

**Town of Boscawen
Select Board
MEETING MINUTES
Thursday, August 26th, 2021, at 6:00 PM**

In Attendance: Lorrie Carey, Paul Dickey, Matthew Burdick, Alan Hardy, Kellee Jo Easler, Kate Merrill, Kearsten O'Brien, Dean Hollins, Sarah Gerlack, Norma Caporale, Tim Kenney, Nicole Hoyt, Katie Phelps, Chief Kevin Wyman, Lt. Jason Killary, Jeff Abbe, Kara Gilmartin

Chairwoman Lorrie 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 Lorrie Carey requested grammatical changes on lines 72 and 274 in the 08.12.21 Select Board minutes.

New Business: Mr. Jeff Abbe, representing the Conservation Commission, proposed a trail workday at the new Boscawen Village Town Forest across the street from Marshalls Firearms. They want to have the workday on Saturday, September 11th, from 9:30 am to 1 pm. They would meet at that location. Mr. Abbe has the volunteer sign-up sheets. It would help keep track of their volunteer hours and benefit their future funding. The volunteers will be asked to bring their own materials and food necessary for the day. They will split into three or four different pods so that everyone is spread out. The Conservation Commission will supply the rakes. Avitar has been helping the Commission work on the map for the Boscawen Village Town Forest. They still have work to do on it. Chairwoman Carey asked Planning and Community Development Director Kellee Easler if there was an update from Primex regarding guidelines for volunteers. PCD Director Easler sent the Select Board the volunteer requirements from Primex, approved in January 2021. They need to make sure all the requirements are met and there must be a Town employee that manages the volunteer roster. Chairwoman Carey said Selectman Burdick would be considered a Town employee and is the Ex-Officio for the Conservation Commission. Selectman Burdick volunteered to help run the registration process for the event on September 11th. Chairwoman Carey asked if there would be any volunteers under the age of eighteen. Mr. Abbe said if the volunteers decide to bring their children, they will sign a form stating they are the guardian. PCD Director Easler said two forms need to be signed, a Volunteer Form and a Statement of Agreement. PCD Assistant Kearsten O'Brien will put together the packages for Mr. Abbe.

Chairwoman Carey motioned to approve the Conservation Commission Cleanup Day on September 11th, with Ex-Officio Matthew Burdick representing on behalf of the Town. Seconded by Selectman Dickey. All in favor. None opposed.

PCD Director Easler presented an MS-1 that needs to be signed by the Select Board. They completed it today and it is due by September 1st with signatures.

PCD Assistant O'Brien presented the Land Use Change Tax Abatement for \$84,940 for Map 49 Lot 6. PCD Assistant O'Brien discussed with Avitar and the owners about updating the current use map. The original LUCT was for the full 28-acres of excavation. The owners provided the Planning and Community Development Office and Avitar with an updated current use map showing that only 15.4 acres have been excavated out of the 28 acres. Avitar recommend abating the original LUCT and provided a new LUCT amount to reflect the 15.4 acres.

Chairwoman Carey motioned to abate \$84,940 for Boscawen DW Highway Realty LLC, 288 Laconia Rd, Belmont, NH 03220 for property located at Map 49, Lot 6 due to change in assessed value per recommendations from Avitar Associates of New England. Seconded by Selectman Burdick. All in favor. None Opposed.

PCD Assistant O'Brien presented the new LUCT for \$50,230 for Map 49. Lot 6. It is for the 15.4 acres that was taken out of current use. Once the 11 acres are excavated, they will then get another LUCT.

Selectman Dickey motioned to authorize Tax Collector Nicole Hoyt to collect the LUCT for Map 49, Lot 6 in the amount of \$50,230. Seconded by Selectman Burdick. All in favor. None opposed.

PCD Assistant O'Brien presented a LUCT for Map 45, Lot 29A, Sublot 1. There was .72 acres taken out of current use. The amount is \$160.

