

**Board of Selectmen Meeting
Minutes of 04/28/08
5:30 p.m.**

Selectmen:

***Peter F. Brothers, Chairman
Miller C. Lovett, Vice Chairman
Robert C. Flanders
Charles G. Palm
Colette Worsman***

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

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

Call to Order: Chairman Peter Brothers called the meeting to order at 5:30 p.m. He made announcements pertaining to fire exits, listening assisted devices, and the use of microphones. He introduced the Board, Town Manager, and Recording Clerk.

ACCEPTANCE AND/OR CORRECTION OF MINUTES:

08-35 Minutes of the March 24, 2008 Board Meeting and the April 7, 2008 Workshop, Non-Public, and Board Meeting.

Selectman Flanders motioned to accept the Minutes of the March 24, 2008 Board Meeting and the April 7, 2008 Workshop, Non-Public, and Board Meeting for the purposes of discussion. Seconded by Selectman Worsman.

At the March 24, 2008 Board meeting, the words “quarterly” and “periodically” were used to indicate how often various committees should come before the Board to update it on their work. To provide for more flexibility, the Board wishes to use the word “periodically” instead of “quarterly.” The change is on page 2 of those minutes.

Chair Brothers was absent with notice from the April 7 meetings, and abstained from voting on those minutes.

March 24, 2008 Board Meeting – 5-0. All in favor. Motion passed unanimously. April 7, 2008 Workshop, Non-Public, and Board Meeting – 4-0-0. Motion passed.

TOWN MANAGER’S REPORT:

- The Town offices are closed today in observance of Fast Day. The Town may look at having Fast Day as a floating holiday next year.
- The official groundbreaking ceremony for the Downtown Fire Station is at 6 p.m. on Tuesday, April 29. The public is invited to attend the ceremony. The Fire Station Building Advisory Committee will hold its final meeting after the ceremony.

- The infrastructure bundled project will resume in the near future. Water Street will be closed from May 12 through May 30. Business and residents in the area will be notified. Signage, flaggers, and police officers will be utilized as needed. There will be a detour through the municipal parking lot at one point of the project. The weight limit on the bridge will be observed. Once that section is closed, there will be a detour through the Church across from the Town Hall Annex.
- As a result of the Code recodification, the Code book is in the process of being printed. Once the book has been printed, it will come before the Board for official action to adopt and recodify. Once it is adopted, the Code will be available online.
- Chief Morrow and the Town Manager looked at policies regarding sex offenders in the community and recommend that no policies be adopted at this point. There is a link on the Town's website to the state's list of those convicted of certain offenses.
- The DOT Project Advisory Committee is making a lot of progress in viewing alternatives to the Rte. 3/25 intersection. They propose holding public information sessions this summer. The tentative dates are Tuesday, August 16, from 1-9 p.m. and the following Saturday from 9-2 p.m. The Town Manager will include a notice of the information sessions in the newsletter that is included with the tax bills.
- The newsletter is being developed this week, and the Town Manager asked the Board to let her know if there is anything they would like highlighted in the letter.
- The CIP Committee will hold its first meeting on May 7 at 7 p.m. at the Town Hall Annex. The meetings are open to the public.
- The next meeting of the Water System Committee is Thursday, May 1, from 5-7 p.m. at the Town Hall Annex. The Committee is looking into supply, treatment, distribution, storage, and demand.
- The Public Works administration building will soon be painted. The color scheme is grey and blue.
- The building addition at the Meredith Center Fire Station will soon be complete. It will house the Public Works loader and provide storage space during the transition with the downtown fire station.
- Spring clean up for Meredith and Center Harbor residents is scheduled for Friday, May 16 through Sunday, May 18. Additional information can be obtained on the website or by calling the Public Works Department.
- The Town received its final health insurance rates. The Town has a guaranteed maximum average rate increase of 11%. The increases range from 9.2% to 11.5%. The average increase is 10.8%. The Town Manager will make the calculations once the information is received by the Director of Administrative Services Brenda Vittner.

Selectman Worsman requested that she be provided with a copy of the health insurance rates.

VISITOR'S AND RESIDENT'S COMMENTS:

Resident Richard Juve of 23 Wall St. requested a 2-page summary budget report that will include the budget, expenditures, total change, percent change, and what is encumbered. He would like to know what budget line the Town has for a water consultant and why it doesn't utilize the Supervisor of the Water Department instead of a consultant. He would like to know the cost of a family health plan and the cost of a single plan.

