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**Town of Henniker
Selectmen Meeting
September 20, 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: Leo Aucoin, Leon Parker, Peter Flynn, Leigh Bosse, John Kjellman, Tom Weston, Steve Forster, Bruce Trivellini, Bill Marko, Lori Marko, Doreen Connor, Kathleen LaBonte, Spencer Bennett, Linda McGuire, Scott Lang, Jeff Stillman, Troy Parker, Robert Morse, Mike Taberski, Tim Blagden, Cordell Johnston, Doreen Connor, Jenn McCourt, Bob McCourt, Arnie Huftalen, Beth Patenaude, Tom Patenaude, Bob Anderson, Lynne Morse, Jim Morse, Mike Flecchia

Recording Secretary: Karen Rose

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

CONSENT AGENDA—

1. Appointments:
 - Peter Flynn to the Budget Advisory Committee
 - Erich Adler, Youth Athletics Committee
2. Current Use Land Change Tax Collector's Warrant; Lot 574-X2, Lot 574-X3
3. Hawker Peddler License; Scott Callander
4. Mattiello Discretionary Preservation Easement Deed

Addendum:

1. Intent to Cut, Lot 631-A

A motion was made by Selectman French to approve the Consent Agenda as presented; Vice Chair Hooper seconded. Motion Passed 5-0

Public Forum #1

Kathleen LaBonte wanted to make sure the correspondence she sent to the Select Board dated 9-18 and 8-11 had been received and would be added into the minutes. She stated that the board was in violation of the RSA governing nonpublic minutes. That there was no legislation. She also said that she has been disparaged on Facebook.

Chair Blomback stated that the first instance was a clerical error and the board, by consensus, agreed it would address her concerns in the second letter within 30 days.

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OLD BUSINESS

Item 1: Reappointment of ZBA members

Chair Blomback stated that the board had received letters both for and against the ZBA reappointments which the board has received. This is not intended to be open for a public forum. He asked for comments from the board:

Selectman Fortner read Section 2 of the board policies. He stated he could not find any reason why they shouldn't reappoint the two individuals. He stated that he appreciated the public participating in local government but felt that based on a single decision of the ZBA, where one side did not like the outcome, there was no basis to not reappoint. He voted in favor of reappointment.

Selectman French had reservations initially about the reappointments. He realizes that being on the ZBA is a difficult job when you have opposing interests. He read through all the correspondence and he was comfortable with the reappointments.

Chair Blomback said he stated his position at the previous meeting and stands by his original comments.

Vice Chair Hooper agreed that there is no easy way to evaluate the facts and the RSA's. She stated that Doreen Connor has stood fast as a chairperson of the board and has done a great job.

Selectman Osgood had issue with the absences. He would reappoint them but encouraged them to follow the rules and attend the meetings as regular as possible.

A motion was made to reappoint Doreen Connor to the ZBA by Vice Chair Hooper; Selectman French seconded. Motion passed 5-0.

A motion was made to reappoint Joan Oliviera to the ZBA by Selectman Fortner; Vice Chair Hooper seconded; Motion passed 5-0.

NEW BUSINESS

Item 2: Discuss RV usage as long term housing

This item was tabled until the October 18, 2016 meeting

Item 3: Request by Selectman Fortner to discuss Complete Streets

Selectman Fortner gave a presentation to the board members regarding Complete Streets. His guests at the meeting were Tim Blagdon from Bike Walk Alliance and Jim Morse from New England College. At this meeting he proposes to go through what Complete Streets is and why it is important then at the next meeting will propose a policy for the process.

What is it? It is for everyone. They are designed and operated to enable safe access for all users including pedestrians, bicyclists, motorists etc. Complete Streets philosophy develops a policy for all municipal agencies to use as a guide when developing projects in their town. It is not limited to one special project but a philosophy and policy to guide the various planning, zoning and select boards. If the town adopts a policy like this, we won't have incomplete streets.

Statistics report that retail sales have increased 49% near better streets with a 42% higher net operating income. Tourism cyclists will stay in a town longer. Property values have increased. Homes with walkability average higher selling prices. Are we supporting aging in place? Older residents have fewer safe ways to travel. How can we accommodate their disabilities, how can we create a structure that empowers them? Some examples around the state—Concord Main Street project has increased retail

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space by at least 12, Berlin put in sidewalks in a trucking area; Dover, Keene, Litchfield, Londonderry, Manchester, Nashua, Swanzey, Windham, Hopkinton, and Warner are all moving towards adopting Complete Streets.

With the Road Management Committee (RMC) and a highway budget, we already have what we need in place. We should build the road right the first time. Retrofitting projects always costs more than doing it right initially. By doing this we are able to address inequities. We can improve the quality of life of the residents, improve the health of the community, have access to new types of funding such as from Health and Human Services. Finally, it is low cost to Henniker with high impact changes. We are not adding anything except adopting a policy.

Jenn McCourt suggested including the Historic Preservation component and include contacting the Historical Society. Mike Taberski from New England College spoke about his experience with Complete Streets in Hamburg, NY. The village was originally a lot of boarded up shops and is now a vibrant city. He stated he worries about the safety of his students with no sidewalks or bike lanes. Steve Forster stated that Keene has done a lot to their downtown. They created an overlay that the money goes to directly from a TIF tax as an example.

Tim Blagdon stated that Colebrook is redoing downtown to replace failing water systems. They were able to get funding from USDA. Concord used a Tiger grant. There is money out there and available such as TAP grants. The redo's can be simple to quite large.

Selectman Osgood stated that the town did this in the eighties when they redid Main St. It was a federally funded grant and required a lot of input. He asked where the Planning Board comes in? Selectman Fortner stated that the Planning Board would be directed by the policy. This policy offers guidelines and doesn't force them to do anything. Selectman Osgood stated the Planning Board should be brought in this discussion.

Town Administrator Trovato stated that the first reading of the policy would be October 4th, a public hearing on October 18th, and whether you would want to waive a 3rd reading in November.

Item 4: Legislative Policy Conference – Discuss items

Selectman Osgood stated that he could not attend the conference on September 23rd. Selectman Fortner agreed to go in his place.

The 7 floor proposals were voted on below by consensus:

- (1) Hudson—Allow municipal library budgets to appear as separate warrant articles --No position
- (2) Hudson—allow municipalities to borrow funds from Special Revenue or Capital Reserve to finance municipal building construction -- Opposed
- (3) Portsmouth—Amend RSA 675 regarding Accessory Dwelling Units -- No position
- (4) Portsmouth—adopt add'l surcharges on meals/rooms tax -- Oppose
- (5) Portsmouth—define short term rentals as home business to permit regulation--Oppose
- (6) Portsmouth—DOT to adopt and implement a Type II program for noise abatement -- Opposed
- (7) Webster/Warner—reduce local property taxes by (a) fully funding NH Education Trust and (b) reduce the \$363 million to be raised by state property tax -- Support

Item 5: Policy updates

This item was tabled for a future meeting.

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Item 6: Request by Selectman Osgood to discuss Code Enforcement practices

This item was tabled for a future meeting.

Item 11: Report from Highway Superintendent on Quaker Street and Dudley Pond Road (this item was added late to the agenda)

Tom Weston updated the board on the culverts that were installed. He reported that the 9 culverts were in fact installed incorrectly and are being redone this week. It happened while he was on vacation. He stated he could find no proof that there was a 20-inch culvert as mentioned but in fact there was a 15-inch culvert that was crushed. Tom Weston stated that there was no evidence of culvert pipe being thrown in the ditch. He stated that that particular culvert may have been pushed back during snow removal.

Vice Chair Hooper stated that in the back of the Hazardous Mitigation Plan there is a chart that the culverts should be upgraded to 18 inches. She continued by saying that the Hazardous Mitigation Plan sets the standard that the select board and federal government approve. Reimbursement of funds will be compromised if the standards are not followed. Jenn McCourt stated that there is also a Best Management Practices for road replacement, the T2 program. Vice Chair Hooper stated she work with the Capital Improvement Program and the road agent at the time to identify problem areas.

Selectman Fortner asked Tom Weston if he had the opportunity in his day to day work to check the quality of the work? Tom said the project was not complete, so he had not gone out there. Selectman Fortner asked Vice Chair Hooper what prompted her to take photos of the area. She responded that based on the reporting at an RMC meeting that she was concerned and wanted to see the progress being made and discovered the culverts were not up to the standards that should have been followed. Selectman Fortner asked if the road agent was contacted. She stated no. Selectman Fortner asked Town Administrator Trovato to read the charter of the RMC. Trovato stated the charter was in minutes from years ago and could not be located but her understanding was that the RMC was to assist in prioritizing roads and upgrades work to be done and to provide a 2, 5, 10-year plan to fix them. The plan would be submitted to the select board for budget planning. Selectman Fortner stated if we had let the process play out then the error would have been discovered and there would be no need for this discussion.

John Kjellman and Leo Aucoin expressed concerns that we are redoing work and questions the supervision.

Leon Parker stated that he has been on the RMC for years and has never seen the role of the committee to be supervisory. Most of the roads have been surveyed by the RMC members and now they are going through a grading process. It will take millions to get all the paved roads up to standard. At the last meeting the culverts were brought up and some were upset by what happened. Our role is not supervisory but proposing what roads need priority and attention.

