

**Board of Selectmen Meeting**  
**Minutes of September 10, 2007**

***Selectmen:***

***Frank S. Michel, Chairman***  
***Peter F. Brothers, Vice Chairman***  
***Robert C. Flanders***  
***Miller C. Lovett***  
***Colette Worsman***

***Town Manager:***  
***Recording Clerk:***

***Carol M. Granfield***  
***Karin Landry***

Call to Order: Chairman Frank Michel called the meeting to order at 5:30 p.m.

The Chair made announcements regarding fire exits, listening assisted devices, and the use of microphones. He introduced the Board, Town Manager, and Recording Clerk. He asked that questions and comments be directed through the Chair.

**ACCEPTANCE AND/OR CORRECTION OF MINUTES:**

**07-59 Minutes of August 13 Workshop; August 20 Non-Public Session I, Regular Meeting, and Workshop; August 27 Workshop and Non-Public Session.**

*Selectman Flanders motioned to approve the minutes of the August 13 Workshop; August 20 Non-Public Session I, Regular Meeting and Workshop; and the August 27 Workshop and Non-Public Session. Seconded by Selectman Brothers.*

The Chair clarified that the August 20 Non-Public Session I was the session attended by the Conservation Commission regarding a potential project they brought forth. Selectman Brothers corrected the minutes of the August 20 Board meeting under Visitor's and Resident's comments from "*Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting . . .*" to "*. . . within 82 hours of the meeting . . .*"

*5-0. All in favor. Motion passed unanimously.*

**TOWN MANAGER'S REPORT:**

- A 9/11 ceremony will be sponsored by the American Legion at 12 noon in Hesky Park, followed by a luncheon at the Legion. The public is invited to attend.
- The Town is seeking applicants for the Zoning Board of Adjustment. The primary function of the Board is to grant or deny variances and exceptions to established zoning laws and regulations of the Town. Meetings are held on the second Thursday

of each month at 7 p.m. at the Community Center. Anyone that is interested in serving should contact the Town Manager or Bill Edney, the Code Enforcement Officer. The volunteer application can be found on the Town website.

- In response to a request that was made at a prior Board meeting, the Town Manager reported on the use of the police radar board. Over the summer months, it was utilized on Meredith Center Rd., DW Highway, Rte/25, Pleasant St., Waukevan St., Parade Rd. and Jenness Hill Rd. The Chief will be keeping track of the board's use and would appreciate suggestions on its placement.
- The Capital Improvements Committee will meet this Wednesday at 7 p.m. at the Town Hall Annex. An update on the fire station, the Conservation Commission, and debt service are on the Agenda.
- The Conservation Commission is sponsoring an information session and a walk of property it is managing as Town Forest on Jenness Hill, DW Highway, Philbrook Ave. and Sawmill Shores Rd., previously known as the Feltham property. A task force will determine how the 186-acres can be utilized for trails and a variety of educational purposes. The session is scheduled for Saturday, September 29 starting with an information session at the Community Center, and will be followed by a walk and cookout. Further information can be obtained from Dan Heyduk at 279-1206.
- There were 240 responses to the citizen survey, and they are in the process of being tabulated. The information will be posted on the website once it is finalized.
- The final report from the Employee Benefits Committee consultant is expected shortly. It is scheduled to be presented to the Board at the October 1 meeting. The draft report is posted on the website. The Committee members and Board will be provided a copy of the report for review prior to the meeting.

## **VISITOR'S AND RESIDENT'S COMMENTS**

Resident Jim Hughes asked at what level a drop in the water storage tank presents a problem, and whether a moratorium should be declared immediately if the water treatment plant is not in operation. He requested information on how much water is produced and how much is billed for, including water billed to the Town for the buildings it utilizes.

Resident Richard Juve thanked the Board for producing the summary budget report that he requested. He would like to see column one include last year's final budget, so expenditures and budget for the current working year can readily be compared to budgeted numbers for the previous year. He requested that the report be produced on a periodic basis and made available at the Board meetings. The Chair directed the Town Manager to meet with Brenda Vittner to produce the report. It will be made available to anyone who is interested.

Resident Dave Sticht suggested that the Town consider having some of the snow plowing and road work done by subcontractors. The Town will reduce overtime, equipment maintenance, and health benefit costs by doing so. He also suggested that the Water Department be run by a private company with a better understanding of the computer system and preventative maintenance.

