

TOWN OF WEBSTER
Office of Selectmen
945 Battle Street/Rte. 127
Webster, NH 03303

6:30 PM Selectmen's Meeting – April 16, 2012

Present: Chairman George Cummings, Selectman Bruce Johnson and Selectman Roy Fanjoy.

The Board signed the payroll and check manifests.

The Board signed the following for Administrative Assistant Judith Jones:

- Selectman Fanjoy made a motion to accept the Selectmen's Minutes of April 2, 2012 as written; seconded by Selectman Johnson and approved.
- Selectman Fanjoy made a motion to accept the first non-public session of the Selectmen's Minutes of April 2, 2012 as written; seconded by Selectman Johnson and approved.
- Selectman Fanjoy made a motion to accept the second non-public session of the Selectmen's Minutes of April 2, 2012 as written; seconded by Selectman Johnson and approved.
- Four abatements were reviewed by the Board for the following Maps and lots: Map 10-5-153; Map 13-6, Map 7-48 and Map 3-24-4-2. The Board approved the recommendations of Cross Country Appraisal Group, LLC and signed each application as appropriate. Two abatements were approved and two were denied.

The Board signed the following for Financial Administrator Wendy Pinkham:

- The bank reconciliations for February and March.
- Purchase Order #5 for the Fire Department and Cemetery to Flag-Works over America 2010 for flag grave markers in the amount of \$365.15.
- Authorization to make a separate payment to the New Hampshire Retirement System.

Police Chief Robert Dupuis advised the Board of the following:

- There were 35 calls for service on the semi-monthly report, with the highlights read.
- A check from the State for approximately \$250 was received regarding an electronic bench warrant.

Fire Chief Colin Colby advised the Board of the following:

- There have been 42 calls to date, mostly medical and mutual aid.
- The Capital Area Compact Meeting is this coming Thursday night.
- There will be a drill in Warner this Saturday that will call for three Webster trucks, the engine, tanker and forest truck. It will be a combined structure and brush fire drill.
- Last Saturday the 1991 E 1 Engine 2 left the station for the last time. Mrs. Pinkham noted that the check has been received from Ashby, MA for the truck.
- There have been brush fires all around us, but none in Webster. However, no burning permits will be issued until conditions change.

Chief Dupuis thanked Emmett Bean and members of the Fire Department for their participation in a "fairly" large forest fire in Hill near his home.

The office ordered two reflective street number signs from the Prison Sign Shop, as was requested by Mr. Bean, to be posted usually on the mailbox posts. They are white with red numbers and are reflective. These could be used as a sample should anyone decide to order for themselves. The cost is less if ordered in quantities of at least 50. No formal decision was made regarding the process for ordered, etc.

Road Agent Bean advised the Board of the following:

- Posted weight limits signs were taken down a week ago today.
- Some of the dirt roads have been graded.
- Dig safe markers have been placed on Deer Meadow Road, which will be inspected within the next 72 hours as this will be the next area of work he plans to do.

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- Things are drying up good and all has been quiet in general.

Treasurer Mary Smith expressed concern over the bank balance for the General Fund. She recommends withholding any payments possible. She talked with Merrimack County Savings Bank regarding opening the new account as of May but given the current low balance, she may wait. There was a lengthy discussion on cash flow and anticipated revenues in general.

7:00 PM Chairman Cummings advised that the Public Hearing scheduled for tonight regarding trimming of the trees on Scenic Roads, in this case Bashan Hollow and Gerrish Road, by law is a Planning Board responsibility, not the Board of Selectmen. Therefore, this process will now be turned over to the Planning Board for discussion at their next meeting on Thursday, when a public hearing will be scheduled. However, as Public Service Representative David Crane was in attendance and was willing to answer questions or listen to concerns, discussion was opened to those in attendance. Sue Rauth inquired how specific concerns could be addressed. Mr. Crane advised that anyone with concerns can call PSNH anytime. When asked about the right of refusal for the work to be done, Mr. Crane advised that they do have the right, but customer protection was a priority. Mr. Crane advised that all landowners, whether on a scenic road or not, would be contacted by post card by the contractor doing the trimming. There was discussion and responses from Mr. Crane on individual concerns in general. It was noted that trees that are to be taken down are usually marked approximately 30 to 45 days prior to their removal. He expects work to begin in Webster perhaps in May or later, but no work would be done on the designated Scenic Roads until the proper hearing has been held.

Sunny Hunt met with the Board to discuss the 29th year of the kayak races. He advised that the course would be set up on Friday, practice on Saturday and the race on Sunday. The Army Corps has guaranteed water, though practice will be limited on Saturday to help the situation. The public breakfast will be held on Sunday. He will provide the Town with a Certificate of Insurance on Friday. Mrs. Pinkham requested that the portable-potties be removed soon after the event.

