

Town of Hillsborough P.O. Box 7, 27 School Street, Hillsborough, NH 03244
Phone: (603) 464-3877 Fax: (603) 464-4270



Board of Selectmen Minutes 02/28/2012

Board of Selectmen's
Meeting Minutes
February 28, 2012

Present: Selectmen Russell Galpin, Lou Ann Rousseau and Steven Venezia, Attorney Emily Rice of Orr & Reno Attorneys at Law and Finance Administrator Lauralee LoMonaco

Mr. Galpin called the meeting to order at 5:00 p.m.

Mr. Galpin made a motion to enter a non-public session per RSA 91-A:3II (c) - Matter that, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant. Mr. Venezia seconded the motion. The Board voted by roll call: Mr. Galpin - yes, Mrs. Rousseau and Mr. Venezia.

5:04 p.m. The Board entered a non public session with Ms. Rice.

5:15 p.m. Attorney Elizabeth Bailey of Sheehan, Phinney, Bass & Green, PA entered the meeting at this time and waited for her interview with the Board.

5:16 p.m. Mrs. LoMonaco left the meeting.

5:45 p.m. Attorney Frank Kenison of Ransmeier & Spellman, P.C. entered the meeting at this time and waited for his interview with the Board.

6:00 p.m. David Fullerton, Shane O'Keefe, Leigh Bosse and Selectmen's Secretary Iris Campbell entered the meeting at this time.

6:15 p.m. Town Administrator John Stetser entered the meeting at this time.

Mr. Galpin made a motion to enter a public session. Mrs. Rousseau seconded the motion. The Board voted all in favor.

6:20 p.m. The Board entered a public session.

Mr. Venezia made a motion to hire Emily Gray Rice of Orr & Reno to conduct an investigation regarding the allegations against John Stetser. Mrs. Rousseau seconded the motion. The Board voted all in favor.

Mr. Venezia will contact Ms. Rice.

Mr. Galpin made a motion to seal the minutes. Mr. Venezia seconded the motion. The Board voted all in favor.

6:25 p.m. Melissa Belanger and Steven Durkett entered the meeting at this time.

Mrs. Rousseau made a motion to enter a non-public session per RSA 91-A:3II (c) - Matter that, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself,

unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant. Mr. Galpin seconded the motion. The Board voted by roll call: Mrs. Rousseau - yes, Mr. Venezia - yes and Mr. Galpin - yes.

6:26 p.m. The Board entered a non-public session with Mr. Stetser.

Mr. Venezia made a motion to enter a public session. Mrs. Rousseau seconded the motion. The Board voted by roll call: Mr. Venezia - yes, Mrs. Rousseau - yes and Mr. Galpin - yes.

6:37 p.m. The Board returned to a public session.

Mr. Venezia made a motion to seal the minutes. Mr. Galpin seconded the motion. The Board voted all in favor.

Mr. Stetser presented the Board with a letter for their consideration.

Mr. Galpin made a motion to take the letter under advisement and to contact town council. Mr. Venezia seconded the motion. The Board voted all in favor.

Mr. Venezia will contact town council.

6:40 p.m. Open Session:

Mr. Durette came in to express his concerns regarding the amount of trash around Cumberland Farms, Grumpy Don's and along Preston and Cross Streets.

Mrs. Rousseau did receive an email from Mrs. Dearborn-Luce regarding the response she has received after notifying the two businesses.

Mr. Venezia suggested contacting Mr. Brigham as a community service project.

Mr. Fullerton said Hillsborough Pride conducts a town wide clean up day once a year.

6:47 p.m. - Robert Hutchinson & James Coffey entered the meeting at this time.

Mrs. Belanger spoke to the Board about the information she has received from the Code Enforcer and the Fire Chief regarding the type of smoke detectors needing to be installed in a house she will be occupying at 3 Hill Street.

The Code Enforcer is saying they can be battery operated and the Fire Chief is saying they need to be hard wired. She will be installing 12 battery operated smoke detectors, two of which will also be CO2 detectors.

Mr. Venezia said the Board doesn't issue permits and Mrs. Dearborn-Luce is the Code Enforcer.

Mr. Galpin said the Board doesn't make any attempt to over ride the decision of an employee who is trained in this area.

Mrs. Belanger said if the fire Chief is going to make her hard wire the detectors then he should also have 63 W. Main Street brought up to code, what is good for one is good for the other.

Mr. Galpin said the Board will look into the matter.

7:00 p.m. Mr. Coffey said the Hummingbird bridge is gone and everything was being done in accordance with environmental codes. The Commissioners would be happy to work with the Conservation Commission on any environmental issue. He is hoping to have the bridge in before the town takes out the Gould Pond Road bridge.