Resident Richard Roman suggested that the Town begin to put money aside for improvements to the dam at Mill Falls. The existing dam has been repaired in various places and the wood timbers are rotting. He is concerned with a break-through in the dam, and inquired how water would be held if it had to be pumped out of Winnepesaukee. He also asked about the status of Railroad Ave.

### **SELECTMEN COMMENTS**

Selectman Worsman was approached, as a member of the Ahern Park Committee, by Jody Connor and the Winnisquam Lake Association, to see if they can come before the Board to make a request for funds that can be used to treat a 12-acre area of milfoil in the northern part of Lake Winnisquam. The Chair is willing to take the matter under advisement, and requested more information on what they are seeking, who is going to perform the work, and what permits are needed. The Town Manager will give Selectman Worsman tentative dates for the Association to come before the Board.

Selectman Lovett reported on the meeting that took place between the Capital Improvement Committee and the Board at the August 27 workshop. Details of the meeting can be found in the workshop minutes and the Capital Improvement Committee minutes on the Town website. He called for public interest in the work of the Committee, and encourages citizens to know what is going on, and be involved in how the Committee prepares for major items in the budget to avoid spikes in the tax rate.

### **NEW BUSINESS**

#### **07-60 Abatements**

The Town Manager presented a list of 2006 administrative abatements and a current use settlement that is recommended by the Town Assessor, along with supporting documentation, and made a recommendation for their approval.

*Selectman Brothers motioned to approve 10 abatements presented for 2006 and a single current use settlement in the total amount of \$14,840.90. Seconded by Selectman Worsman.*

Assessor Commerford told the Board that the value of Choo Choo Island is assessed low because it is unbuildable because of size. Dialogue ensued regarding a lawsuit that was served on the Town by one of the parties requesting an abatement. Assessor Commerford recommends moving forth and approving the abatement.

5-0. *All in favor. Motion unanimous.*

### **07-61 Parks & Recreation Commission Appointment**

The Town Manager told the Board that the Parks & Recreation Commission currently has a position they desire to fill. She recommended the appointment of John McEwan to the Commission. He attended several meetings of the Commission and his appointment is agreeable to the Commission Chair.

*Selectman Flanders moved that the Board make the appointment of John McEwan to the Parks & Recreation Commission. Seconded by Peter Brothers. 5-0. All in favor. Motion passed unanimously.*

### **07-62 Fire Station Building Advisory Committee Presentation**

The Town Manager introduced the Committee presentation. A majority of the Committee members, the architect, and the construction manager were in attendance at the meeting.

Committee Chairman Bob Flanders updated the Board on the status of the Committee relative the Committee's charge as assigned by the Board in June 2005.

- Chairperson Bob Flanders, Co-Chair Dave Parker and Recording Secretary Chuck Palm were appointed at the first meeting of the Committee on July 11, 2006. All meeting minutes, as approved by the Committee, are posted on the Town's website.
- The Committee reviewed the work previously performed by the Department's Building Study Committee and the Town's Space Needs Committee. The review resulted in a "Building Program", reflecting the anticipated needs of the Fire Department over the foreseeable future (25-35 years). As an integral part of this step, the Committee worked with a matrix that assessed a variety of alternative site locations for the downtown station. Replacing square footage comparable to the core of the existing building in another location would cost about \$1.6M. The existing building is structurally sound, and it was agreed that a renovation/addition to the present facility is the best solution.
- A proposal for architectural services was developed and used to solicit prospective firms to work with the Committee to determine whether the site could effectively be used to meet the requirements of the "Building Program". An architectural firm was selected and an approval was obtained by the Board to contract with the selected firm. The firm addressed whether we renovate or move elsewhere and recommended renovations at the existing station.
- The Committee met with the architectural firm and agreed on a conceptual design used to develop preliminary design plans that can be used for approximate cost estimates.

A proposal for construction management services was developed, resulting in the hiring of a construction management firm, with the Board's approval. Two open houses and a design charette were sponsored by the Department and the Committee, who worked with residents to utilize space in the building in the most cost effective and efficient way. Ideas generated by the public are incorporated into the recommended conceptual design.

- The Committee toured a number of other area fire stations, some of which met their needs through expansion efforts and some of which through the construction of new facilities. The visits resulted in the Committee gaining valuable knowledge of how fire departments function and their respective needs.
- The Committee made their recommendations: (1) that the present site was the most suitable available site, (2) the existing building is structurally sound; (3) the building core could be incorporated with the "Building Program" needs; (4) construction staging would have limited impact on the ongoing operations of the Department; and (5) the conceptual design work move forward.