Tom Mullins inquired as to when the retirement letter for former Police Chief Brian Milano was signed by the Board and when was it framed. Chairman Cummings did not recollect exactly when the letter was signed, suggesting to ratify that issue by a formal vote. There were comments that the letter was not framed at the meeting. Chairman Cummings then made the motion ratifying the Board's decision; seconded by Selectman Johnson and approved. Again, Mr. Mullins was asking at what meeting was the letter signed, with Chairman Cummings indicated that it was just a nice token.

Though George Hashem had requested to be on the agenda, he had called to cancel before the meeting.

The Board discussed the infestation of ants in the office. Chairman Cummings agreed that something needed to be done, recommending that it be done the end of the first week of May and again in mid-September. He still plans to check on the location of the nests. A proposal was received from JP Pest Services for two treatments at a cost of \$133 each. Mrs. Pinkham will advise JP Pest Services of the timeframes suggested. MJ Turcotte said that the State anthropologist has a home remedy that does work of boric acid and explained the process. Selectman Fanjoy then made a motion to use the recommended treatment by JP Pest Services; seconded by Selectman Johnson and approved. Selectman Johnson noted that the Town has to protect its investment.

Chairman Cummings discussed the Memorandum of Understanding between the Town and the School, advised that the School is going to add a rider to the Schools insurance that should anyone slip or fall where it has been plowed, sanded, salted, etc. that the School would be the first insurance company to cover. He has not yet seen a copy of this rider. He noted that the memorandum of understanding covers everything, saying that our septic runs through their property as well, saying that a map is still needed to depict where the Town plows and where the School mows. Mrs. Jones will review the Town's files in the vault for any maps that might be on file for the School, which might be able to be used as a starting point. It was suggested that Fred Reagan, from MVSD, might be able to provide something; therefore Mrs. Jones will contact him as well.

Mrs. Jones spoke with four different communities regarding the telecommunication assessment tax cards. Two were able to forward their cards and they all were exactly like Webster's. She advised that Jeff Earles, of Cross Country Appraisal, indicated that he would put more information in the "note" area on the card and would send an explanation of the charges to create these cards to the Board. Of the four communities contacted, only one indicated that an abatement had been filed, which was granted and resulted in a reimbursement amount of approximately \$3,000 from the total taxes of approximately \$13,000. All four communities paid approximately the same amount for the assessment work to be done.

After reviewing recommendations from the Chairman of the various Boards the Selectmen reviewed and approved the appointed officials whose term expired March 31, 2012 as follows:

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Selectman Johnson made a motion to appoint the following to the **Refuse Disposal Committee**; seconded by Selectman Fanjoy and approved:

| | | |
|-----------|--|------|
| Member | Ellen Kontinos-Cilley (replaces Bob Drown) | 2013 |
| Alternate | Frederick (Terry) Targett (Replaces Ellen Kontinos-Cilley) | 2015 |

Selectman Johnson made a motion to appoint the following to the **Refuse Disposal Committee**; seconded by Selectman Fanjoy and approved:

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| Alternate | Michael Greenwood (replaces Sally Embley) | 2014 |
|-----------|---|------|

Selectman Johnson made a motion to appoint the following to the **Agricultural Commission**; seconded by Selectman Fanjoy and approved:

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|-----------|---------------|------|
| Member | Susan Roberts | 2015 |
| Member | Martin Bender | 2014 |
| Alternate | Sarah Chalsma | 2015 |

Chairman Cummings will talk with Chairman Guy Larochelle regarding his reappointment as a member or as an alternate and request recommendations for additional membership.

Selectman Johnson made a motion to appoint the following to the **Conservation Commission**; seconded by Selectman Fanjoy and approved:

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| Member | Sally Embley | 2015 |
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Chairman Cummings made a motion to appoint the following to the **Conservation Commission**; seconded by Selectman Fanjoy and approved:

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|--------|-------------|------|
| Member | Jane Difley | 2015 |
|--------|-------------|------|

There was a slight intermission to discuss the Hazard Mitigation Plan 2012. Chairman Cummings advised that the last regular meeting was last Wednesday night, noting that the document was an “exercise in extreme bureaucracy” saying that that did not understate it one bit. The document was incredibly detailed, tedious, but unfortunately necessary to be eligible for FEMA funds. This plan was headed by Stephanie Alexander, from Central NH Regional Planning as well as Staff Coordinator Mrs. Jones, both of whom kept the Committee on task, without whom Chairman Cummings indicated that the document would have been completed. Mrs. Jones noted that it also makes the Town eligible for grant money when available. Selectman Fanjoy felt that the plan is for all communities, regardless of the size, and really was not tailored for smaller communities. He recommended that anyone with pictures of events should send them along to be used in the next plan. There was no formation of a “Hazard Mitigation Committee”, recommended by Mrs. Alexander at this time, though the Board agreed to think about it.

