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**Town of Henniker
Selectmen Meeting
December 6, 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: Leon Parker, Peter Flynn, Leigh Bosse, Tom Weston, Steve Forster, Bruce Trivellini, Bill Marko, Lori Marko, Scott Dias, Cathy Dias, Michael Flecchia, Michael Ponn, Mick Costello, Bill McGirr, Tom French, John Kjellman, Cheryl Morse, Steve Burrett, Linda Rousseau for Jan Palm, Carl Hamel

Recording Secretary: Karen Rose

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

CONSENT AGENDA

1. Resignation from Road Management Committee: Gary Guzouskas
2. Abatement; 1-000-AA Eversource/PSNH in the amount of \$29,210
3. Abatement; Lot 1-331-B in the amount of \$4,521.72
4. Contract Agreement; Town of Henniker ~~and~~ Planning Consultant (removed from consent agenda)
5. Petition and Pole License; PSNH #12-0530
6. Intent to Cut; Lot 568-B
7. 2016 Equalization Municipal Assessment Data Certificate (removed from consent agenda)
8. Supplemental Intent to Cut; Lot 631-A

Addendum

1. Application for Assembly; NEC Founders Day Ceremony

Note: Items 4 and 7 above were removed from the consent agenda.

A motion was made by Vice Chair Hooper to approve the Consent Agenda removing Items 4 and 7 for further discussion; Selectman Fortner seconded. Motion Passed 5-0

Public Forum #1

Dr. Trivellini asked if the certified letter to the owner at 68 Juniper Ridge has gone out. He wanted to know if the meeting is still scheduled for December 20th. Town Administrator Trovato stated yes.

OLD BUSINESS

Item 1: Discuss RV usage as long term housing

Town Administrator Trovato introduced Mr. Carl Hamel of 177 Tanglewood Drive. He was asked to come before the Select board to discuss the camper unit that is being used as a home on his property. The property is not in compliance at this time.

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Mr. Hamel stated that the Select board, in May 2015, agreed to allow him to use the camper on his property while he rebuilt or sold his home. He stated that he does not understand why the board is getting involved in his business. He stated that he pays his taxes in excess of \$4,000 each year and that what he does with his property is his business. He fully intends to relocate up north and has a couple of realtors looking for locations for him. He stated he is camping and the town should have no issue with that.

Chair Blomback stated that when they met in 2015, Mr. Hamel had taken measures to securing the structure and removing debris. However, since that time the structure is worse. The structure is in a residential neighborhood and is problematic due to potential safety issues and property values being effected.

Vice Chair Hooper reminded the board that in 2015 no deadline was set for Mr. Hamel to rebuild or remove the camper. She said that he doesn't have two housing units on his property as he is unable to live in one and that there are others in town that have campers on their properties and live in them.

Mr. Hamel questioned if the town was picking on him as a veteran and if so he will contact the federal government under the Soldiers and Sailor Relief Act for assistance. Chair Blomback reassured him that the town is not interested in any legal action and would like to work with Mr. Hamel to come up with a solution to clean up the area. Mr. Hamel stated that the building inspector lied. That he had initially said everything was fine and then talked with someone at the town and problems arose.

Selectman Osgood stated it is a zoning issue and that the property is in a residential neighborhood with single family dwellings and a camper is not considered a single family dwelling. Property values are being impacted. He stated that Mr. Hamel is not following the rules, it is a zoning issue, not personal. The property is degrading and the town would like it fixed.

Selectman Fortner asked how this issue came before the board. Town Administrator Trovato reported that it was a discussion with the town planner, assessor and herself where it was brought to our attention that there were campers on current use properties and subsequently it was brought up that he had two dwellings on his property. Selectman Forter made a motion to send this to the ZBA.

Chair Blomback asked Mr. Hamel if he understood the board's point? Did he feel they were valid? Did he have any timeline for resolving this?

Dr. Trivellini stated that the Select board does have the authority to make the decision as the enforcer of zoning and then the ZBA will handle any appeal. You have to start with stating he was in violation.

Chair Blomback stated he is not eager to use the word violation and would prefer to have a conversation and come to a resolution. Mr. Hamel would not give permission to have anyone enter his property to take photos. Town Administrator stated she would supply Selectman Fortner with back up materials from 2014 through 2016.

Chair Blomback made a motion to table this item; Selectman Fortner seconded for discussion.

Selectman Osgood stated that the building inspector prior to Kyle had informed the board that the building did not meet code. Mr. Hamel disagreed. Selectman Osgood stated that another provision under the Zoning regulations was Fire and other ruins 133-9 which states "owners or occupants of land shall not permit fire or other ruins to be left but shall remove same to ground level and fill to grade within one year of the damage." This was the provision that we used when the plan was developed. Vice Chair Hooper recollected that the board felt it was good enough at the time.