Chairperson Flanders explained the conceptual design process. The final design recommends constructing a facility around two sides of the existing core building and refurbishing, on a limited basis, the core of the building. All work is in keeping with the architectural design criteria for the Town. A lot survey, level one assessment, test borings, and structural analysis of the existing building were done in conjunction with the final design. All such work supports the site, and the proposed building can be used for the purpose of providing a station that achieves the identified goals.

The cost estimates, developed with the architects and construction manager, take into consideration all information known to date. The Committee recommends that the Board support the conceptual design and related cost projections. The Committee will have a guaranteed maximum price at Town meeting.

The Chair acknowledged the Committee members: Jason Cornellissen, Bob Flanders, Carol Granfield, Andre Klutz of Bauen Corporation, Bud Larrabee, the architectural firm of Sheerr McCrystal, Chuck Palm, Carl Smith, Wayne Bredvik, Steve Nedeau, Dave Parker, David and Karen Sticht, and Anne Sprague, ex-officio.

Dialogue ensued regarding the recommendation of the Committee. The Committee asked for the support of the Board in the direction they are heading. Chairperson Flanders set forth the next phases of the project and told the Board that everything is moving forward on schedule.

Chair Michel believes that the Committee's work is in keeping with the charge. He is comfortable with an endorsement to go forward and put more detail into the presentation that was made. Dialogue ensued regarding the preliminary projected cost summary, including what has been spent to date in the preconstruction phase. Approximately \$75,000, representing 30% of the architectural fees, have been billed to date. Selectman Lovett urged a vote endorsing what was presented, and authorizing the Committee to

move forward. Dialogue ensued regarding public awareness of the proposal, and the responsibility of the Board to act reasonably and prudent in the affairs of the Town.

*Selectman Lovett moved that the Board applaud the work of the Fire Station Building Advisory Committee and encourage them to go on to the next step of finalizing plans and reporting again to the Board. Seconded by Peter Brothers.*

Resident Richard Roman asked about the potential for cost overruns. Andre Klutz of Bauen Corporation pointed out that it is impossible to know every situation that will arise during the building process, and that contingencies are kept for those kinds of situations. The goal of Bauen Corporation is to build a good quality building without having to spend more than is needed.

Resident Jim Hughes told the Board that if the project is not approved at Town Meeting, the funds spent thus far have not been wasted. If the project is defeated, the work done to date can be used to develop concepts for another proposal. Taxpayers should be aware that the Town has allocated money for the preconstruction phase of the project, and the next phase will affect future tax bills.

Selectman Brothers told the Board that the Committee developed concepts, is in the design stage, doing engineering work and costing out construction, to get to the point where they will have solid numbers to rely on at Town Meeting.

*5-0. All in favor. Motion passed unanimously.*

### **07-63 Request for Postponement of Public Hearing on Eminent Domain**

The Town Manager told the Board that a formal request has been received from Attorney Robert Ciandella to postpone the Public Hearing on eminent domain on the Gerrity property until after October 15. He requested an independent evaluation of the SEA report that will not be completed until mid-October. The Town's legal counsel has recommended that the Board grant this request.

Dialogue ensued regarding the fact that this eminent domain process has been ongoing for 6 to 7 years, and the SEA report was completed over a year ago. The Board was in general agreement that they are in support of Town counsel's recommendation to grant the request, with the stipulation that there will be no further extensions.

*Selectman Flanders motioned that the Public Hearing on the Eminent Domain matter be continued to November 5. Seconded by Colette Worsman. 5-0. All in favor. Motion passed unanimously.*

Resident Richard Roman pointed out that a prior giveaway of rights on Railroad Ave. to Mr. Gerrity could be used to encourage settlement of the matter.

*Selectman Brothers motioned to go into a Non-Public Meeting per NH RSA 91-A:3 II(a), (b) and (c). Seconded by Selectman Flanders.*

In response to a question raised by resident Jim Hughes, the Chair read the appropriate RSA for moving into a Non-Public Meeting. Mr. Hughes suggested simplifying the process by asking the Recording Clerk to record accordingly and note the appropriate number.

*5-0. All in favor by Roll Call. Motion passed unanimously.*

The Board took a five minute recess at 7:05 p.m. before adjourning to a Non-Public Meeting.

Respectfully submitted,

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Carol M. Granfield, Town Manager

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Frank S. Michel, Chairman

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Karin Landry, Recording Clerk

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Peter F. Brothers, Vice Chairman

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Robert C. Flanders

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Miller C. Lovett

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Colette Worsman