Selectman Johnson made a motion to appoint the following to the **Joint Loss Management Committee**; seconded by Selectman Fanjoy and approved:

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| Member | David Collins (replaces Marj Blanchette) | 2015 |
| Member | Colin Colby | 2014 |
| Member | Robert Dupuis | 2013 |
| Member | Therese Larson (replaces Judy Jones) | 2015 |

Selectman Johnson made a motion to appoint the following to the **Parks Committee**; seconded by Selectman Fanjoy and approved:

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|--------|---------------|------|
| Member | Matt Cummings | 2015 |
| Member | Aime Silver | 2015 |

Selectman Johnson made a motion to appoint the following Selectman Representative and Selectman Alternate Representative to the **Planning Board**; seconded by Chairman Cummings and approved:

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|------------------|---------------|------|
| Selectman Member | Roy Fanjoy | 2013 |
| Selectman Member | | |
| Alternate | Bruce Johnson | 2013 |

Chairman Cummings gave a brief history of how the term of the Selectman Member came about.

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Chairman Cummings spoke with Mason Donovan regarding moving up to a voting member. He then nominated Mr. Donovan to move up as a full member to the **Planning Board**, thereby replacing Tom Mullins whose term expired; Richard Cummings reappointed as an Alternate as recommended; and Jere Buckley reappoint as a Member; seconded by Selectman Johnson and approved.

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|-----------|--------------------------------------|------|
| Member | Mason Donovan (replaces Tom Mullins) | 2015 |
| Alternate | Richard Cummings | 2015 |
| Member | Jere Buckley | 2015 |

It was noted that there are two alternate positions vacant to be appointed until 2013. Selectman Johnson recommended that the Planning Board be asked to make recommendations. Mr. Buckley indicated that they have looking for candidates. There was a brief discussion on alternates and their role in the Planning Board Meetings.

Selectman Johnson made a motion to appoint the following to the **Zoning Board of Adjustment**; seconded by Selectman Fanjoy and approved:

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|-----------|----------------|------|
| Member | Martin Bender | 2015 |
| Member | David Barnes | 2015 |
| Alternate | Paul Silberman | 2015 |

This list will be given to Town Clerk Michele St. Jacques for processing of the appointment sheets.

Mr. Buckley inquired about the swearing in process and was advised that each appointment is sworn in as voted each year, even though some of the terms are not for the full three years.

Selectman Fanjoy and Road Agent Bean met on the Class VI portion of Mutton Road to review the area that will potentially be logged. He took many pictures of this section. Mr. Bean will be contacted tomorrow by the logger in order to set up a time to meet, probably on the 18th. The area is near the power lines, though they walked the entire stretch of the Class VI portion. Mr. Bean advised that the first half of this stretch has been well maintained by those living on it. There was further discussion on the road condition, maintenance in general and houses built on the Class VI portion.

The Board reviewed an application for a Blind Exemption. Selectman Johnson made a motion to approve the Blind Exemption received; seconded by Selectman Fanjoy and approved. This is a \$15,000 exemption off the assessed value. Mrs. Jones will notify the applicant of the approval.

Chairman Cummings advised that a motion was filed with the Court the latter part of last week regarding the ongoing litigation.

Anupuma Shridharani has offered two lots in the Pillsbury Lake District shown as Map 10-6-23 and Map 10-6-39 as a gift to the Town. She contacted the Pillsbury Lake District with the same offer. Mrs. Jones was advised that the District was not interested. After reviewing the map, it was decided that Selectman Johnson will review the lots and a decision will be made at the next Board meeting. There was discussion on whether Mrs. Shridharani would bear any costs, with no decisions made. Mrs. Jones noted that she has been drawing up the deeds and that the Registry of Deeds does not charge the Town for recording deeds in the Town's name.

Chairman Cummings, referring to a building permit issued in 2007 for a home built at 77 Centennial Drive but never occupied, advised that the Town had little involvement with the inspections at that time, typically only the setbacks were checked, but no electrical inspection or structural integrity of the building were done. Many changes have since been made regarding building inspections. Previously Impact Fees were collected when the building permit was issued, but are now collected upon the issuance of a Certificate of Occupancy and only after several inspections. Chairman Cummings described some of the potential issues with this property and in checking with Town Counsel, has been told that the Town has no further obligation regarding any inspections for 77 Centennial Drive. Chairman Cummings said that the Town could require that all the sheetrock and insulation be removed so that a proper inspection could be conducted for a Certificate of Occupancy to be issued, saying that he would be doing a letter to a very interested party relevant to what would be required. This property has been foreclosed and is currently on the market as a distressed sale, hence the intense interest.

The Board has received a recommendation from Cross Country Appraisal that all those currently receiving the "Solar Exemption" no longer qualify based on the "Solar Exemption" adopted at the 2012 Town Meeting and that the exemption be removed. They indicated that there has been no increase in the assessed value to those six properties receiving the exemption based on any solar application.

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Mr. Buckley agreed with the recommendation. The Board will review those with the exemption and a decision will be made at the next meeting.

Edward Cloues, owner of property on Lake Road, requested to make renovations to the building that cannot meet current setbacks. Selectman Fanjoy made a motion to refer Mr. Cloues to the Zoning Board of Adjustment for consideration; seconded by Selectman Johnson and approved.

Chairman Cummings received an e-mail from Neal Cass, Hopkinton Administrator, relative to the Flood Control Reimbursement. He indicated that Hopkinton has "... obtained the services of The Dupont Group to work with the Town of Hopkinton and other participating towns to advocate for the passage of SB 326 in a fashion that will seek to restore the State of New Hampshire's contribution to the Merrimack/Connecticut River Flood Control Compact." Attached was an amendment to SB 326 that would change "[shall first be applied to outstanding amounts due the state, and any remainder]" to "...shall be apportioned to the towns." Chairman Cummings noted that in the past the State had made the towns whole, whether or not the money was collected from Massachusetts, but last year in HB 2 in a rider, the State decided that they would not pay those communities due PILT money until the State received all monies from MA due over the past seven years. As he noted, the towns did not make the compact with MA, the State did. He spoke with Barbara Reid, from LGC, who thanked him for sending along information regarding this issue. He advised that Mr. Cass also advised that there will be a conference call with the Dupont Group on Tuesday at two different times relative to this issue, in which Chairman Cummings plans to participate from home. Mrs. Jones will contact Mr. Cass for the information to join in this conference call and pass it on to the Board.

Chairman Cummings advised of the need for a non-public session pursuant to RSA 91-A:3 II (a) for personnel issues at the end of this meeting.

Mike Greenwood, indicating that the townspeople do not appreciate what the Town has, commended the Police Department for an incident several weeks ago involving his son, who did not return home timely. He called the County Dispatch on a Saturday night and within ten minutes received a call from the Chief, later noted that the call was made from his home, offering whatever help he could provide regarding the issue. Mr. Greenwood said that he has used the services of the Police Department and felt comfort in knowing how quickly he was contacted. He appreciated the Chief taking his personal time when off duty to respond to his needs, noting that he knew that he would have received a call from one of the other officers if the Chief had not responded.

Ellen Kontinos-Cilley inquired to see if the Board would entertain a recommendation that when someone calls to be on the agenda, that they be required to state the subject. She recollected that previous Board's required this, noting that other town's had this requirement. She then noted that most Police Departments have a formal complaint procedure on their website, indicating that complaints usually would have to be either in writing or in person. This would be on line for all to access. If this were available, she was in hopes that this would alleviate sitting through another Town Meeting where folks accuse Police Officers in a forum that is not appropriate, and thought if the procedure were on a website it might help. Chief Dupuis advised that he has revised 308 pages of policies and procedures, which is now in the Board's hands for review. Included in this document is a policy for making a complaint against an officer, how it would be handled, how the officer would be notified in so many days, etc. Mrs. Kontinos-Cilley guessed that procedure was not currently being followed. Chief Dupuis said that he has someone that will do a website for the Police Department for \$5 per month and he plans to take advantage of the service. Again, Mrs. Kontinos-Cilley would like to have a policy and have it followed. Chairman Cummings recollected working on the "Policies and Procedures" years ago, noting that the revision is much larger than the original.

9:10 PM Selectman Fanjoy made a motion to go into non-public session pursuant to RSA 91-A:3 II (a) for personnel purposes with the Police Chief ; seconded by Selectman Johnson. Roll call: Chairman Cummings – yes; Selectman Johnson – yes; and Selectman Fanjoy – yes.

9:40 pm Chairman Cummings reconvened the meeting. The Board agreed to seal the minutes.

Immediately following Selectman Fanjoy made a motion to adjourn the meeting; seconded by Selectman Johnson and approved.

George C. Cummings, Chairman
BOS/jj

Bruce G. Johnson

Roy E. Fanjoy

BOS Initials:

G. C. Cummings

B. G. Johnson

R. E. Fanjoy