

**Town of Boscawen
Select Board
MEETING MINUTES
Thursday, March 17, 2022 at 6:00 PM**

In Attendance: Matthew Burdick, Lorrie Carey, Paul Dickey, Kate Merrill, Crystal Tilton, Nicole Hoyt, Katie Phelps, Kearsten O'Brien, Dean Hollins, Gary Moore, Tama Tillman, Barbara Randall, Kevin Marshall, Pam Watson, Donna Bostwick, Karla Killian, Paul Nysten, Ron Reed, and Dave Randlett.

Chairwoman Carey opened the public meeting at 6:00 P.M.

Roll Call: completed and guests introduced.

Selectman Paul Dickey motioned to approve the Consent Agenda as amended. Seconded by Selectman Matthew Burdick. All in favor. None opposed.

Chairwoman Carey said there were corrections in the 03.10.22 minutes from line 171 through line 181, fixing run-on sentences.

Chairwoman Carey motioned to seal nonpublic minutes #1 from 03.10.22 for three years. Seconded by Selectman Burdick. All in favor. None opposed.

Selectman Dickey motioned to seal nonpublic minutes #2 from 03.10.22 for three years. Seconded by Selectman Burdick. All in favor. None opposed.

New Business: Ms. Crystal Tilton, Finance & HR Assistant, introduced herself to the Select Board. She lives in Franklin and has worked in the Boscawen area in the past. Finance Assistant Tilton volunteered in various organizations in the surrounding area leading her to form close connections with Boscawen residents. She loves what the job entails and plans on being part of the Town of Boscawen for a long time.

Pastor Dave Randlett, Ron Reed, and Moderator Pam Watson from Boscawen Congregational Church accompanied by Trustee Paul Nysten, Trustee Karla Killian, and Trustee Donna Bostwick came to speak on behalf of the Memorandum of Understanding for the Town Hall. Chairwoman Carey asked for the BCC members to explain their prospective on the MOU. Ron Reed said first, the MOU needs to get back to following the terms. The Town Hall has been closed due to COVID and has not reopened. They think the next discussion needs to be how to reopen Town Hall as soon as possible. Chairwoman Carey said at Town Meeting, the Select Board tried to fund investing in a study to find out the building's problems. The legislative body makes the final decision. Last year during COVID, the former Town Administrator sent the Select Board a list of items that need to be addressed. The estimated cost of those items was approximately \$300,000. The Select Board wants a professional whose expertise is in Historic buildings and the challenges. The professional would provide a firm idea of what it could cost and the main priorities. The Select Board was informed that the kitchen lacks of proper ventilation for the stove as well as proper egress. There is buckling of the floors, appearing to be a drainage issue.

They need an engineer to assess the issues. Unfortunately, due to “No means No” if the legislative body defeats an article, the Select Board can’t spend money from a different account to do the study. The Board’s hands are tied by the decision of Town Meeting. The Board cannot even sell the Town Hall to the church to take responsibility. The Town Hall hasn’t reopened due to the life safety issues that still exist that haven’t been repaired. Ron Reed clarified there are four life safety reasons: the stove, air quality, the steps going into Town Hall and the bump in the floor. The BCC members suggested ways to address the issues. For the stove, it is not hooked up, therefore there is no safety issue. They could put a sign stating the stove is ‘not in use’. Again, because the stove isn’t hooked up, there is no need to address the air quality issue. For the concrete steps, Mr. Reed doesn’t think there are any issues. The sides are flaking away but the steps are in perfect condition with handrails on both sides. Deputy PCD Director O’Brien stated the steps are a slip, trip and fall hazard and that the Fire Chief spoke at Town meeting about the handicap ramp accessibility being a concern. If there was a fire, they can’t wheel out fast enough because the wheelchair ramp goes up to get out. Mr. Reed said it is pre-existing. Ms. O’Brien said it is still not ADA accessible, therefore it doesn’t matter. Mr. Reed said there was an incident in the past where someone fell in the parking lot. It emphasizes why the MOU is important in clarifying insurance. The church paid for the fall even though it was a Town event. BCC wants clarification on the concerns about the egress for ADA. It hasn’t been reported as one of the reasons Town Hall can’t reopen. Deputy PCD Director O’Brien will have Fire Chief Tim Kenney and Life Safety Officer Charles Bodien send information to BCC. The BCC members requested a list. Chairwoman Carey believes the list should be specific and thorough from a qualified professional. Mr. Reed said for the fourth issue, the floor, the Church is willing to pay and use their contractor to re-patch it with the Town’s permission. There has been a bump in the floor for 10 years and has been patched 2-3 times already. The BCC members believe maintenance and other improvements need to be done but it isn’t a reason to keep Town Hall closed. Mr. Reed said the egress assessment should be done professionally but not keep them from reopening. He said codes do change but they don’t need to bring them up to code until they are doing something about repairing it. He doesn’t think the Town would need to spend any money on the repairs. Chairwoman Carey clarified that the BCC recommendations for consideration are to readdress the Life Safety issues and get specifics regarding what issues the Life Safety Officer found. Also, to evaluate whether they can patch the floor again and how to close off the kitchen if it isn’t in use. They also need to figure out the egress issue. It is ultimately the decision of the Life Safety Officer for the Town of Boscawen.

Chairwoman Carey asked how long the MOU has existed and asked if it has been reviewed annually. Mr. Reed said it only needs to be reviewed if there are changes. It was noted that the MOU states it shall be reviewed annually. It has existed since 1841 when the Town Hall was sold for \$1 from the Church to the Town. The stipulation was that the Town must maintain it. In 1939, when the Church was turned, there was an updated MOU. It has been updated 3-4 times with additional MOU’s. None of the MOU’s have replaced the prior MOU’s. They all clarified certain points. There has been no update since 2003. The BCC’s goal is to have Town Hall reopened. Selectman Burdick asked if there are any engineers in their Church group that could do the assessment. Millstone Engineering was suggested. They are on the list for the NH Preservation Alliance’s approved engineering firms. Chairwoman Carey suggested the church apply to the NH Preservation Alliance for a grant. Facilities Director Gary Moore said the quote he has is from Millstone Engineering for \$10,100. Mr. Reed asked if the Town would allow

them to hire Millstone Engineering if they pursue the grant. The Select Board will check with legal. Mr. Reed asked the Select Board to change the perspective of Town Hall from an expense to an asset to the community. The community needs a gathering space and the Town needs flexibility if they needed to have election there. The BCC members have discussed taking over Town Hall various times at different meetings. They have considered the size of the congregation, the size of the budget, the people needed to run it, expense to maintain it and the minimal amount the church uses of the space. The church would take on a new mission of providing a Town Hall for community use, but they can't afford it now. Ms. Tama Tillman said the stove is gas. She suggested looking into electric. The stove was brand new, and they never used it because it was red tagged. Questions were asked about the electrical aspect of the building. Mr. Reed said it is deferred maintenance. He said from a priority standpoint, the Town has a legal binding to the Church to maintain per the deed. He also thinks it needs to be maintained per State statute.

The Select Board has questions about some terms of the MOU. Selectman Burdick felt that the Church should be able to take it back. He also felt that there could be more of a balance between land maintenance with the Church such as plowing. Mr. Reed said they would need to review all the MOU's because they overlap each other. Selectman Dickey asked who uses the dumpster. Mr. Reed said the food pantry uses the dumpster. Mr. Reed said the original MOU for the dumpster was because Town Hall didn't have a place for trash and the food pantry grew. The offer at the time was to put a dumpster there and split it 50/50. There was an issue with someone overloading the dumpster, but it has now been taken care of. The food pantry locks it, and the Town has a key. Chairwoman Carey said they looked at the Town Hall income and expenses from 2017 to 2021. On average, expenses run \$6,000 to \$7,000 a year except 2019 they spent \$13,533 on expenses. The income before COVID was \$3,500 and \$3,075 in 2020. Income has decreased to zero with the Town Hall being closed. The Select Board and BCC will meet next month to discuss questions raised tonight.

The Select Board reviewed Ex-Officio roles. Selectman Burdick will remain ex-officio for Conservation Commission and Old Home Day Committee. Chairwoman Carey will remain ex-officio for Agricultural Commission, Economic Development and Brownfields Advisory Commission but will become Alternate for Planning Board. Selectman Dickey will be the primary ex-officio of Planning Board and will remain on the Cemetery Committee, Beautification Committee, Energy Committee, Hazard Mitigation Committee, the Police Advisory Committee and Fire Commission.

Town Clerk Nicole Hoyt said there is an opportunity to do a training in person. It is the regional gathering for the Tax Collectors in Concord. They must go to one meeting a year to stay certified. It is Wednesday, April 13th. The three in the office are all tax collectors. Town Clerk Hoyt is seeking approval to close the office on Wednesday, April 13th but open on Friday, April 15th to compensate. There is alternate training on another day, but it is on the seacoast which would mean more spending more on travel.

Selectman Burdick motioned to approve closing the Town Clerk and Tax Collector's office on Wednesday, April 13th and opening on Friday, April 15th. Seconded by Selectman Dickey. All in favor. None opposed.

Town Clerk Hoyt said the Low-Cost Rabies Clinic is April 9th in conjunction with VCA and the Boscawen Police Department. It is from 1pm to 3pm. Town Clerk Hoyt will be in the office registering dogs. They don't send out reminders until April because it is costly to send out postcards. Most reminders are being sent out via email. They have approximately 500 to 600 dogs that aren't registered. The clinic is for dogs and cats. Anyone is welcome and it is \$25 per vaccination.

Deputy PCD Director Kearsten O'Brien presented an abatement for Map 49, Lot 36.

Selectman Dickey motioned to deny the abatement for Map 49, Lot 36 per Avitar's recommendation. Seconded by Selectman Burdick. All in favor. None Opposed.

Deputy PCD Director Kearsten O'Brien presented a Land Use Change Tax for Map 83, Lot 61.

Selectman Dickey motioned to approve the LUCT on Map 83, Lot 61 in the amount of \$6,300, per Avitar's recommendation. Seconded by Selectman Burdick. All in favor. None opposed.

Deputy PCD Director Kearsten O'Brien presented a Veteran's Credit for Landowner J.

Selectman Dickey motioned to approve Veteran's Credit for Landowner J per Avitar's recommendation. Seconded by Selectman Burdick. All in favor. None opposed.

Department Head Updates: Town Administrator Katie Phelps presented draft Engineering Services Request #61 for Underwood Engineers for a Sewer Rate Model Update. She said Underwood Engineers completed a Sewer Rate Study for the Town of Boscawen in 2017 and a Sewer Rate Review in 2019. The goal of this work is to update the rate model with the most current information and recommend needed rate increases to support the budget for the next five years. The scope of the work includes a sewer rate model update for task 1 and a presentation to the Select Board for task 2. They would be looking to start their work in May and present to the Select Board in August. The budget cost would be approximately \$13,000, paid from the Sewer Fund. TA Phelps said in 2019, Underwood did recommend that they do an increase in the sewer rates to pay for the projected increases to the costs. Town Clerk Hoyt said they did do a partial update in 19' halfway through 18'. She said they did the minimum of \$864, and the next increase was set for 2023. TA Phelps said in speaking with Dean Hollins, Nicole Hoyt, and Kate Merrill they looked at summer being a slower time for them to be able to gather information for the study. Chairwoman Carey asked if it would be impacted at all if they got infrastructure funds that they used towards further development of the sewer. Town Clerk Hoyt thinks it would be impacted. Part of what Underwood Engineers does for Boscawen is speak with Concord and check into their Capital Improvements Plan. The projection was out to 2030. They constantly update the increases for Boscawen which the town uses. Town Clerk Hoyt noted for the record that the Tax Collector doesn't make the decision for rates. They would have a public hearing.

Selectman Burdick motioned to authorize proceeding with Underwood Engineers ESR 61 for \$13,000 for the Sewer Rate Model Update. Seconded by Selectman Dickey. All in favor. None opposed.

TA Phelps requested approval of ARPA funds to purchase 8 Vollara Units. Four units would be designated for the Police Department, one unit for Community Service Director's office and three units for the Public Library. Vollara uses active pure technology originally developed by NASA and proven to dramatically reduce airborne contaminants in allergens. The Municipal Office has been using them with noticeable improvement to air quality. The units would protect not only staff but also residents and vulnerable population from airborne contaminants.

Expanding these units, supports the public health response to the pandemic by reducing viruses from the air. The request for these units is \$8,576. They will have roughly \$177,000 left in the ARPA balance.

