

Selectmen's Meeting Minutes

June 15, 2009, 5:00 p.m.

Corner Meeting House

Chairman Ronald Cormier called the meeting to order at 5:00 p.m.; also present were Selectman Jon Pike, Selectman David Morse, Town Administrator K. Jeanne Beaudin, Administrative Assistant Cary Lagace, Fire Chief Jim Davis, Deputy Fire Chief Sean McCarty, Police Chief Vinnie Baiocchetti, Land Use Technician Rick Ball, Public Works Director Jim Fortin, Phil Brouillard, Peter Dejager, Grace Romprey, Ed Otto, Town Clerk Cynthia DeRoy, Code Enforcement Officer Steve Dalton, Donna Cilley, County Commissioners Christopher Boothby, Ed Philpot and Richard Long, Delegation members Alida Milham, Dennis Fields, Elizabeth Merry, Kate Miller and James Pilliod as well as several other county representatives, George & Susan Condodemetraky, Linda Frawley and Daily Sun Reporter Kinney O'Rourke.

Those present stood for the Pledge of Allegiance.

Belknap County Commissioners

Chairman Cormier welcomed all the commissioners and delegates and thanked them for coming. Commissioner Boothby introduced the other commissioners and stated that he will give an overview of the role of the county. Alida Milham introduced the county delegates that were present. Commissioner Boothby began with a PowerPoint presentation explaining the county budget and the process it follows until passed by County Delegation.

Following the presentation he noted that it is the intent of the County Commissioners to hold future meetings with Town representatives. Chairman Cormier explained that one issue that has come up is that through cost shifting the county should be responsible for those services that are provided countywide, such as fire services. Commissioner Philpot noted that other communities had taken these meetings to heart and really told the commissioners what they wanted including services regionalization as well as Co-Op buying, solid waste and health insurance being mentioned. Chairman Cormier pointed out that some of those communities may be on the receiving end of mutual aid where Belmont sees it from the giving side of mutual aid and feels the county may be forced to look at regionalization.

Selectman Pike added that he is a proponent of regionalization and explained that with tax payers voting down equipment even when it isn't being paid for with tax dollars, something

different needs to be done. He also noted that Laconia has received assistance from LRGH for the purchase of an ambulance where other communities aren't receiving the same although the need may be the same.

Selectman Morse stated that he believes that if it is a service that is utilized throughout the county it should be in the county budget. Chairman Cormier agreed with Selectman Morse and added that he has seen outside agencies requesting funding from the Town and School levels without either knowing about the other and believes they should be funded at the county level as well.

Bill Jensen spoke noting that he is within management of a non-profit and sees the different types of services available and how much they overlap noting that there can be several different food pantries within one community. It was noted that other services such as planning also overlap.

There was further discussion and it was agreed that communication before the beginning of the process will provide a better look at what the communities are looking for from the county.

Alida Milham commented that the revenue at the state level is getting worse, almost scary. Selectman Cormier noted that Belmont is very interested in the outcome of the recent proposal at the State that includes gambling.

It was agreed that the process of how everyone can work more efficiently together and developing a method to do so should be pursued.

Chairman Cormier thanked everyone for coming and Commissioner Booth thanked the Board for their time.

Minutes

Selectman Morse moved to accept the minutes of the June 1, 2009 meeting as written. Chairman Cormier seconded and the motion passed unanimously. Selectman Pike abstained.

Belknap County 4-H Request

Town Administrator Beaudin explained that she has received the annual request from the Belknap County 4-H to waive vendor fees and implement one way traffic on the days of the fair. They have requested the same as last year with no changes. Chairman Cormier commented that he doesn't understand how the fair falls on Old Home Day. In years prior to last it was a different weekend. It was suggested that Old Home Day look at changing their weekend.

Selectman Pike moved to waive permit fees and allow one-way traffic on the days of the fair as requested. Selectman Morse seconded and the motion passed unanimously.

Pine Garden Attorney Letter

Town Administrator Beaudin reviewed with the Board a letter from Pine Gardens attorney Lafrance the fact that his client is stale mated without an option to remove trailers from his park due to outstanding taxes. Chairman Cormier pointed out that the Town has agreements with other parks to work together to the benefit of both parties and this option should be offered in this case. Town Administrator Beaudin indicated that she will send a letter

to attorney Lafrance explaining the agreement with other park owners to not hold the Town liable for outstanding park rent and other expenses in exchange for an abatement of the taxes owed.

Pleasant Valley Bond Documents

The Board signed the Pleasant Valley Project bond documents. Selectman Pike noted that he very recently heard that the government is offering .9% loans on projects that are ready to go ahead now as part of the stimulus package and asked Town Administrator Beaudin to look into that as an option for this project.

Pleasant Valley Contract Award

Town Administrator Beaudin stated that the project is not ready to be awarded to the contractor at this point as final figures are still being worked on in relation to services and meter replacements and the removal of the slab. She suggested that the Board authorize her to sign the documents in an effort to expedite the process once the final figures are received and she has reviewed them with each Board member. Chairman Cormier stated that he didn't have problem with that.

Selectman Pike expressed that it had been published that the low bidder was Jeremy Hiltz and wanted to clarify that the low bidder is not Jeremy Hiltz rather his brother's business Hiltz Construction III, LLC. He noted that he has also received some concerns with awarding Hiltz Construction the project. Selectman Morse noted that there have been several positive things regarding Hiltz Construction too. Chairman Cormier noted that the Town is forced to take the low bidder because it is a CDBG project.

Public Hearing to Accept Holly Tree Lane & Pine Crest Drive

Chairman Cormier opened the Public Hearing at 6:17p.m. in accordance with RSA 674:40 relative to the acceptance of Holly Tree Lane and Pine Crest Drive. He explained that it is the Town's intent to accept the two roads as Town roads with full services and connect them during the Pleasant Valley Project.

Town Administrator Beaudin explained that the surveyed plans are nearing completion, a phase II environmental assessment was done with no contamination being found. There were several metal items found that will be removed during construction. The only area of concern still being addressed is the encroachment of the slab on the Romprey property into the right of way. She noted that in the proposed agreement the Town will remove that portion of the slab at the Town's expense and states that if the existing structure were ever to be destroyed it cannot be replaced where it currently stands. Ed Otto commented that he would like the agreement to state that if the property transfers the structure will continue to be where it is.

Ed also asked if someone could come on site to show where the road is going to be so they can have a better feel for where it is going to be relative to their homes. Town Administrator Beaudin indicated that a meeting could be set up and she will contact Ed with the meeting date and time.

There was discussion that some feedback that is being received in the community is the Hiltz Construction may have some issues that people have had with the company however, at this time it is all here say and there is no one putting any negative information in writing regarding this business. The Town has to accept the low bidder because this is a CDBG

project, unless there is information that concretely shows a problem with the contractor. The Town is taking all the measures necessary to protect itself. The engineering firm will be providing a full time manager during the project for oversight as well as the CDBG administrator will be very involved.

Selectman Pike moved to accept Pine Crest Road and Holly Tree Lane as Town class V public highways. Selectman Morse seconded and the motion passed unanimously.

Selectman Pike moved to accept the acknowledgement and consent agreement to Grace Romprey for the removal of the slab at no expense to the property owner, transfer of ownership without removal of garage clause, and the garage will not be left any less stable than it currently is. Selectman Morse seconded and the motion passed unanimously.

Sun Lake Village Current Use Penalties & Accrued Interest

Chairman Cormier began discussion noting that he believes everyone is in agreement of values for 2007 for the Sun Lake Village properties. Selectman Morse indicated that is the case and he has a concern with the values being used for the current proposed agreement. He believes there are two sets of assessed values for these properties and he believes the first set of established values should be used to assess the Current Land Use Penalties. He stated that the set of values being used in the proposed agreement are values of today, when the CLU Penalties were assessed three years ago and should be reflective of the original values. Town Administrator Beaudin noted that the values in the proposed agreement are based on appraisals and information provided at a meeting between Mark Nieder, Phil Brouillard and Mr. Dejager.

Selectman Pike indicated that he agreed with Selectman Morse that the original assessment figures should be used to calculate the penalty. Chairman Cormier explained that the Town entered into a good faith negotiation regarding this issue and doesn't feel if should be backed out of at this point. There was lengthy discussion regarding which set of assessment figures should be used for the calculation of these penalties.

Mr. Brouillard explained that the negotiated amount of \$319,753 could still at this point be paid to the Town by September 15, 2009. Mr. Dejager argued that based on these negotiated figures he has secured the financing needed to pay these penalties. Selectman Pike suggested that they split the difference of \$64,000. Mr. Dejager indicated that the plan he has put together with financial backer does not support any further expense.

Selectman Cormier noted that these negotiations were held to avoid going to the State level of appeal and these are the figures that should be used. Selectman Morse felt strongly that those initial values were set for a purpose and should be used for setting the penalty amounts.

Selectman Pike moved to accept the negotiated amount of \$319,753 payable by September 15, 2009. Chairman Cormier seconded. The vote was Chairman Cormier and Selectman Pike for the motion and Selectman Morse against the motion, the motion passed.

New Business **Library Request**

Selectman Morse now acting as a Library Trustee addressed the Board with a lead paint concern at the Library. He explained that there is lead in the paint at the Library and it has become a problem as it is flaking and peeling off. The Library received bids and for the amount of \$17,700 can have the lead base paint safely removed and repainted. The bidder is proposing

it in three phases if necessary. The first two phases would take care of the front and rear entrances and the third phase would take care of the balance of the building. He is requesting the Board consider helping to fund the project out of one of the Towns accounts and the Library will budget next year to reimburse the Town. Selectman Cormier expressed that he feels the situation should be taken care of as soon as possible due to the lead paint issue.

Selectman Pike suggested that perhaps a better price could be negotiated for doing the whole project at once and not in phases. David expressed that he thought this was his best price. The Board discussed briefly which fund could be used to pay this expense.

Selectman Cormier move to take funds from the Municipal Facilities Capital Reserve account to pay for the Library painting project of \$17,700 to be budgeted for by the Library and returned to the Town in the 2010 budget process. Selectman Pike seconded and the motion passed unanimously. Selectman Morse abstained.

Town Hall Paint

Donna Cilley addressed the Board to express her concern with the feeling paint and appearance of the Town Hall building and something should be done to give a better appearance. Town Administrator Beaudin noted that she had received two bids with the lowest being \$20,200 to place vinyl siding. She noted that the building was painted 6-7 years ago at \$12,000. The Board agreed to look into it further and asked Town Administrator Beaudin to get a firm quote and verify that it will include wrapping and trim.

Non-Public Session

Chairman Cormier called the non-public session to order at 7:36 p.m. in accordance with RSA 91-A:3 II (b ?). Roll call was taken and those present and voting were Ronald Cormier, Jon Pike and David Morse. Also present was Town Administrator Beaudin and Public Works Director Jim Fortin. No decisions were made during non-public session.

Next Meeting

The next regular Board of Selectmen's meeting will be Monday, July 6, 2009 at 5:00 p.m., at the Corner Meeting House.

Adjournment

The meeting adjourned at 7:45 p.m.

Ronald Cormier, Chairman

Jon Pike, Vice Chairman

David Morse