

TOWN OF FRANCESTOWN
OFFICE OF SELECTMEN
27 MAIN STREET • P.O. BOX 5
FRANCESTOWN, NEW HAMPSHIRE 03043-0005

BOARD OF SELECTMEN MEETING MINUTES

April 18, 2016

Selectmen Present: Chairman Brad Howell, Abigail Arnold, and Henry Kunhardt

Staff Present: Town Administrator Jamie Pike

Also present: Bill McAuley, Charlie Pyle, Judi Miller, Betty Behrsing, Ben and Robin Haubrich, Janet Hicks, Lisa Bourbeau, Dennis Orsi, Guy Tolman, Polly Freese, Linda Kunhardt and others.

CALL TO ORDER: Chairman Howell called the meeting to order at 6:30pm.

Appointments

Bill McAuley – Exhibit ownership issues and a concrete floor for the museum

Mr. McAuley indicated he wanted to formalize ownership of the exhibits in the museum for insurance purposes. He indicated that he has verbal confirmation that the museum is the owner of these exhibits but he would like to have formal written confirmation of ownership. Abigail Arnold suggested that if the museum has possession of exhibits that are on loan, the exhibit owner should receive written notice that they are responsible for insurance of the item(s). Discussion of the values of these items ensued and it was agreed that there should be written confirmation of the value of these items as well. Mr. McCauley will make a draft notice of these things. He also indicated that they need the lower level space in the museum and the materials being stored there will be removed soon. He asked for Selectmen approval to do a fund raiser so that they can obtain the funds necessary to pour a concrete floor. He indicated that they would like to do a town-wide mailing. Abigail expressed concern because there are so many fund-raising projects currently going on. Mr. McAuley said he expected the total cost of the concrete floor to be around \$10,000. There is approximately \$4,300 currently in the Trust Fund. The Board decided that private and previously offered donations can be sought but the Board wanted to hold off on a town wide fundraiser. Discussion regarding the Thulander Trust Fund and what those funds can be used for ensued. It was felt that the funds could be used as necessary. However, there are restrictions on the funds. Henry Kunhardt noted that, for example, the funds cannot be used for fundraising. Creating a new Trust was discussed as a possible solution.

The question of the old soapstone mill, which is falling into the river, was raised. There is an old truck motor inside the building and it is unknown if there are fluids still in the motor that may be leaking into the ground. The owner of the property has been contacted numerous times and she has not been responsive to letters that have been sent over the years. It was suggested that the issue be researched to determine what Town's options are, if any.

Mr. Pike indicated that he heard from Eversource regarding flags on utility poles. Towns are supposed to apply annually for permission to display flags from Eversource owned utility poles. The last time Francestown applied for permission was in 2012. Larry Labor wants to install 4 more flags along Greenfield Road down to County Road South and back up towards Main Street and behind the horse

sheds. Mr. Pike thought it would be a good idea to submit applications this year and the Board agreed. Charlie Pyle will assist Mr. Pike with the applications.

Consent Agenda

- A. Re-Issued Check Manifest dated April 4, 2016
- B. 04/11/2016 and 04/18/2016 Payroll & Accounts Payable Manifest
- C. Intent to Cut for Map 3 Lot 17 and Intent to Cut Map 11 Lot 3
- D. Thulander Trust Expenditure for \$147.39
- E. Public Assistance Lien for Map 8 Lot 80-1

A motion was made by Abigail Arnold to approve items A, B, C, D and E of the consent agenda, seconded by Henry Kunhardt. **Motion passes.**

New Business

- A. Thank you letters to the Taylor Family for the donation of the cemetery Land to the Town.
- B. Thank you letters to Officers McAllister and Officer Hodgen for the police dog demonstration for the Cub Scouts.
- C. Abigail Arnold asked if the Town should ask Tim Greene to come in and review the draft Audit Report. The Board agreed to have Tim Green review the report.
- D. There was a short discussion about email problems.