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Vice Chair Hooper reiterated again that he was never given a deadline and did everything he was supposed to do. Chair Blomback asked Mr. Hamel again to please fix this property. Vice Chair Hooper stated that any further complaints should be directed to town hall to be recorded.

Selectman Fortner questioned the motion to table and that we should not leave without any action. Vice Chair Hooper asked the Town Administrator to provide backup documentation to the Select board about this matter and to include photos.

A motion was made by Chair Blomback to table this topic; Selectman Fortner amended the motion to include to direct the Town Administrator to provide backup documentation to the Select Board along with photos so this matter can be discussed at a future meeting. Motion passed 5-0.

Item 2: Discussion regarding building inspector position

Selectman Osgood felt the job description was fine the way it was written. Bill Marko sent an email to Town Administrator Trovato where he recommended that the requirement for lead certification be removed as it is costly and may limit the applicant pool. Selectman Fortner disagreed and thought it would bring in a better pool of candidates. He also stated that it would bring in more value for the residents to have a lead certified inspector. Selectman Osgood stated that the building inspector doesn't have to be certified, the contractor needs to be.

A motion was made by Selectman Osgood to remove the lead certification requirement; Chair Blomback seconded. Motion passed 4-1 (Fortner).

Chair Blomback stated that New London has not had a building inspector for years and their website states a third party contractor is required to sign off on a house. Selectman Osgood stated it was a dual position until the individual left. Chief French stated that an alternative might be the state fire marshal.

A motion was made by Chair Blomback to direct the Town Administrator to look into what New London does; Selectman Fortner seconded. Motion passed 4-1 (Osgood).

Chair Blomback would like the Town Administrator to reach out to other neighboring towns to see if there is any interest in sharing a building inspector. Town Administrator Trovato stated that she has done this and one town indicated they already share and the building inspector is tapped out. She said that Hancock shares with Peterborough, Antrim and Bennington. Hopkinton is part-time. And she has had no response from Hillsborough.

A motion was made by Chair Blomback to direct the Town Administrator to reach out to neighboring towns to see if they would be interested in sharing a building inspector; Selectman Fortner seconded. Motion passed 5-0.

NEW BUSINESS

Item 3: Request by Selectman Osgood to discuss staffing rescue equipment

Selectman Osgood asked to have Chief French or Chief Burditt address the staffing on the ambulances, in particular the second ambulance. Chief French stated that one ambulance is staffed 24/7 and the second ambulance is staffed by call members. In the past year to date, they have had 775 calls and on 33 occasions or 4.3% there have been dual calls, not including motor vehicle accidents. He stated that 21 times (2.7% of call volume) they had to use mutual aid. Selectman Osgood asked what it would take to have the 2nd ambulance manned 100% of the time. Chief French stated it would be another \$400,000 and 90% of their time would be sitting waiting for calls. Selectman Osgood asked why are those on call-in not available two-thirds of the time? Chief French said that they don't work in town. He said it is a matter of timing, he has 22 on the roster. Chief French said he did not feel that the data supports a request for

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additional staffing. He also stated that even if they work in town, the businesses can't support an employee who may leave three times a day for calls.

Item 4: Discuss sidewalk blower

Tom Weston reported that the 1995 sidewalk tractor broke down and needs a bottom auger. He sought out quotes from Holden, Bombadier and Ventrac for an alternative solution. Copies of his research was submitted to the board. Holden's unit is between \$140,000 and \$160,000 and Bombadier is \$160,000.

The Ventrac would be \$44,080.65 including the tractor, snow plow and turbine blower. He would be able to use it four seasons of the year which is his preference in considering purchasing a unit. The downfall of this model is that it has half the horsepower. Vice Chair Hooper asked if he had quotes from other companies and a comparison of their warranties. Selectman Osgood showed a picture of a John Deere tractor with a four-foot blade, drop spread, snow blower, leaf attachment and excavator arm for \$50,000 and asked if Tom had explored this product.

Mr. Weston stated that Portsmouth has 90 miles of sidewalk and they use a Ventrac. Selectman Fortner asked about the costs to fix the current one. Mr. Weston stated that it was 21 years old. He said it required a bottom auger, new steel and maybe 20 man hours to repair. He was guessing at \$2,000. Vice Chair Hooper asked if Tom had gotten in touch with anyone who had the equipment more than 5 years?

Vice Chair Hooper asked to table this item until the board received additional information. Chair Blomback asked that subcontracting out the sidewalks be looked into as well. He also asked to look into leasing.

Selectman Fortner disagreed that the public should be weighing in on the conversation when there was a motion on the table.

Vice Chair Hooper made a motion to allow Cheryl Morse to speak; Select Osgood seconded. Motion passed 5-0.

Ms. Morse asked about the size of the sidewalks, would they be five feet. Town Administrator Trovato stated that when Safe Routes to School is done they will be five feet. Other members of the public asked to speak. Selectman Fortner raised a point of order on this.

Vice Chair Hooper made a motion to allow the public to speak; Selectman French seconded. Motion passed 4-1 (Fortner).

Scott Dias urged the Select board to get a machine in and try it out. The current unit could be down for quite a while. He said that the town needed a heavy duty machine.

Tom Weston reported that a new blower would be \$14,500. Vice Chair Hooper would like to see the pricing on available units before the board authorizes renting a unit. Selectman Osgood suggested the town not wait and rent something for the season. Selectman Fortner stated he didn't feel he had enough information to make a decision. Selectman Osgood asked what ~~will~~ Tom will do in the meantime if it snows. Mr. Weston stated he would come up with a solution.

A motion was made by Vice Chair Hooper to table this discussion until further research is done; Selectman French seconded. Motion passed 4-1 (Osgood).

Item 5: Report on Highway Department yard/Army Corps of Engineer property

Vice Chair Hooper had asked for a report based on a discussion in a previous meeting in public forum in which Leo Aucoin had asked why this project had not gone out to bid. A request was made for invoices

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and backup information. (refer to November 15, 2016 memo from Christine Trovato to the Select Board). Vice Chair Hooper stated that the total costs for the project are over \$21,000 including 400 hours from the highway crew. Tim McComish's invoice was under the \$15,000 limit.

Selectman Fortner asked why this was put on the agenda and didn't feel it warranted a special agenda item since no vote is planned to be taken. Vice Chair Hooper stated that it needed to be brought up for transparency. She also stated that the board should be looking at projects as a whole including the town labor and not looking at pieces of a project. She stated that if the town hires someone, there should be a formal contract with terms stated. Selectman Fortner offered to help write a policy regarding contracting and limits etc. Selectman French reminded everyone that no policy had been violated. Selectman Fortner asked that we add this policy creation to one of our January or February meetings.

Cheryl Morse stated that it is not healthy for the town if policies are circumvented. She thought that a preliminary estimate should have been made by the Highway Dept. to know that a bid was needed. There have been a lot of complaints by local contractors who would have liked the opportunity to bid. She is hoping that the board will come up with wording that will make the board appear more transparent again. Dr. Trivellini stated there are disturbing inconsistencies. He stated that there was a responsibility for getting purchase orders and that the town administrator said at a meeting that the contractor was made aware of the \$15,000 threshold when the contractor's attorney said they were not made aware.

Selectman Fortner made a point of order that everyone should not be allowed to be part of the conversation. Chair Blomback closed the public input portion. Selectman French stated that the public has been informed and the matter is done.

Selectman Fortner stated that we learn from this and possibly take a harder look at it to see if there are any actions against any employees but that that conversation is not part of a public discussion and urged the board to discontinue this type of conversation.

Item 6: Budget Discussion

Refer to the Henniker Budget Session 12-6-16 distributed at the meeting.

Chair Blomback submitted proposed adjustments, replenishments and recommendations for moving funds from the operating budget to the capital budget as itemized on the document above. He stated that this was a first pass at the budget and the Select board will have "many bites of the apple" before the budget is finalized. He stated that the Henniker school district is in the top 10 highest and the town is the 26th highest in the state based on public tax rates from the 2016 NH Dept. of Revenue.

He referred the Select board to the Proposed Adjustments for Community, Legal, Welfare, Code and Community Concerts. He referred the board to the Establish/Replenish Revenue section for Valuation, Ambulance, Fire Equipment, Highway Equipment, Bridges, Police and Transfer Station. He recommended that the \$43,452 which encompasses a Generator, Scuba Paks and Radios be moved from the Operating Budget to the Capital Budget.

Selectman French proposed under the White Birch budget it remain at \$50,000. Selectman Osgood stated that the Budget Advisory Committee had not given their opinions yet, and he would prefer to wait until then. Selectman Fortner asked for a digital version of this summary.

By board consensus of 5-0, the board agreed to have Russ Roy plug in the proposed Budget Adjustments and the Establish/Replenish Reserves made by Chair Blomback. Selectman Fortner asked that Russ Roy put in a new column so that he can see the history of the adjustments.

Regarding the Adjustments section, the board stated the following:
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White Birch—Osgood, keep the \$75,000; French wants \$50,000; Hooper/Blomback agree with the \$12,500 adjustment; Fortner wants to do more analysis

Red Cross—no funding

Merrimack—Osgood, keep the \$2,000; French, Hooper, Blomback agree to not fund them; Fortner wants to do more analysis

CASA—Osgood, keep the \$500; French, Blomback agree to not fund this. Fortner wants to do more analysis

Legal—Osgood cut by \$20,000; Blomback, French decrease by \$10,000

Welfare—reduce to \$80,000—Blomback, French, Hooper agree to this amount. Fortner wants to do more analysis.

