

**Town of Boscawen
Select Board
MEETING MINUTES
Thursday, September 30, 2021 at 6:00 PM**

In Attendance: Lorrie Carey, Paul Dickey, Matthew Burdick, Alan Hardy, Kate Merrill, Dean Hollins, Sarah Gerlack, Norma Caporale, Katie Phelps, Kellee Easler, Chief Tim Kenney, Nate Young, Barbara Randall, Chief Brechtel.

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 Carey requested one change, line 43, fix the grammatical error, the Select Board should be possessive.

New Business:

Public Hearing: Chairwoman Carey opened the public hearing on the Administrative Fees at 6:03pm. Town Administrator Alan Hardy read the public notice. Chairwoman Carey asked the finance department if \$25.00 was sufficient for a returned check fee, some banks charge more. Finance Director Katie Phelps said it is sufficient because they don't get charged by their bank so it covers the administrative cost associated with handling it. TA Hardy said the Code Enforcement Officer fee is new, to cover reviews in 2022. Chairwoman Carey said they previously discussed that Code Enforcement would be covered in its entirety in fees so it wouldn't be taxpayer funded. TA Hardy said during budget construction they will put money aside for budget money in case something needs to be initiated by the Town, that isn't initiated by the user. The addition of false alarm fees were requested by the Police Department. Chairwoman Carey clarified that the fee doesn't apply until the fourth false alarm. Residents have an opportunity to fix current malfunctioning situations in their alarms.

Mrs. Barbara Randall asked if there was anything for credit card fees for the transfer station. PWD Dean Hollins said they include the fees in all their prices.

Chairwoman Carey closed the public hearing at 6:07 P.M.

Selectman Dickey motioned to adopt the amended Administrative Fees schedule. Seconded by Selectman Burdick. All in favor. None opposed.

Chairwoman Carey said Selectman Dickey had brought up the issue of how beautiful King St. looks with American Flags up. About a year ago, Unitil said they wouldn't object to the Town putting flags up, but they wouldn't condone it either. Selectman Dickey said they didn't feel comfortable putting the flags up on the poles at that time. Chairwoman Carey noticed that the

receptacles for the flags are still on the utility poles. In the past, the Sons of the American Legion put the flags up. Chairwoman Carey suggested asking residents and business owners on King St. if they would be willing to put up an American Flag. If they are unable to afford them, the Town can find someone to sponsor the flag. Chairwoman Carey said King St. is the final journey to the resting place of many veterans in NH; the New Hampshire Veterans Cemetery. Chairwoman Carey proposed putting the flags up on the utility poles for Veteran's Day, November 11th. Selectman Dickey suggested finding someone in Town to take responsibility for putting the flags up and taking them down. They need equipment to reach the poles. Selectman Dickey will reach out to someone who was previously interested in donating flags. Selectman Burdick had previously proposed the Hometown Heroes banners which planned on putting flags on the opposite side of the poles. Selectman Dickey suggested staking a spike in the ground and putting the flags on it. Selectman Dickey will check the costs on spikes. Selectman Burdick said if there is a half-staff issue, it would have to be done appropriately. Selectman Dickey said the flags weren't previously at half-staff on the poles. The problem was someone had to constantly unwrap the flags from around the pole.

Fire Chief Tim Kenney said the flag at the intersection of Route 3 and 4 split looks small. TA Hardy said the flag they put on there was appropriately sized unless someone switched it. It should be the same size as at the Circle, 4' x 6'. TA Hardy said that he will check the flag.

Chairwoman Carey said they will come back next week for a discussion after talking to residents and businesses on King St. to come up with options. TA Hardy asked if the discussion includes the offensive flag. Chairwoman Carey said they have received complaints about an offensive flag on King St. People have freedom of speech rights, giving the Town and Select Board no jurisdiction to ask them to remove it. TA Hardy suggested an alternative solution, asking if the Select Board would allow them to provide the mailing address information for the owners of the offensive flag so people wishing to express their concerns can reach out to the property owner directly. Selectman Dickey said they don't have to do that; anyone can drive by and look at the house number. Selectman Dickey thinks they should stay neutral and continue with freedom of speech. The property owners are aware that people are complaining.