Selectman Burdick motioned to authorize Tax Collector Nicole Hoyt to collect the LUCT for Map 45, Lot 29A, Sublot 1 in the amount of \$160. Seconded by Selectman Dickey. All in favor. None opposed.

Tax Collector Hoyt said there is a situation where a 2018 LUCT bill has been unpaid. They had a misinterpretation of one of the RSA's when it came to LUCT. In RSA 79-A7:II (e) it talks about liens such as LUCT, shall continue for a period of 18 months following the date upon which the local assessing officials receive written notice of the change of use from the landowner or agent. It also stated, "or the date which local assessing officials actually discover that the land use change tax is due and payable..." It is subject to statutory collection preceding's against real estate as prescribed in RSA 80, which covers liening and deeding. Tax Collector Attorney, Bernard Campbell said it is not true that they need to hold the LUCT for 18 months and then follow the statutory collection preceding. They have an unpaid LUCT from Stirrup Iron. Tax Collector Hoyt notified the owner 3 times on top of the normal statutory bills that go out. They missed the window to lien the bill, so it is uncollectable in the normal way they collect their taxes. The original bill was \$450 but it is now up to \$682.18 because of interest. The first option is to count it as uncollectable tax and write it off. Another option would be legal action, taking it to small claims court but they may pay more in legal fees. Lastly, they can remove the lien. They would do the abatement and keep the current LUCT on the books to continue to accrue 18% interest until the property gets sold. They will eventually get the money back. Chairwoman Carey suggested Tax Collector Hoyt trying to call the landowner first. They may not understand the process. Tax Collector Hoyt sends out certified notices, but she will give them a phone call

just in case they don't understand. If the landowner agrees to pay, the Select Board agreed to abate the interest. PCD Director Easler said when they were talking to Avitar, they stated that they should never abate interest. PCD Director Easler suggested verifying the information with Loren at Avitar before recommending. Tax Collector Hoyt said they will need an abatement to get everything back to normal on the books and put the LUCT back to the original date.

Selectman Burdick motioned to accept option three, removing the lien and keeping the LUCT on the books with interest. Seconded by Selectman Dickey. All in favor. None opposed.

Town Clerk Hoyt said if they do something early on, they can get better pictures for the Town Cover dedication. Town Clerk Hoyt sent out the last 20 years of what was on the cover and who it was dedicated to. Chairwoman Carey suggested Walker Pond. The Board and staff suggested ideas for a dedication. Town Clerk Hoyt thinks three photos on the cover would be better. Chairwoman Carey suggested adding the Town pound. TA Hardy said they usually do the cover separate from the dedications. Selectman Dickey has a drone they can use for a picture of Walker Pond.

Town Administrator Hardy sent the Parks and Recreational Facilities policy out for edits. There were two sets of suggestions for editorial errors. If there aren't any more changes, it will be on the consent agenda next week.

TA Hardy said if the Select Board would like to move forward with the 1913 Library court action, they would need to make a motion and approve of the court action. They would be going to court to remove the reverter clause that is in the library deed restricting the use of the property. Over time, the court and legislators have accepted that the original intent of the donor doesn't always work out. Now you can appeal to a court and if you convince a judge that the original intent cannot be met, the reverter clause would then be removed.

Chairwoman Carey motioned to accept moving forward with the 1913 Library court action to remove the reverter clause. Seconded by Selectman Dickey. All in favor. None opposed.

TA Hardy talked to Attorney Raymond about the Standard Power MOU. The MOU by itself is easy to read but the only concern is the fact that if they turn to the Standard Power agreement, the whole Town will automatically be switched to Standard Power as a supplier. Selectman Burdick said it should be brought up in Town meeting to get input from the public. TA Hardy said they can pass the information back that given the provision, the Select Board would be more comfortable waiting until after Town meeting to see if there is an alternative.