Selectman French stated that mistakes happen. The whole department is in its infancy. The errors are being addressed.

Item 12: Request from Mike Flecchia, Road Mgt Committee (RMC) Chair, to discuss the size of the RMC.

Town Administrator Trovato stated that the chair of the RMC, Mike Flecchia, sent an email and came to the office to get clarification on the makeup of the committee. Under Section 2, page 7 of the board policies on committees, the RMC is defined as a special committee with an end date and should be made up of 7 members including one selectman. The current makeup is 10 members including 2 selectmen.

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He would like to either have the description rewritten to reflect the current makeup or have a smaller board which he prefers.

Selectman Fortner stated that we don't know what the current charge of the committee is, there is no defined scope and the committee is outside of regulation. He proposed to disband the committee and develop a scope and makeup. Chair Blomback felt that the current committee members were uniquely qualified to bring their skillsets to the committee and equated it to trading in for a new car or fixing what we already have.

Bill Marko stated that the committee has put in a lot of hours and done a lot of work already and is confident that the committee will develop a long term plan for the town. Bob Morse stated he was upset by this comment to disband and felt that the select board did not realize the hours that the members of the committee had put into the work.

Selectman Fortner reiterated this was not about the people on the committee but about the process; there is no charter for the committee.

Leon Parker stated he was flabbergasted that anybody would be upset by having too many members when there are a lot of committees that can't get enough members to participate. He stated that the committee has been working with the reports from the previous committee and carrying on from there.

John Kjellman stated he has attended quite a few of the RMC meetings and has been impressed with the work they are doing. He wished the chair would attend more meetings.

Vice Chair Hooper stated that to her knowledge one member of the committee will be resigning but he has not notified the town as yet. This would bring the committee back to 9. She also stated that the select board doesn't realize the magnitude of the work that has been done. She has been conducting a cost analysis of all levels of work from shim overlay to entire reconstruction now and 10 years down the road. It will enlighten the residents who don't want to see their taxes increase.

Chair Blomback asked the select board if they were content with 9 members when the policy states 7? Selectman Fortner expressed concern that we were polling the committee members in the audience when it wasn't the entire RMC. Selectman Osgood stated that there was enough for a quorum. Selectman Fortner pointed out that he was not able to be appointed on the Capital Improvement Committee because the makeup called for one selectman.

Town Administrator asked that the chair change the committee from special committee to standing committee because as it is now all but one person's term will expire on 9-1-18.

Chair Blomback made a motion to change the category to one selectman and one planning board member, thereby expanding the committee size to 9. Selectman Osgood seconded.

Chair Blomback amended the motion above to include making the RMC a standing committee. Selectman Osgood seconded. Motion passed 5-0.

Final motion—Chair Blomback made a motion to increase the RMC committee to 9 members, one selectman and one planning board member and to make it a standing committee. Selectman Osgood seconded. Motion passed 4-1 (Fortner)

Selectman Osgood made a motion that the charge of the RMC would be as follows:

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The Road Management Committee's function is to support the highway department and select board in the maintenance and building of the transportation infrastructure of this town. This support includes providing advice on scheduling, work priorities, materials, design, contracting and any other responsibilities of the highway department.

Vice Chair Hooper seconded. Motion passed 4-1 (Fortner).

Selectman French had concerns that this created oversight of the highway department. Selectman Osgood stated that his recommendation is advisory only. Selectman Fortner asked to have the highway department removed from the charge. Selectman Osgood stated he did not agree with this. The proposed charge is advisory only and not the process. He said the process should be written up separately.

Selectman French stated 'Just trying to barricade that department from being overburdened from too many. You know, from the Town Administrator to the Selectmen, Selectmen through the Town Administrator to them not any individual committee, so just trying to protect them. Chair Blomback stated "The Road Agent has one boss and that is the Town Administrator. The Select Board talks to the Town Administrator. Sub-committee should furnish information to the Select Board. Select Board to pass on to the Town Administrator.

Chair Blomback detailed the process by saying the sub-committee should bring their issues to the chair, who will then bring it to the Town Administrator who will inform the select board and the road agent. He further stated that if the select board finds out the committee is going directly to the highway department, then the select board will change the charge of the sub-committee.

Leo Aucoin asked for clarification as a member of the RMC and as a resident. He asked if he had the right to explain a concern to the select board. Chair Blomback stated as a resident he did and could do it in public forum. As a member of the RMC, he must follow the process previously laid out.

OTHER BUSINESS

Item 7: Review public minutes and non-public minutes of 9-6-16

The non-public minutes of September 6, 2016 were reviewed

Selectman French made a motion to approve the non-public minutes of September 6. Chair Blomback seconded. Motion passed 5-0.

The public minutes of September 6, 2016 minutes were reviewed

Vice Chair Hooper made a motion to approve the public minutes of September 6 with changes. Selectman French seconded. Motion passed 5-0.

Item 8: Town Administrators Report—

- a) Western Avenue Bridge Project update

Town Administrator Trovato brought up the discussion again regarding signage on the Western Avenue Bridge Project. Several suggestions were put forth such as honoring the veterans, or the citizens of Henniker or Contoocook Falls Bridge. The contractor and the engineering firm will be on the sign. In the end Vice Chair Hooper recommended that we reserve naming the bridge and leave it open for a Henniker resident who may have lost his/her life in service.

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Selectman Fortner moved to name the bridge the Henniker Memorial Bridge, Selectman French seconded. Motion failed 2-3 (Hooper, Osgood, Blomback)

Chair Blomback made a motion to name the bridge the Western Avenue Bridge. Selectman Fortner seconded. Motion failed 2-3 (Hooper, Osgood, French)

Vice Chair Hooper made a motion to not name the bridge at this time and reserve the right to memorialize a future Henniker resident.

In the end, the board, by consensus, took no action at this time.

b) Western Avenue Reconstruction update

Town Administrator Trovato reported that she received no bids on the RFP for the Western Ave project. She is going to contact some of those that attended the pre-bid to find out why they did not bid and rework the RFP for advertising again.

c) Perambulation update

Town Administrator Trovato asked for a motion to appoint Mark Lucard of Ray Road as the delegate. Vice Chair Hooper asked if he filed an application as she doesn't know him.

Selectman Fortner made a motion to appoint Mark Lucard as the delegate. Selectman Osgood seconded. Motion passed 4-0-1 (Hooper).

The following towns will be walking their sections as follows:

Bradford	October 3	Deering	September 28
Henniker	September 28	Hillsborough	September 27
Hopkinton	not scheduled	Warner	October 7
Weare	October 2		

d) Clarification regarding the discontinuance of ROW, 68 Juniper Ridge Road

Mark Fougere, in a letter to the Select Board, stated that in order to release the right-of-way (ROW), the property owner must petition the Board. A public hearing will need to be held and advertised 30 days prior and that Mr. Kriester is responsible for all notice costs and title research costs. Town Administrator Trovato is expecting this to come before the board on November 1st.

Mr. Trivellini brought up that the abutting homeowners have put in what looks like a motocross track on their land. He wanted to know how this was ancillary and accessory to residential use of the property which is only 1/2 acre. We all know about Forster's case, there is no one in this town that has a motocross track. He said he didn't understand how the town can allow this to exist. It is a violation of the zoning laws. It is not ancillary and accessory. He would like to have town counsel opinion on this.

Chair Blomback asked to have pictures taken of the track by the next meeting and an opinion from the town counsel.

e) Safe routes to school update

Town Administrator Trovato reported that she did not have good news on this. She received a message from Bryan Lynch that the hold up on the funds was \$315 from the Highway Safety Improvement Fund.

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He notified Trovato that she had 3 days to respond in which she responded to him the next day. He got back to her the following Monday and said the door had closed and that this request would be brought back after October 1st. In the meantime, Tom Weston was notified to move forward on the striping of the crosswalks and parking spaces based on the monies coming in.

In addition, the utility pole will have to be moved from the island as the island is being removed. Her suggestion was to move it directly across the street. Eversource is saying they need the air rights. Right now Trovato does not need any action from the board.

Item 9: Selectmen's Reports –

Selectman Fortner attended the Community Center Activities committee. They are unclear on their budget. Town Administrator Trovato stated she will get the financials to them on a regular basis. He also reported that he worked the polls from 9-5 and returned later in the evening. He commended the staff that worked the polls for their hard work. He also will be working with Bob Garrison on walking the boundaries. He recommended the board recognize Mr. Garrison for the exemplary work he has done. Finally, Selectman Fortner stated he is happy to be a board member.

Selectman French stated he has been to the Currier and Ives Committee meeting and to the SHOT committee meeting. He reminded the Music on Main Street is October 1st.

Chair Blomback-no report
Vice Chair Hooper-no report
Selectman Osgood- no report

PUBLIC FORUM#2

No comments

Item 10: Non-public RSA 91-A:3II (a)

Selectman Fortner, 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

Selectman French 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

A motion was made by Vice Chair Hooper and seconded by Selectman Fortner to seal the non-public minutes. Motion passed 5-0.

Adjournment

A motion was made to adjourn the meeting at 9:40 pm by Vice Chair Hooper and seconded by Selectman Osgood. Motion passed 5-0.