The Town Manager explained that although the budget summaries have been available at Board meetings for several months, they are not available at this meeting. She will provide Mr. Juve with the amount of the line item for consultant services for the Water Department. The monthly cost of family and single health plans are as follows:

Blue Cross POS Plan:	Individual - \$525.92; two-person - \$1,051.85; family - \$1,420
Matthew Thornton HMO:	Individual - \$503.91; two-person - \$1,007.81; family - \$1,360.55
Medicare:	\$337.20

Resident Dave Sticht asked who the construction company is for the bundled project. He asked what KV Partner's role is in the project, and what additional work they have done for the Town. The Town Manager told Mr. Sticht that Piscopo Construction was the low bidder on the project and was chosen as the contractor for the project. KV Partners, the engineer on the bundled project, has worked on various projects for the Town. The project is receiving funds from the federal government through Rural Development. All bidders and engineers on the project must come from a list of vendors approved by the federal government.

SELECTMEN COMMENTS:

In response to recent editorials that suggest that the Board is hiding from the public by holding their meetings at 5:30 p.m., Selectman Flanders pointed out that the meetings have been held on various Mondays of the month at different times, with no change in attendance. The meetings are televised live, and aired many times. Although 5:30 p.m. is not the best time for everyone, it is the most accommodating.

NEW BUSINESS:

08-32 Senior Housing of NH Development Agreement

The Board held several workshops on the Development Agreement for the 85-unit senior housing facility on Upper Mile Point Road. The Agreement encompasses features that will protect the Town and permit the Applicant to hook on to the water supply. The issues with water faced by the Town in the summer of 2007 are being addressed now, and on an ongoing basis. The questions posed by the Board have been answered, and the actual agreement was finalized at the workshop prior to the Board meeting.

Selectman Flanders moved that the Board approve the Development Agreement, as presented, for Senior Housing of New Hampshire to connect to the water system and authorize the Town Manager to execute the Agreement. Seconded by Selectman Lovett.

Dialogue ensued regarding the effect of approving the Agreement on available spare capacity. Executing the document will reduce that capacity to 9,000 gallons per day. One of the conditions of the Agreement is that \$100,000 be paid to the Town on an installment basis to be used in its discretion for improvements to the water system. This will allow developers that come before the Board in the future the opportunity to make similar kinds of capital injections in

order to meet the needs of the water system and to facilitate their being able to tie into the system. Although there is not a lot of excess capacity at this time, one of the ongoing objectives is to improve the system while accommodating users when and where possible.

Resident Jim Hughes of Waukewan Street is in favor of signing the Agreement. The summer of 2007 was included in the current calculation for available spare capacity. He believes there is far greater capacity.

The Chair pointed out that capacity will be improved as changes that are underway are made to the water system, including eliminating blow offs and improving lines. The Water Use Ordinance, and other issues with the water system, will be reassessed on an ongoing basis.

Richard Juve of 23 Wall Street questioned how the Town can provide water to 85 units after reporting a loss of 450,000 gallons. He asked if the Town can guarantee the public it won't need a new water station for at least five years. The Chair told Mr. Juve that he is not aware of any guarantee on the water system. The process of stabilizing the system is ongoing.

Richard Roman of Hillrise Lane is a member of the newly formed Water Committee. He highlighted the attempts being made to increase capacity at the present time.

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

08-36 General Assistance Guidelines Update

The General Assistance Guidelines are reviewed and updated yearly. This year's changes include changing the word "welfare" to "general assistance" and renumbering the document. There are no financial changes. The Town Manager recommended moving forth with approving the document. Dialogue ensued regarding increased demands for rental and fuel assistance. Selectman Worsman is mindful of the use of taxpayer's money. She is concerned that the average rents set forth by the State of New Hampshire are inflated for this area. Director of Administrative Services Brenda Vittner explained which expenses are covered by General Assistance, and pointed out that clients may not be accepted to those units that are being offered at lower rates. In view of ongoing increases in the price of fuel, Selectman Lovett asked Ms. Vittner to report to the Board if she becomes aware of the fact that families are unable to meet their heating needs.

Selectman Worsman motioned to approve the updated General Assistance Guidelines as presented in the Staff Report dated April 28, 2008. Seconded by Selectman Palm. 5-0. All in favor. Motion passed unanimously.

08-37 Waukewan Restrooms Update

The Town Manager told the Board that the Town has decided to pursue legal action to recover funds for the update of the Waukewan bathhouse. As a result of the problems experienced with the contractor, the Town is reviewing its policy on awarding certain contracts. The procedures in place at this time are substantially more than what is in place in other communities.

Brenda Vittner told the Board that in order to be ready for the summer season, the Waukewan restrooms need to be completed no later than June 18, 2008. At this time, it is clear that the contractor that was awarded the project has fabricated documents, and has been paid in good faith for supplies, materials, and services that are not complete and most likely will not be completed. The Town needs to contract with another contractor that has the ability to complete the project. The Town contacted Bauen Corporation, an original bidder on the project, and obtained the subcontractors that bid on the project. By combining the restrooms with the completion of the small addition at the Meredith Center Fire Station, both projects can be finished by the same contractor on a timely basis.

The Board was in general agreement that this is an unfortunate circumstance and that, for all practical purposes, they are dealing with a loss. The challenge is to have the project completed for the summer season. They agreed that legal action must be pursued to recoup funds from the individual or through an insurance claim. The original contractor should be pursued through the Attorney General's Office. Dialogue ensued regarding how the Town awards projects of \$50,000 or less. The Board agreed that there should be greater certifications, background checks, bank references, and credit references required when awarding those projects. It is not certain if performance bonds are available for projects of \$50,000 or less, and the cost of the bond would be passed along to the Town by the contractor. Dialogue ensued regarding how the loss due to fraud will be handled from an accounting standpoint, and how the Town will pay to have the project completed. Two purchase orders are set aside as encumbered funds for the project. The remainder will come from fund balance, contingency, or under-expended line items. None of the funds appropriated for other projects can be used to offset this project. Selectman Palm cautioned that there is a total budget that was approved at Town Meeting that the Town must operate within.

Selectman Worsman suggested no longer paying in advance for supplies. Payments would be made once certain levels of construction have been completed. She reminded the Board that the Town was authorized at Town Meeting to raise and appropriate \$60,000 to construct a restroom at Waukewan Beach, and feels that the project went beyond the scope of a "restroom." She asked that the project be scaled back to include bathrooms for men and ladies, and a faucet for rinsing feet. Dialogue ensued regarding the work that has been completed to date. The Board was in general agreement that it is not economically feasible to tear down the existing slab and scale the project back at this time.

Resident Jim Hughes spoke in favor of fulfilling the Town's commitment to the taxpayers by completing the bathhouse in a respectable, attractive manner.

Selectman Flanders moved that the Board authorize Brenda Vittner to proceed in the manner she outlined in her Staff Report to get the bathhouse finished for the 2008 season. Seconded by Selectman Palm.

Selectman Worsman read a portion of a letter from resident Wesley Darling for inclusion in the minutes: ". . . In 2006 Town Warrant Article 19 was to construct restrooms at Waukewan Beach – where does it state we are voting on a storage room, a new room for lifeguards, showers,

changing rooms, etc.? It seems that all these will increase use of the beach, which is contradictory to our Town's attempt to protect the water supply by not encouraging use." His letter reminds the Board to pay attention to what Town Meeting says when they give approval for a project.

As a donation, Bauen Corporation offered to provide consulting work to the Town free of charge. It will give the Town purchase orders directly to the low bidders that were originally procured for the project. Doing so will allow the Town to act as its own general contractor. The only options to the Town for scaling back on the project, and still having a serviceable building, are eliminating vinyl siding (\$1,500 - \$1,800), the drinking fountain (\$300), and the outdoor shower (\$300 - \$400).

Resident Karen Sticht suggested putting a plea out to local organizations for help in finishing the project.

Resident Richard Juve thanked Bauen Corporation for their presentation and donation to the Town. He is in favor of completing the project and asked the Board to be mindful of those abutting the property when deciding how to finish the building.

Parks & Recreation Director Vint Choiniere reviewed the scope of the project. The bathhouse meets the basic requirements to better serve those who visit the beach. He recapped the efforts of various departments to contain costs by performing work at a reduced cost to the Town. The new building duplicates the features that were in the original buildings on the site, and includes the modern day amenities that those visiting the beach deserve.

There was a consensus among the Board that they like Bauen Corporation's offer to help move the project along, think the outside should be finished as attractively as intended, and that the details of the inside of the building should be left to administration. They are also in favor of asking local organizations for assistance on the project.

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

08-38 Acceptance/Appropriation of Donations – Milfoil

RSA 31:95-b requires a municipality to legally accept funds whether as a gift, grant, or donation in amounts under \$5,000 by the Board of Selectman. Recent donations specifically for milfoil treatment on Lake Winnisquam include:

George & Nancy Jewell	\$100
Karen & Denis Fullerton	\$ 50
Robert & Judith Hughes	\$ 25

The Town Manager's office will send a letter of thanks to those making the donations and notify the Winnisquam Association that the funds have been received.

Selectman Lovett moved that the Board accept donations per RSA 31:95-b in the amount of \$175 and appropriate that amount for the purpose of milfoil treatment on Lake Winnisquam. Seconded by Selectman Worsman. 5-0. All in favor. Motion passed unanimously.

OLD BUSINESS:

None

ADJOURNMENT:

Selectman Flanders motioned to move into a non-public meeting under RSA 91-A:3 II a at 6:55 p.m. Seconded by Selectman Worsman. 5-0. All in favor. Motion passed unanimously.

Respectfully submitted,

Carol M. Granfield, Town Manager

Peter F. Brothers, Chairman

Karin Landry, Recording Clerk

Miller C. Lovett, Vice Chairman

Robert C. Flanders

Charles G. Palm

Colette Worsman