TA Hardy and Town Clerk Hoyt have been trying to review non-public minutes. The town is required to review non-public to see if the reason they are sealed continues to be valid. The Select Board would then reseal the minutes. TA Hardy said they can take a batch and look through them after a meeting to see how long it takes to do them. From there, they can make an assessment. Chairwoman Carey asked what year they would start with. Town Clerk Hoyt said the last minutes she found were from the 90s. They could review and help future boards note when to review and possibly unseal minutes. (no action taken).

TA Hardy asked permission for Boscawen Soccer to use the soccer fields at the park.

Selectman Dickey motioned to allow Boscawen Soccer to use the soccer fields at the park. Seconded by Chairwoman Carey. All in favor. None opposed.

Ms. Kara Gilmartin put in a sealed bid for 7 Baker but understands that the Select Board will be returning the sealed bid. Their intentions are, after the property is demolished to put a brand-new mobile home on it. Ms. Gilmartin asked if the plumbing and sheds stay intact and they move the porches themselves, can they keep them. They moved forward with purchasing a new mobile home and it should arrive in 3 weeks. TA Hardy said they still don't have the quotes on it. They need to do an asbestos inspection. Ms. Gilmartin said they just want to keep the hook ups for the plumbing intact. TA Hardy said they need to talk about the 205D procedure for putting in a new manufactured home. They will work with Ms. Gilmartin on this process. They are purchasing the mobile home for cash, and they anticipate it arriving in the next couple of weeks. It is a single wide, 14 x 56. The mobile home was built a couple months ago. TA Hardy said it is unknown if it is on Town sewer or a septic tank. Human Services Administrator Sarah Gerlack said it is on Town sewer. TA Hardy said they will return the one sealed bid and start the demolishing process.

Old Business: TA Hardy announced his retirement effective December 31st, 2021. It has started the process of revamping the department. HS Administrator Gerlack asked if the plan is to have someone job shadow. Chairwoman Carey said it will post internally first and then it will post externally. Although there isn't a formal agreement in place, they have talked about a transition process where TA Hardy would work with the incoming individual to transition them into the administrative position. Chairwoman Carey said there is several grants in process right now and they talked about if TA Hardy was willing to, to have him finish them on a contract basis. HS Administrator Gerlack asked who will be doing the interviewing process. Chairwoman Carey said it would be useful to have the employees, who will be working with the individual, to be involved in that process. They do have an HR Director that will direct the process, but they want feedback from everyone. Selectman Dickey said they would like to have someone selected by the middle of October. Selectman Dickey asked when they will post the position. They will post the position on Monday August 30th; internal applicants will have 7 days to apply and then they will post externally. The internal applications should be sent to HR and the external applications will be sent to the New Hampshire Municipal Association. Chairwoman Carey said to anticipate the process of a new hire taking over a month. PCD Assistant O'Brien is collecting questions that anyone has for TA Hardy. Chairwoman Carey said they will need to collect information on passwords, etc. for the new Administrator.

Finance Director Katie Phelps sent the Select Board the Slip, Trip and Fall Policy updates for review and approval.

Chairwoman Carey motioned to accept the Slip, Trip and Fall policy. Seconded by Selectman Dickey. All in favor. None opposed.

FD Katie Phelps sent the Select Board the Credit Card Policy to review. The only thing that was added was that the Select Board would review who is issued credit cards annually.

Chairwoman Carey motioned to accept the Credit Card Policy as amended. Seconded by Selectman Burdick. All in favor. None opposed.

FD Phelps said they received the first half of the Local Fiscal Recovery Funds from the American Rescue Plan Act. (ARPA). Treasurer Gail Egounis would prefer that they put the funds in a separate bank account. FD Phelps would like the Select Board to approve her proposal.

Chairwoman Carey motioned to approve opening a bank account for the purpose of maintaining the ARPA funds allocated to the Town of Boscawen, in the amount of \$421,481. Seconded by Selectman Burdick. All in favor. None opposed.