Mr. Hutchinson said the water line project will be starting soon. He said the Commissioners need to be kept in the loop regarding the Gould Pond Road bridge because the water project will be coming across and along Gould Pond Road.

Mr. Coffey said the longest stretch of that project will be from Hummingbird Lane to Pine Glen Road. He said

they will come back to the Board for any permissions they may need and to keep the Board updated.

Mr. Coffey mentioned the petition warrant article regarding money for the dredging of the Emerald Lake inlet. He said the Board needed to note on the article if they were for or against it.

Mr. Galpin said according to the Local Government Center lawyer the Board didn't have to take a stand.

Mr. Coffey said all special warrant articles need to be recommended by the Board. The MS-6 says the Board is recommending it.

Mr. Coffey noted that at the 2011 Budget Hearing the Board skipped over Articles 7 and 8, as they were to be discussed later in the evening at specific bond hearings. He said this is a procedural error, because they are money articles they needed to be discussed at the budget hearing as well as individual bond hearings.

Mr. Coffey went back to the inlet issue, saying this is a community issue and asked the town to take a leadership roll in addressing the problem. He added if we all work together we can apply for grants and get the project done.

7:10 p.m. Patricia Mathison, Christopher Pinkham and Walter Rutter entered the meeting at this time.

Mr. Hutchinson said the two Boards need to work together to take care of the 6,000 residents of Hillsborough.

Mr. Galpin said we need ELVD residents to volunteer to serve on town boards. -He questions the petitioned article because at the meeting with ELVD and their engineer regarding the inlet the money for the project would come from the Town, ELVD and the State then the petition came in and it appears the town will be paying for the whole project.

7:15 p.m. Mr. Pinkham came in to discuss the procedure for town meeting. He will be testing the sound system tomorrow.

Mr. Galpin said he will need bond ballots for articles 7 and 8, general yes/no ballots, two ballot boxes. He said bond voting has to be one hour each. He added we usually have a moment of silence for our deceased friends and neighbors who passed last year.

Mr. Pinkham feels he will be ready.

The Board signed the following items:

- a. Selectmen's Meeting Minutes - 2/12/12
- b. 2012 Budget Hearing Minutes - 2/14/12
- c. Water Bond Hearing Minutes - 2/14/12
- d. Wastewater Bond Hearing Minutes - 2/14/12
- e. Expense Voucher - #5
- f. Payroll Voucher - #8 & #9

7:25 p.m. Tamara McClure and Robert Woolner entered the meeting at this time.

- g. Current Use Application - Beard Brook Village LLC - 2
- h. Veterans Exemption - 1
- i. Liquor License Approval - Mr. Mike's

7:30 p.m. Mr. Woolner updated the Board on the two library projects, the sprinkler system and the replacement of the back stairs. He said project one, the stairs, has come in at about \$75,000. We have tried to think of ways to lower the cost down to about \$50,000. We think we can do this by eliminating the general contractor, bid the project locally and eliminate the basement stairs all together and go with one flight of stairs from the porch level to the third floor.

He said project two, the sprinkler system, we thought would cost about \$90,000 but came in at \$153,000. We would like to propose doing the same thing as on the stair project, eliminate the general contractor and use local contractors.

Mr. Galpin asked if they had someone in mind who would be willing to oversee these projects.

Mr. Woolner answered yes, Thomas McClure. He would really like to do it and would do it for nothing.

Mrs. Rousseau asked if we need to worry about historic issues.

Mr. Woolner answered he didn't think so, because the work is to bring the interior up to fire safety code. He said maybe we could utilize town trucks to haul demolition and have the demolition fees waived.

Mrs. McClure said we still have the architect to rely on.

Mr. O'Keefe asked if there are any requirements in connection with the LChip grant.

Mr. Woolner said he had spoken to them and they had no problem with the changes.

Mr. Woolner said if we bid it locally, use local contractors and volunteers it would be good for the town.

Mrs. Rousseau thinks this is a great idea.

Mr. Woolner said we won't be able to use the front portion of the building without installing a fire escape. We will need to work on raising the funds for that project.

Mr. Stetser said he and Mrs. LoMonaco will look into finding any funds left from the Library basement renovation project.

Mrs. McClure asked about creating a Library Building Committee to oversee building maintenance and to determine and track what needs to be done to the building.

7:47 p.m. Mr. Coffey came in to express his dissatisfaction with the manner in which an apology was issued to him by the Board regarding comments made on December 28, 2010 regarding his unemployment benefits.

Mr. Galpin said it was wrong of him to have commented on that issue and agreed the apology was not handled correctly.

Mr. Coffey accepted his apology.

Mr. Coffey asked about the October 25, 2011 meeting minutes where instructions were given to turn the tape recorder off.

Mrs. Rousseau didn't recall asking for the tape to be turned off but after listening to the tape admits she did. She added if she had known the tape had been turned off she would have questioned it.

Mr. Coffey brought up an issue he had with a right-to-know request he had submitted having to do with the landfill closure. He received a response to the first item on the request but nothing on the last two.

Mrs. Rousseau said Mr. Stetser with help from NHDES was going to handle that issue.

Mr. Coffey said his point is the Board has a problem with the right-to-know law. He said when someone presents you with a right-to-know request they are entitled to an answer of some kind in writing.

Mr. Coffey said impact fees were collected for a specific purpose but it wasn't applied correctly. He said if it is held too long or applied incorrectly the people who paid it are entitled to a refund.

Mr. Galpin said the NHDRA has said there is nothing we can do to undo how it was applied.

Mr. Coffey suggested the Board look elsewhere for a solution.

Mr. Galpin said we have collected more money we will have to see it is applied correctly.

Mr. Bosse asked to see the letter Mr. Stetser had presented to the Board earlier in the meeting, as it was opened in a public session it is a public document.

Mr. Venezia gave him the letter to read.

The Board signed the following item:

- j. Online Assessing Data Hosting - Avitar Associates of NE

Mr. Rutter came in to ask the Board about the possibility of his purchasing the electrical cords off the electrical items brought to the transfer station and is willing to pay \$25.00 per pound. He is also interest in old computers and will bring back the parts he doesn't use properly contained for disposal. He mentioned there are people picking items out of the metal dumpster.

Mr. Galpin would like to speak to the transfer station manager Luke Levesque.

Mr. Venezia agreed

Mr. Rutter will return on March 27, the next Board meeting.

The Board signed the following items:

- k. Engineering Consulting and Valuation Services Agreement- George Sansoucy
- l. Appointments - Park Board - David Fullerton
Conservation Commission - Thomas Fournier & Richard Head
ZBA - James Bailey
Historic District Commission - Gilman Shattuck
- k. Timber Tax Levy

The Board reviewed and acted on the following correspondence and new business:

- a. January 2012 - Revenue and Expenditures Reports
- b. An envelope addressed to the BOS - This was a letter from the EDC asking that all matters which effect the economic development of the Town be referred to them so they may review and make recommendations to the Selectmen and the Planning Board.

Mr. Venezia would like to contact Mr. Black, on his own behalf, regarding his proposed Antrim Road project.

Mr. Galpin asked him to write a letter the entire Board could sign.

- c. Copy of a reply to Auditors - RE: Town Clerk Material Weakness - Mr. Stetser said the 2010 audit is done.
- d. A letter from Frederick Ziegler RE: Request to abate interest - Mr. Galpin made a motion to approve the abatement. There was no second.

Mr. Venezia made a motion to abate a half of the interest paid. Mr. Galpin seconded the motion. The Board voted all in favor.

- e. A letter from Attorney Michael Donovan - RE: Buchanan Case
- f. A letter from LGC - RE: Unemployment Compensation Invoice - Mr. Stetser said the yearly bill is approximately \$8,000.
- g. E-mail from Tracy Houghton - RE: Retraction of her previous resignation letter-Mr. Stetser suggested raising the compensation to \$500.

Mr. Galpin agreed but suggested waiting until 2013.

Mrs. Rousseau made a motion to increase the compensation to \$500 in 2013. Mr. Galpin seconded the motion. The Board voted all in favor.

- h. Notice of Public Hearings RE: Cellular Towers - Antrim, NH - 2

Stoddard, NH - 1

- I. A letter from Brennan, Caron, Lenehan & Iacopino - RE: Wind Energy in Antrim, NH
- j. A letter from NHDOT - RE: Sale of State Land
- k. Memo from Iris Campbell - RE: Vacancies on the Park Board and Conservation Commission
- l. Herbert Spiller Taxes Due Issue - Mr. Venezia suggested writing to Mr. Spiller an explanation letter and include a copy of his statements from the water and sewer department's and tax collectors' billing software.

Mr. Galpin asked if the Board needed to meet before Town Meeting.

The Board decided to meet on Tuesday, March 20 at 6:00 p.m.

Mrs. Rousseau made a motion to adjourn the meeting. Mr. Venezia seconded the motion. The Board voted all in favor.

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Iris Campbell
Selectmen's Secretary