Penacook Rescue Chief Shawn Brechtel attended the meeting to discuss recommendations EMD Killary has suggested regarding COVID-19. Chief Kenney asked for clarification on if the fire department needs to wear masks. TA Hardy said he would like to suggest to EMD Killary that he make changes to his document to refer to outside meeting spaces, not outside in general. Selectman Burdick said if social distancing is not an option, then a mask would be appropriate. Public Works is outside and socially distanced. Selectman Burdick interpreted EMD Killary's recommendations that the Department Heads can also decide on whether masks are required. Chief Brechtel took out the comma so the recommendation reads 'employees will be required to wear masks or face coverings at all meetings held in the Town office where 6 feet can't be accomplished'. Planning and Community Development Director Kellee Easler asked for clarification on any employee experiencing COVID-19 symptoms or sickness of any kind. Chief Brechtel said it comes back to common sense, if it's a headache you know you get from stress, computer screens or lights, its significantly different then having a random headache. Chief Brechtel said the schools are going off more than one symptom. FD Phelps asked if they could get PCR tests at the Town office for staff. Chief Brechtel said most offices are having a problem

getting the PCR tests. TA Hardy said they need to find a mechanism for requesting part-time employees to get a test. Selectman Dickey asked if they have anywhere they can go. FD Phelps said they can go to Concentra but they have a lengthy questionnaire you must fill out first and the provider decides if they need a test. TA Hardy said they could send them to one of the satellite operators in Concord and get billed, but the first time they tried it didn't work. FD Phelps asked what the requirement is of having someone stay out. Currently, employees are using their own sick time. WA Gerlack said the county facility is giving incentives where if you are fully vaccinated, they pay for you to be out and if you aren't you use your own sick time. Selectman Dickey said it is up to Department Heads if someone is sick, to send them home. Chief Kenney thinks the COVID numbers went back up today. There were 166 tests delayed. TA Hardy said any of the members can participate remotely. There is no provision for the public to participate remotely. They could put employees remote if it is necessary to reduce people in the office. Employees aren't members of the Select Board. FD Phelps thought employees couldn't be remote because of the provision for board members. TA Hardy said they will verify but the public participation is the problem. They must have a physical location for the meeting for the public to participate. Chairwoman Carey said they can come back with a proposal for next meeting.

Mr. Nate Young said that he has previously put his tree stand in the Town Forest and noticed the sign on the way out that said written permission necessary to put a stand in the Town Forest for hunting purposes. Mr. Young would like to put his stand in the Town Forest for hunting season. Mr. Young has had a stand there before, but used to hunt closer to the private land, near the school. Mr. Young uses both archery and rifle. Mr. Young said there is a blue marking on the trail indicating a new trail. It cuts right through the deer habitat. If a new trail goes through there, it will compress the deer even more. PCD Director Easler talked to Mr. Jeff Abbe who will reach out to Mr. Young. Chairwoman Carey asked if there is a procedure behind the requirement. TA Hardy said procedure exists within Fish and Game. Mr. Young acknowledged that he is not currently baiting or asking for permission to do so. TA Hardy said baiting would be a different process. Selectman Burdick suggested having something at the kiosk during hunting season reminding people to put bright colors on. Mr. Young suggested making the permission for a stand in the Town Forest more visible and catchier for people because they barely saw it. TA Hardy said PCD Director Easler is in contact with Fish and Game and she will see what they can work out.

Selectman Dickey motioned to permit Mr. Young to put his tree stand out in the Town Forest for 2021 in compliance with Fish and Game. Seconded by Selectman Dickey. All in favor. None opposed.

FD Phelps said the November 11th Select Board meeting is scheduled on a holiday. They would like to know if the Select Board would like to cancel the meeting or move it to the 10th. Chairwoman Carey said they are near the end of budget season. PCD Director Easler said historically they have the meetings on Wednesdays if it's a Thursday holiday. The meeting will be on Wednesday, November 10th at 6 p.m.

FD Phelps asked if everyone received the 2022 Holiday proposal and asked for input. Chairwoman Carey said the employee manual indicates they receive 12 federal holidays but with

the addition of Juneteenth, there are now 13. FD Phelps said the Employee Manual lists the holidays offered to staff; but Federal Holidays themselves are not mandated. New Year's Day falls on a Saturday in 2022, so they recommended observing the holiday for the Town employees on the following Monday, January 3rd. Christmas Day falls on a Sunday so the observed Christmas day is Monday, December 26th. The employee manual states they do the day before Christmas or the day after. They have suggested the day after Christmas be observed Tuesday, December 27th. Selectman Burdick suggested December 23rd as the day before Christmas, so it gives people an extra day before the holiday. FD Phelps said that is an option. The new Federal holiday, Juneteenth, was discussed. Kate Merrill said the State of NH has not adopted Juneteenth as an observed holiday. TA Hardy said they aren't required to follow the federal holiday schedule. FD Phelps said they would need to amend the manual if the Board opted to observe it, or they talked about being less specific with the days stating number of days off instead. Selectman Dickey suggested waiting and reevaluating accepting Juneteenth. The Select Board agrees to the adjusted holiday schedule with the change of December 23rd being the day before Christmas.

Selectman Dickey motioned to adopt the amended 2022 Holiday Schedule. Seconded by Selectman Burdick. All in favor. None opposed.

FD Phelps said they are looking at an estimated 6% COLA for 2022, but they won't have final figures until the end of October. They can't present any budgets until they have a direction from the Select Board. She wanted to see if the Select Board would like to approve it now or wait. If they wait, they won't have complete budgets until after the final COLA figure has been published. