood contacted legal counsel at NH Municipal Association about this and the response (in part) was that you cannot force a member to vote. However, if a member abstains and it would deny the process from completing, then the abstention would be deemed a prevailing vote on the prevailing side.

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**Motion was made by Chair Blomback to accept the June 21, 2016 public minutes and that the minutes reflect the ruling by acting chair that a vote of abstention will not be allowed; Selectman Fortner seconded. Motion passed 4-0.**

**Item 8: Town Administrators Report—**

TA Trovato had several items to report on as follows:

-One of the members of the Rotary Club donated a new flag and stand for the community center.

-The Town is past due on its perambulation appointments. Martha Sunderland and Bob French volunteered to walk the boundaries. Also, Amy Patenaude, Beth and David Gray and we need another selectman. Also, Roy Schweiker volunteered. He is not a resident but there is nothing that states a non-resident can't participate. TA Trovato requested he be made a delegate.

**Vice Chair Hooper made a motion for Roy Schweiker, Amy Patenaude, Beth Gray and David Gray to be made a delegates for perambulation; Selectman French seconded. Motion passed 5-0.**

Selectman Fortner volunteered to walk the boundaries as well.

-Received a call to purchase a plaque for a lamp post. Trovato researched the history and found that in the past the cost was \$1500. She asked the Select board if they would entertain the idea of selling the plaques as fundraisers. Chair Blomback wanted to know how the revenue would be spent. Trovato suggested the money be put in a fund to replace future lamp posts. Chair Blomback asked for an inventory on the lamp posts with plaques.

-Senator Jeannie Forrester is interested in speaking to the Select board. She is reaching out to the communities in NH. Is there a particular topic you would like to discuss with her? Chair Blomback mentioned the flood control money from the state and why it didn't happen and also the state reneging on the retirement contribution for employees.

-Mindy Lloyd, recording secretary, resigned. Trovato is advertising for another. Chair Blomback thought that the minute taker should have a nameplate.

**A motion was made by Chair Blomback for a nameplate for Karen Rose, minute taker; Vice Chair Hooper seconded. Motion passed 5-0.**

-Safe Routes to School update, Phase I—all documents have been submitted. We are waiting for temporary and permanent easements for right-of-ways certification. We are not allowed to advertise because its federal funding and we could jeopardize the money. We have sent the easements in to the NHDOT three times. We are just waiting on the go ahead. Chair Blomback suggested having an article in the Messenger including a link and put it on the website but make it clear it is not open for bidding yet. Bruce Trivellini asked why the NH DOT has not notified us of the changes prior to us having to resubmit every time. Trovato stated that the changes happen rapidly and we never know what they will be. Selectman Fortner recommended that the Town Administrator look into using a program management software to help the TA organize the job. Trovato stated she would look at other towns to see what they are using.

-Letter of intent for Phase III was sent. We are seeking funding on a portion of the sidewalk on Western Ave. from Hall Ave to Oakes. Minimum project funding would be \$400,000 of which they reimburse 80/20. It would be ¾ of a mile and incorporate two culverts. A mandatory meeting is on August 10<sup>th</sup>.

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-The highway crew has been busy with trainings in flagging, culvert certification, backhoe and road scholar work.

### **Item 9: Selectmen's Reports –**

Vice Chair Hooper has a letter of intent for the Select Board to sign regarding the emergency operation plan to be placed on file with the State of NH.

Selectman French reported that the Scenic Byways Council meeting will be held on September 9<sup>th</sup>. Also that Music on Main Street will be on October 3<sup>rd</sup>.

Selectman Fortner reported that the Community Center Committee is hosting movies in the park every other week. Mary Ellen is doing a wonderful job. He is requesting a signature on a letter to go out to copyright holders so that the Town does not have to pay the \$300 fee. The next movie is July 29<sup>th</sup> and is Nims Island.

Selectman Fortner stated that the Complete Streets initiative in Troy was well attended. He asked to have a presentation of the initiative put on a future agenda. Vice Chair Hooper commented that the Road Management Committee was established to discuss this initiative and asked to have the materials from the presentation.

Selectman Fortner reported that the playground build is set for August 6 and 7. More information can be found at the Henniker Community School website.

### **Item 10: Non Public RSA 91-A:3II(a)**

Moved to the end of the meeting

### **Item 11: Non Public RSA 91-A:3II(a)**

Moved to the end of the meeting

## **PUBLIC FORUM#2**

Bruce Trivellini commented one of the reasons he came was to address the June 23<sup>rd</sup> letter from town counsel. He did not feel that the town counsel's letter was germane to Mr. Forster's comments on OHRV trails. He wanted to address three areas of Mr. Maher's response which are 1) Mr. Forster's issues were not framed in the context of agritourism, they were framed in terms of his property 2) OHRV trails were never a subject of public use regulations, but we are not talking about the trails but the properties they are on and (3) town property owners are doing a public service if they have OHRV trails. I'm not sure how this is a public service. He asked to reserve his time in the future.

Mr. Trivellini commented on publishing draft minutes prior to the minutes being accepted. He said that Mr. Forster's meeting with the planning board had significant statements made into the record and if he was able to get the minutes and edit them it would have been helpful. He said he was not asking for a transcript but asking for draft minutes. Selectman Fortner responded that the town is required to submit minutes within 5 business days after a meeting and according to the NH Municipal Association there are no draft minutes, as all minutes are always final. TA Trovato stated that all drafts and final minutes are kept in every version and that the town labels them as draft until they are finally approved.

Mr. Trivellini had asked for the consent agenda to view the ZBA memberships that will expire in September this year and object to certain nominations based on those individuals who are trying to write out agritourism and disregard the legislative body's work.

Kathleen Labonte thanked TA Trovato for the copy of the motion for rehearing on Mr. Forster's case. She asked that it be put on the website so the public can view. TA Trovato commented that we can get many

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requests for all documents to be on the website and it is unsure the capacity of our website and how to pick and choose what should go up. She would prefer to send copies to those who request them.

Selectman Fortner stated he was happy to work with the town administrator and her staff on the IT and website needs as he has experience in this area. TA Trovato stated that right now they rely on Russ Roy to help them out and he is being pushed to the limit with the added responsibility. Neither the secretary or the town administrator have had formal training in this area. Chair Blomback suggested they have a private meeting between Selectman Fortner, the town administrator and the secretary and bring the results back to the Select board. Selectman Osgood disagreed and felt that it was not the committee's place to micromanage on these things and that the TA should deal with the software company. Chair Blomback stated he is all in favor of putting as much on the website that we can. Vice Chair Hooper stated she would like to hear from the secretary on this.

**A motion was made by Selectman Fortner to delegate a board member to work with the town administrator and staff regarding their IT needs and website needs. Chair Blomback seconded. Motion passed 3-2 (Hooper, Osgood)**

**Item 10: Non Public RSA 91-A:3II(a)— Added by Selectmen Fortner**

**Vice Chair Hooper moved, Selectman French seconded to enter into non—public session pursuant to the authority granted in RSA 91-A:3II (a). A roll call vote was taken, Vice Chair Hooper – yes; Selectman Fortner – yes; Chair Blomback - yes; Selectman French – yes; Selectman Osgood – yes. Motion passed 5-0**

**Vice Chair Hooper moved, Selectman French seconded to come out of non—public session pursuant to the authority granted in RSA 91-A:3II (a). A roll call vote was taken, Vice Chair Hooper – yes; Selectman Fortner – yes; Chair Blomback - yes; Selectman French – yes; Selectman Osgood – yes. Motion passed 5-0**

**Selectman Fortner made a motion to seal the minutes, Vice Chair Hooper seconded. Motion passed 5-0.**

**Item 11: Non Public RSA 91-A:3II(a)—**

**Vice Chair Hooper moved, Selectman Fortner seconded to enter into non—public session pursuant to the authority granted in RSA 91-A:3II (a). A roll call vote was taken, Vice Chair Hooper – yes; Selectman Fortner – yes; Chair Blomback - yes; Selectman French – yes; Selectman Osgood – yes. Motion passed 5-0**

**Chair Blomback moved, Vice Chair Hooper seconded to come out of non—public session pursuant to the authority granted in RSA 91-A:3II (a). A roll call vote was taken, Vice Chair Hooper – yes; Selectman Fortner – yes; Chair Blomback - yes; Selectman French – yes; Selectman Osgood – yes. Motion passed 5-0**

**Vice Chair Hooper made a motion to seal the minutes, Selectman French seconded. Motion passed 5-0.**

**Item 5: Non Public RSA 91-A:3II(a)**

**Vice Chair Hooper moved, Selectman French seconded to enter into non—public session pursuant to the authority granted in RSA 91-A:3II (a). A roll call vote was taken, Vice Chair Hooper – yes;**

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Selectman Fortner – yes; Chair Blomback - yes; Selectman French – yes; Selectman Osgood – yes. Motion passed 5-0

Vice Chair Hooper moved, Selectman French seconded to come out of non—public session pursuant to the authority granted in RSA 91-A:3II (a). A roll call vote was taken, Vice Chair Hooper – yes; Selectman Fortner – yes; Chair Blomback - yes; Selectman French – yes; Selectman Osgood – yes. Motion passed 5-0

A motion was made to give authority to the Town Administrator after recommendations from the Roads Management Committee to advertise an RFP and award the bid, not to exceed \$130,000 by Vice Chair Hooper. Chair Blomback seconded.

Selectman Fortner made a motion to amend the above motion that the non-public minutes of Item 6 be made public within 72 hours prior to the above motion being in effect. Motion to amend passed 4-1. (Hooper), Amended Motion passed 4-1 (Hooper).

**Item 6: Non Public RSA 91-A:3II(a)—**

Selectman French recused himself. Vice Chair Hooper moved, Chair Blomback seconded to enter into non—public session pursuant to the authority granted in RSA 91-A:3II (a). A roll call vote was taken, Vice Chair Hooper – yes; Selectman Fortner – yes; Chair Blomback - yes; Selectman Osgood – yes. Motion passed 4-0.

Vice Chair Hooper moved, Chair Blomback seconded to come out of non—public session pursuant to the authority granted in RSA 91-A:3II (a). A roll call vote was taken, Vice Chair Hooper – yes; Selectman Fortner – yes; Chair Blomback - yes; Selectman Osgood – yes. Motion passed 4-0

Selectman Hooper made a motion to seal the minutes, Selectman Osgood seconded. Motion passed 4-0.

**Adjournment**

A motion was made to adjourn the meeting at 10:05 pm by Chair Blomback and seconded by Vice Chair Hooper. Motion passed 4-0.