Code—Osgood fund \$4,000; Blomback not fund.

Community Concerts—Osgood leave at requested amount; Blomback, Hooper, French reduce by \$450; Fortner wants to do more analysis.

OTHER BUSINESS

Item 7: Review public and non-public minutes of 11/15/16 and 11/19/16, budget meeting minutes from 11/5/16 and 11/19/16—

Please note that the original draft minutes and revised draft minutes were distributed. The Select board is voting on the revised draft minutes.

The public minutes of 11-15-16 were reviewed with minor edits.

A motion was made by Chair Blomback and seconded by Selectman French to approve the 11-15-16 minutes with edits. Motion passed 5-0.

The public minutes of 11-5-16 were reviewed with minor edits.

A motion was made by Selectman Osgood and seconded by Selectman French to approve the 11-5-16 minutes with edits. Motion passed 5-0.

The public minutes of 11-19-16 (budget) were reviewed.

A motion was made by Selectman Osgood and seconded by Selectman French to approve the 11-19-16 (budget) minutes. Motion passed 5-0.

The public minutes of 11-19-16 were reviewed with minor edits.

A motion was made by Vice Chair Hooper and seconded by Chair Blomback to approve the 11-19-16 minutes. Motion passed 4-0-1 (Fortner).

Item 8: Town Administrators Report—

Town Administrator Trovato reported that she and Tom Weston will be attending his graduation on Thursday for him to receive the Master Roads Scholar certification.

The town administrator also submitted a list of properties with outstanding taxes on them.

The town administrator reported that two more sections of the bridge will be arriving Thursday and Friday. Parts of Western Avenue will have to be closed to accommodate this. She will notify the residents on website, through an email blast, and notify emergency management. She further stated that the rebidding of the project will go out shortly. Vice Chair Hooper asked that she share the bid with the Select board once it goes out.

Item 9: Selectmen's Reports –

Selectman Osgood reported that the Azalea Park Committee was awarded a \$24,000 grant from the state for the work they are doing. There will be a meeting on Thursday and the landscape architect will be

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there. They will be talking about repurposing the block of land previously discussed at last month's meeting.

Vice Chair Hooper stated that there will be a Road Management Committee meeting on December 13th. Selectman French reported the same.

Selectman Fortner stated that he met with Russ Roy, Cherry Palmisano and Town Administrator Trovato to discuss the web technology and the town's technology in general. They are working together to put together recommendations.

Items 9A: From consent agenda

Item 7: 2016 Equalization Municipal Assessment Data Certificate.

Selectman Osgood stated that the language on the form indicates that "we agreed that we fully reviewed the list" and that this language is incorrect. Town Administrator Trovato stated it is a state form and cannot be changed. Vice Chair Hooper asked that the list be emailed to everyone so that it can be reviewed and asked to find out what the deadline is.

Item 4: Contract Agreement; Town of Henniker and Planning Consultant.

Vice Chair Hooper asked to have this removed from the consent agenda and would like to have this put on the agenda for further discussion. She would like to do some research on invoices, projects etc.

Item 10: Non-public RSA 91-A:3II(c)—moved to the end of the meeting.

Item 11: (3) Non-public RSA 91-A:3, II(a)—moved to the end of the meeting

PUBLIC FORUM#2

Dr. Trivellini applauded the Select board for their compassion in dealing with Mr. Carl Hamel's situation and for following proper procedure. He asked why they didn't do the same for Steve Forster who in his opinion did not receive the same consideration.

Item 10: Non-public RSA 91-A:3II(c)—

Chair Blomback moved, Selectman French seconded to enter into non—public session pursuant to the authority granted in RSA 91-A:3II (c). 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, Selectman Osgood seconded to come out of non—public session pursuant to the authority granted in RSA 91-A:3II (c). 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 11A: Non-public RSA 91-A:3, II(a)

Chair Blomback moved, Selectman Osgood seconded to enter into non—public session pursuant to the authority granted in RSA 91-A:3 II (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

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Chair Blomback moved, Selectman Osgood seconded to come out of non—public session pursuant to the authority granted in RSA 91-A:3 II (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 11B: Non-public RSA 91-A:3, II(a)

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

A motion was made by Selectman Osgood to appoint Justin Johnson as the Assistant Highway Superintendent; Selectman French seconded. Motion passed 4-0-1 (Hooper)

Item 11C: Non-public RSA 91-A:3, II(a)

Chair Blomback moved, Selectman Osgood 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, Selectman Osgood 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

Adjournment

A motion was made to adjourn the meeting at 10:00 pm by Vice Chair Hooper and seconded by Chair Blomback. Motion passed 5-0.