Correspondence

- A. Letter from DOT regarding Red Listed Bridges Report. There were no new red listed bridges in Francestown in the report.
- B. Letter from Police Standards and Training Council indicating the certification for Fred Douglas and his full-time officer certification is reinstated as of March 25, 2016.
- C. Letter to Heritage Commission Members from Elly Miles indicating she will not seek reappointment for another term on the Heritage Commission.
- D. Weekly Reports from Fred Douglas dated April 4, 2016, April 11, 2016 and April 18, 2016
- E. Email to Selectmen from Betsy Hardwick advising that the Conservation Commission is planning a roadside cleanup event on April 23rd from 9:00 a.m. to 11:00 a.m.
- F. Memo from Bart Mayer, Town Counsel, regarding an update on the status of the PSNH litigation
- G. Email from Guy Tolman(4/15) requesting that the Selectmen get written confirmation from town counsel that the appointment of the ex-officio alternate complies with the language in RSA 673:2
- H. Jamie Pike's Administrative Report dated April 15, 2016
- I. Right-to-know request, dated April 16, 2016, from Dennis Orsi; documents were provided to him.
- J. List of telephone poles owned by Merrimack Telephone Company as requested by the Town
- K. Letter from Monadnock Family Services, dated April 4, 2016, thanking the Town for its donation of \$1,953
- L. Donald Abbott's Animal Control Officer Report for March 2016
- M. Letter from Contoocook Transportation Company for the Town's donation in the amount of \$500
- N. Jamie Pike's Administrative Report dated April 1, 2016

Mr. Howell indicated that, per advice of counsel, it is not a requirement that an individual serving as an alternate ex-officio member of the Planning Board has to be an administrative official or selectperson and it is not specifically required by the RSA. Mr. Howell asked Mr. Tolman to explain why the Town should incur the expense of having counsel issue a written opinion. Mr. Tolman indicated he would like counsel to say "this is the way we're going to do it." He said he went to 30 towns in New Hampshire and they have either a selectmen or an administrative official as an ex-officio alternate. Mr. Howell defended the Board's decision and asked Mr. Tolman again, why it has to be in writing. Mr. Tolman responded with language that he wants town counsel to use. Mr. Kunhardt indicated that the Planning Board could have proceeded without an ex-officio alternate and the reason an alternate was appointed is because the Planning Board Chairman, Larry Ames, asked for an ex-officio alternate. Linda Kunhardt indicated she shares Mr. Tolman's concern and she accused the Town of misconstruing the statute. Dennis Orsi pressured the Selectmen to get counsel's opinion in writing arguing that counsel already researched the question, so the cost to get his written opinion should be minimal. Lengthy discussion and disagreement regarding the issue followed.

A motion was made by Abigail Arnold to appoint the ex-officio Planning Board member, ex-officio Heritage Commission member and the representative to the SAC Committee for terms of one year coinciding with the elections, seconded by Henry Kunhardt. **Motion passes.**

Henry Kunhardt indicated that Dennis Orsi came in with a right-to-know request relative to the Taylor property, which was voted on at Town Meeting. Mr. Kunhardt suggested to Mr. Orsi, or any other resident, if there is a question to go to the Selectmen rather than filing right-to-know requests and ultimately, a lawsuit. Mr. Orsi argued that they have done that in the past but they don't get the answers they want.