FD Phelps said last year they had a Health Trust Surplus return. A portion of it is the employee's contribution and the other contribution is from the Town. FD Phelps said it looks like it is going to happen again this year in the amount of approximately \$37,365.18. It will be voted on in October by HealthTrust and she will follow up with final figures. FD Phelps recommended taking the reimbursement check so they can return contributions to applicable employees and retirees.

FD Phelps said the final audit was sent out. In March, FD Phelps sent out the findings of the audit. FD Phelps said Finance Assistant Kate Merrill is going to create a Management and Discussion Analysis report with the 2020 figures.

HS Administrator Gerlack sent the Human Services policy to the Select Board to review. Selectman Dickey asked if the budget runs out. HS Administrator Gerlack said they can have a budget but if they go over the budget, the Town must find the money and it can't come from contingency. Selectman Dickey asked about temporary housing. HS Administrator Gerlack said they look at the situation first and then assess the individual's need. They must follow the rules and there is a section period. If they fail to meet requirements, the first suspension period is 7-days. If they don't meet the requirements on the 7th day, then it is a 14-day suspension. There is no infinite suspension.

Selectman Dickey motioned to approve the Human Services policy as presented. Seconded by Chairwoman Carey. All in favor. None opposed.

HS Administrator Gerlack had a meeting with the motel owner this week. She will follow up with her on Monday. The owner said they have had incidents recently that concerned them about the proposal. HS Administrator Gerlack did present an amount to them and will follow up on what the owner decides.

EMD Jason Killary sent out an update on COVID-19 statistics. They have 6 active and 1 new case in Boscawen. They discussed the statistics in surrounding towns. COVID-19 cases are maintaining the same level overall and active cases went up by about 300 and hospitalization

went up 8 cases. The vaccination rate is at around 55%. The vaccination statistics show great results. The delta variant isn't a problem in New Hampshire right now. There are about 300 cases of the delta variant, but our issue is the alpha variant. Pfizer just received full FDA approval for their vaccine. EMD Killary hasn't heard information on Pfizer and Moderna booster shots. Johnson and Johnson came out with data from their booster shot they've been testing from their original vaccines. It gives 9x the number of antibodies as the original vaccine did. The vaccination numbers are doing very good. Boscawen is at 47% full vaccinated and over 50% had one dose. Chairwoman Carey asked if they should recommend following the DHHS guidelines which are to recommend masks in indoor settings. EMD Killary said they can follow the DHHS guidelines. A lot of surrounding towns are starting to follow those guidelines. Selectman Burdick asked what numbers are used to determine the severity. Chairwoman Carey said it is numbers per 100,000. The DHHS guidelines recommend wearing a mask in the red zone but in green or yellow zones it is optional. Chairwoman Carey wants to hear feedback from the different departments. TA Hardy asked if they need to do anything for Old Home Day. EMD Killary said that the parade is going to be socially distanced as well as the events planned and fireworks. In closing, TA Hardy said they will continue to stream Select Board meetings via GoToMeeting to allow people the opportunity to watch. If they wish to participate, they will need to attend the Select Board meeting in person.

Chief Kevin Wyman said the Police Department switched their IMC system over to Merrimack County Dispatch. They log into their system and server to access county wide information. They next step will be to get the tablets set up in the cruisers so they can access the same information. The speed trailer is up but they need to test it first to see if it still works. They will get it up soon.