Selectman Dickey motioned to approve the purchase of 8 Vollara units for the Police Department, Public Library and Community Service Director's office in the amount of \$8,576. Seconded by Selectman Burdick. All in favor. None opposed.

TA Phelps presented an Old Home Day contract for a caricature artist. She asked if the Board wanted insurance certificates for smaller vendors. In the past, Mr. Alan Hardy hadn't required insurance from smaller vendors for Old Home Day. The Select Board suggested requiring proof of insurance for small vendors. The contract is between the Town of Boscawen and Erica Golter.

Selectman Dickey motioned to allow the Town Administrator to sign the OHD Contract for the caricature artist on behalf of the Town. Seconded by Selectman Burdick. All in favor. None opposed.

Facilities Director Gary Moore said the lightning rod contract is ready to be signed. They found that the base of the ground around the Municipal Building is sand. It goes deep and is very resistant. They need additional rods in the ground to dissipate if they got struck by lightning. The contractor agreed to make the rods 30-foot long. They electro weld them together and drive them into the ground. The Town is purchasing 7 rods, about 210 extra feet. It would normally be an additional cost but FD Moore negotiated it at no additional cost. There was also an item to get a UL Master Certificate. It is a third party to approve the system at a \$2,400 charge. The Town's insurance said they do not require the certificate. The company is UL certified and the owner will provide a letter stating it is certified to UL standards. They can save \$2,400 without having the certificate. The total cost of the project will be \$21,250.

Selectman Dickey motioned to allow the Town Administrator to sign the Northeast Lightning Protection, LLC. Contract for \$21,250. Seconded by Selectman Burdick. All in favor. None opposed.

FD Moore said Town Meeting passed the warrant article for the Torrent Roof for \$38,000. The shingles that will be used is Berkshire. They are hard to get right now. They won't be remanufactured until October. The roof is attached to the roof next door which is regular shingles. Owen's has another shingle called Duration. It is typical architectural shingles. It has a lifetime warranty on it. It could save them \$4,000 to \$7,000 on this project. TA Phelps said to

keep in mind that the project was sole sourced for the specific type of the shingles to be used similar to that used on the Municipal Building. The project may have to be delayed until October. TA Phelps said they could also send it out and get multiple bids and not go with the sole source. FD Moore said the contractor is good and he did the Municipal Building. Chairwoman Carey suggested asking legal if those shingles aren't available, does the Town have any flexibility with putting it out to bid.

FD Moore is waiting for a single quote for the Dutch door in PCD Director Easler's office. They received a quote for two Dutch doors. They decided they would just want one. FD Moore got the truck inspected today. The fire alarm annual inspection was done on the 14th. The elevator inspection was completed on the 14th. The sprinkler system was inspected on the 15th. FD Moore had new GFCI outlets installed in the police department sally port. The covers on the outside outlets were plastic and he had new metal outlets put on the ones that were broken. They are measuring for a mini split system for Dean's office. They will need about 6000 BTUs. FD Moore has a couple of people preparing quotes. FD Moore spoke with Bobby Polanski who will be pricing the cost of bleachers. Superior Fence will be quoting a chain link fence. Selectman Burdick said there are local fencing companies too. FD Moore has reached out to East Coast Sports Courts regarding the tennis and basketball courts. He asked them to put them on the calendar tentatively for July. FD Moore has a meeting with Homeland Security to apply for the Emergency Management Performance Grant which would pay roughly 50% of the new generator. There would be no additional cost to have it be an emergency operations center.

TA Phelps reached out to Primex for input on the fencing at the Jamie Welch Field. Primex recommended replacing the 4-foot fencing in the "on deck" space with 6-foot fencing. TA Phelps sent comments to Code Enforcement Officer Hardy. Primex also recommended railings in the dugouts for the three steps and CE Officer Hardy will be looking into it. Chairwoman Carey asked if the damage to the previous bleachers and fencing would be covered by insurance. It is unlikely because it happened two years ago and no claim was filed. PWD Dean Hollins said bleachers could range from \$3,000 to \$8,000 depending on what's needed to meet codes. The Board would like clarification on why they can't just replace the fence side facing the field. Chairwoman Carey also would like clarification on if it could be covered by either impact fees or ARPA funds since they haven't made an insurance claim. FD Merrill said they can look at using funds because it could fall under 'supporting outdoor facilities'.