Administrative Update

Mr. Pike updated the Board on the following:

- Warren Kiblin asked Mr. Pike to accompany him to the dam. He pointed out the condition of the aging rails across the dam that were approximately 20 years old. Mr. Kiblin proposed using a non-toxic wash and 2 coats of linseed oil to treat the rails. The cost for labor and materials would be \$690.00. He had other concerns that Mr. Pike will address later. Mr. Kunhardt went to the dam with Mr. Kiblin today and he observed some erosion that he feels is cause for concern. He thinks that the erosion issue should be addressed within the next few weeks. There was discussion about invasive species of plants flourishing in the area, some of which are on private property.
- Mr. Pike received an application to use the Town Office meeting room from Lawrie Barr for the Frankestown Democratic Committee for a discussion on campaign finance reform. The Board agreed that they didn't want the room used for outside (non-town) meetings. It was suggested that Mr. Barr be offered the use of the Town Hall for the meeting and to urge others to use the Town Hall for such meetings. Mr. Howell wanted to re-visit the written policy for using Town owned building and spaces. It was felt that there are sensitive files stored adjacent to the meeting area and security is a concern. It was agreed that tables and chairs would be moved in to the Town Hall and the water would be turned on to ready the building for Mr. Barr's meeting.

Maintenance

The Board determined that the Town Administrator is the coordinator of building maintenance projects per the approval of the Board of Selectmen. All maintenance requests should go through the TA only. No requests should be made directly to maintenance personnel. Abigail Arnold indicated it was her understanding that Warren Kiblin is responsible for shoveling and sanding the entrances to town offices and for raising and lowering the flag(s). Mr. Pike said that Warren comes to him with project ideas asking for approval. Ms. Arnold suggested having Mr. Kiblin open and close the Town Hall when necessary. Mr. Kunhardt suggested building numbers be applied to all town buildings. He suggested having Mr. Kiblin put the numbers on town buildings. Discussion of where and which buildings need numbers ensued. Mr. Pike will speak to department heads to determine individual preferences.

Ms. Arnold asked about the status of Campbell Hill Road residents and Muzzey Road residents who have Mountain Road addresses. It's an issue for emergency vehicles. Mr. Pike has not been updated on the status.

Class A Trails - Signage

The Board discussed using signage to identify Class A trails and vehicles allowed or prohibited from using said trails. The language used on the signs and the location of signs was discussed. Mr. Howell indicated that the Board should review the sign policy prior to having signs produced.

Administrative Update *(continued)*

Mr. Pike updated the Board on the following:

- Mr. Pike met with the Waste Disposal Committee last week. As of last week the Town had not received any bids for the household hazardous waste day from the vendors who received RFPs. One bid was received on Friday and there are 2 more who have indicated they will bid. Once all bids are received Mr. Pike will submit the bids to the Board for review and/or approval. The Committee would like to move forward on the concrete pad at the Transfer Station. They will forward the proposal they received last year and Mr. Pike wanted to know if the Board wanted to request more bids. Having the area surveyed was discussed. Mr. Kunhardt will look at the site and make a recommendation to the Board.

Mr. Kunhardt asked if there is a policy about authorizations for purchases. He asked if there was a spending policy for Mr. Pike to follow. The Board suggested guidelines based on the cost of items, excluding basic office supplies such as ink cartridges, paper, etc. Mr. Kunhardt suggested continuing the discussion later.

- Mr. Pike had a discussion with the Waste Disposal Committee regarding the flyer but the Board opted to postpone the discussion until next week.

Mr. Kunhardt raised the issue of asking town counsel for a legal opinion regarding who may serve as an alternate on behalf of the ex officio member of the Planning Board, appointed by the Board of Selectmen. Mr. Howell thought it would be a good idea, in this instance, to put the issue to rest. Ms. Arnold thought it is a dangerous precedent and may carry over to future Board decisions. Mr. Howell indicated that this is not going to be done every time.

A motion was made by Brad Howell to ask town counsel to provide a written response to whether the alternate ex officio of the Planning Board has to be a Selectmen or an Administrative Official of the Town, seconded by Henry Kunhardt, Abigail Arnold opposed. **Motion passes.**

NEXT BOARD OF SELECTMEN MEETING: Monday, April 25, 2016

ADJOURNMENT: Chairman Howell adjourned the meeting at 8:40 pm.

Respectfully Submitted,

Jamie A Pike

Not approved until signed.

Brad Howell

Abigail Arnold

Henry Kunhardt