Public Works Director Dean Hollins said they started roadside mowing, but it broke down. They ordered parts and are waiting for them to come in. They break down four to five times in a season. They sprayed the Japanese Knotweed around town last Saturday. One person requested a notification for multiple beehives they have. PWD Hollins didn't get the request until today. Selectman Dickey asked if the bees are still there. PWD Hollins said the gentlemen that sprayed, said it wouldn't affect bees. The beehives are far away, and they travel miles for pollinating. PWD Hollins talked to Jeff from GMI for the section of Fairbanks Ave that was on schedule to be torn out and repaved. Jeff said he can put them on the schedule when they are ready, and it will take 2-days to prep it. The top pavement on Cornhill Road will be postponed until the spring because of the schedule. In regards to the C & D Demo, when the landfill closes, they will have to haul it off. Regarding roll-off containers, usually, they can call and get a 30-yard container for \$5,000, received within a week. When PWD Hollins looked at purchasing, it was \$7,720 for one container. They will probably need multiple containers. The quote is good for one week. Their steel order is \$2.5 million every 2-weeks. PWD Hollins would like to place his order tomorrow. The money will come out of the recycle and demo money. There is grant money through NH the Beautiful if they use the new container for recycling. PCD Easler and PCD Assistant O'Brien have been working with a gentleman to subdivide property. They might turn it into 3 house lots. It is one house lot now with sewer. The sewer doesn't run up the road far enough for another two house lots. The owner is responsible for the expenses of the sewer for the other two houses. They asked for the Select Board to override PWD Hollins decision on the expenses. The cost per foot for sewer is very expensive. Selectman Dickey denied the owners

request to override PWD Hollins decision to make them responsible for the expenses of the sewer.

Chief Tim Kenney said there isn't a need to move forward with the public meeting on the Fire Station study if the Select Board isn't fully on board. They need to develop another plan. Chief Kenney will work on developing a new plan. Chief Kenney said they need to talk about the stipend and nonprofit application. They will have a nonpublic to discuss it at the next meeting. Chief Kenney said for the nonprofit they are working on having it fit under one organization. They have a meeting next Tuesday to talk about more issues and write up bylaws. Chief Kenney said this fall they aren't doing anything for fundraising.

PCD Director Easler said the ZBA approved two Variances for Dave Caron for Planned Unit Development. It will go to Planning Board in October for Site Plan Review. PCD Director Easler has been working with Jim Raymond on Walker Pond. The title commitment letter is done. They need to get final plans and the Bartlett Office said it should be completed soon. Town Counsel will record it at the Merrimack County Registry and complete the deeds. Town Counsel is asking if the Select Board wants to do a wire transfer or checks. The Select Board would like to do checks. PCD Director Easler has certified minutes stating that the Penacook-Boscawen Water Precinct users approved the sale. The closing will happen at the Town office. There isn't a set date as of now.

TA Hardy said they have not found that the Town has adopted the provisions of RSA 41:14-a which allows the Select Board to act on behalf of the Town to sell property other than tax-deeded property. PCD Director Easler said the minutes discussed having Planning Board and Conservation advised and talk about it. They also shall have two public hearings as well. Chairwoman Carey asked when the last time the Town sold property was. TA Hardy said it isn't something that happens very often. Almost everything they've dealt with is tax deeded property. PCD Director Easler has been working with legal on other things pertaining to land issues. Tomorrow PCD Director Easler needs to check a septic tomorrow and will provide an update.

PCD Assistant O'Brien sent out the amount of residential building construction within the last 5 years. There have been 98 new residential homes built and it is expanding. PCD Assistant O'Brien said that we were submitting their joint loss documents to Primex by the September 7th deadline. Trainings were sent out that need to be completed. PCD Assistant O'Brien will be receiving quotes for the foyer of the Police Department to put in the same carpet that they have in the town clerk's office, to prevent slips, trips, and falls.

Chairwoman Carey motioned to go into non-public under RSA 91A:3 II (c). Seconded by Selectman Dickey. All in favor. None opposed.

Chairwoman Carey motioned to come out of non-public under RSA 91A:3 II (c). Seconded by Selectman Burdick. All in favor. None opposed.

The Select Board returned to public session.

Selectman Dickey motioned to seal the non-public minutes under RSA 91A:3 II (c) for one year. Seconded by Selectman Burdick. All in favor. None opposed.

Next Meeting:

Thursday, September 2nd @ 6PM.

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

Respectfully submitted by Hannah Gardner