Deputy PCD Director O'Brien spoke with Parks and Recreation Coordinator Penny Sarcione about ARPA funds. The idea was to use the remaining ARPA funds to expand the back of the Dorval House to have more room for the Parks & Rec program but also have a Senior Center within the community. Selectman Dickey said they are using ARPA funds for someone else. Deputy PCD Director O'Brien said they need to see which departments have received ARPA money already and there is money currently available and it should be a Select Board vote. Chairwoman Carey suggested departments update if they've received ARPA to date.

HR Director Kate Merrill and Deputy PCD Director O'Brien have been exploring incentives with the employee health insurance. Employee participation improves the Town's Health Trust report cards which can help the insurance rate. Employees can do quarterly classes and receive

\$25 back. Their suggestion, with the Select Board's permission, is to hold quarterly classes at the town office so employees can participate. Bonny said they can also use the library if needed.

Selectman Burdick motioned to approve quarterly health classes at the Town Municipal Building for employees. Seconded by Selectman Dickey. All in favor. None opposed.

FD Merrill announced that the audit is Monday through Thursday next week.

Ex-Officio Committee Updates: PCD Director Easler said Energy Committee met yesterday. Michaud Law Group represented three clients in a solar project; SunJet Energy: the developer, TriTech America's (a private solar company): the owner of the project and Solved Energy: the entity that constructs the project. They are looking to purchase the old gravel pits on 477 High St. They are looking to put in a 5-Megawatt unit through Unitil. Other surrounding towns could buy into it. The Town wouldn't be able to do a net metering program with both Briar Hydro and Sun Jet.

EMD Jason Killary is taking over as staff for Hazard Mitigation and Deputy PCD Director O'Brien will no longer be point of contact.

Selectman Dickey said the Police Advisory Committee met this week. The body cams are here but are waiting to be programmed.

Deputy PCD Director O'Brien said Conservation Commission met this week. The Walker Pond survey is posted. She asked for people to respond at their earliest convenience. She shared it on the Friends of Walker Pond page, Boscawen Chatter, Boscawen NH, and the Town of Boscawen page. Deputy PCD Director O'Brien said Conservation will need to have a public meeting for the purchasing of the dam. Mr. Charlie Niebling came in to do his Timber report for the Weir Road Town Forest. Mr. Tim Bernier came to speak about the GMI pit on Daniel Webster Highway. The Conservation Commission will submit a letter of recommendation with their site plan review for Planning Board next month.

Deputy PCD Director O'Brien said Economic Development had a meeting on Monday night. They reviewed the 79-E application process with Mr. Matt Monahan with CNHRPC. The Economic Development Committee asked Deputy PCD Director O'Brien to come up with a process sheet. They spoke about fees and who should be involved in the process. The draft shows a check off box for the applicant to see the steps needed and the order to follow. To qualify the applicant needs to have a historic building that's going to be renovated or additional living units that have a great value to the community overall. The Code Enforcement Officer recommendation is required for a new business in a historic building or a business offering new jobs. The Building Inspector recommendation verifies if the estimated costs seem correct. They would also explain the process in which to file permits. The Assessor's recommendation would go to the Select Board. The Economic Development Committee would then review and have a member represent the committee during a public meeting for Select Board approval. If they were approved and the Counsel was still working on the covenants, they would file the covenants with Merrimack County Registry of Deeds. Deputy PCD Director O'Brien said a typical inspection fee for a Building Inspector and Code Enforcement Officer is \$50 each. A public notice fee can

range from \$150 to \$180. The L Chip fee is around \$25. There would need to be a hearing to set fees. PCD Director Easler suggested a covenant for Barn Easements. The fee should be borne by the applicant. They will ask if they would be willing to do a flat fee to charge applicants. The public notice should be 14-day notices. Deputy PCD Director O'Brien suggested the EDC have a deadline date for applications. The application can't go pass April 15th or they won't make the next tax bill. It won't go into effect until 2023.

Selectman Dickey motioned to preliminarily approve the 79-E application process without covenants. Seconded by Selectman Burdick. All in favor. None opposed.

Deputy PCD Director O'Brien asked Economic Development has requested to have their own Facebook page. It would be to promote local businesses in Town and to show what Economic Development is. When they had the discussion with 79-E, the business' in Town confessed to going to Facebook for information, not the Town website. Deputy PCD Director O'Brien would follow the Town's Social Media Policy. Only Town employees would have access to the Facebook page to edit or update posts.

Selectman Burdick motioned to approve creating a Boscawen Economic Development Facebook page following the Town's Social Media Policy. Seconded by Selectman Dickey. All in favor. None opposed.

Deputy PCD Director O'Brien mentioned that she and Community Service Director Sarah Gerlack have been working on having a job fair. She reached out to Katie Brophy at Winthrop Carter House to use the facility. They would be looking at local business and trying to get residents to learn about businesses within their town that are hiring or if residents are interested in seeing what Boscawen offers for local businesses they can attend as well. She is waiting on a confirmation date for May 7th from 10am to 1pm. There will be no charge to use the facility. Chairwoman Carey said the Merrimack Valley School District always does prom at the Grappone Conference Center. It was moved to Mother's Day weekend this year and can't be held at the Conference Center. Chairwoman Carey asked why they can't use an in-district facility such as the Winthrop Carter House in Boscawen. She said as a town they need to do a better job of communicating they have conference size space available. The capacity needed for Merrimack Valley prom is 300 people. The maximum occupancy allowed in Winthrop Carter House is 200 or 250 without a tent.

Deputy PCD Director O'Brien said the Agricultural Commission had Mr. Joe Palazzi speak about his potential agritourism business that he would like to propose to the Planning Board. The Agricultural Commission will be writing a letter of recommendation for the proposal. Bonnie has offered to host a class about composting in the library.

Other Business: Town Clerk Hoyt is almost finished the MS 123. She needed to hear who the Ex-Officio's were going to be as well as the new Chairs. Chairwoman Carey said Ms. Barbara Randall was voted into Economic Development as Chair. Deputy PCD Director O'Brien said none of the committees voted this week. She can put it on the April agenda. Town Clerk Hoyt said it is due at the end of the month, but she will tell DRA they are a little behind. She can update it as they go to. Ms. Crystal Tilton called Town Clerk Hoyt regarding one of her bills she

coded. They overpaid by \$500 last year. They are amid refunding it. Fire permit training is at the end of this month for herself, Ms. Norma Caporale and CS Director Gerlack. The update on taxes left outstanding. The 2019 lien reflects as of today, \$25,000 not paid on 11 invoices. The list goes to deed next week but a few will get paid. The 2020 lien reflects as of today, \$98,607. The other amounts from 2021, headed to lien next Friday, is \$162,876. It is a total of 183 invoices.

PCD Director Easler said they were made aware of two possible new sober living facilities. They may hear more information in the future.

PCD Director Easler received a letter from Kenney's Garage. It is going to the Planning Board and legal. She asked Kenney to get back to her on attending a Planning Board meeting to explain what's going on. His deadline was the end of February. He thinks they can get it done by the end of May. It will go to Planning Board on April 5th for discussion. They can decide if they want to extend it. PCD Director Easler is recommending an extension deadline to Planning Board.

**Selectman Dickey motioned to enter a nonpublic session under RSA 91-A, 3 II (c).
Seconded by Selectman Burdick. All in favor. None opposed.**

**Selectman Dickey motioned to exit nonpublic session under RSA 91-A, 3 II (c). Seconded
by Selectman Burdick. All in favor. None opposed.**

**Selectman Burdick motioned to seal the nonpublic under RSA 91-A, 3 II (c) for 1 year.
Seconded by Selectman Dickey. All in favor. None opposed.**

**Selectman Dickey motioned to enter a nonpublic session under RSA 91-A, 3 II (c).
Seconded by Selectman Burdick. All in favor. None opposed.**

**Selectman Burdick motioned to exit nonpublic session under RSA 91-A, 3 II (c). Seconded
by Selectman Dickey. All in favor. None opposed.**

**Selectman Dickey motioned to seal the nonpublic under RSA 91-A, 3 II (c) for 3 years.
Seconded by Selectman Burdick. All in Favor. None opposed.**

Next Meeting: Thursday, March 24, 2022 at 6:00 PM.

**Selectman Burdick motioned to adjourn. Seconded by Selectman Dickey. All in favor. None
Opposed.**

Respectfully submitted by Hannah Gardner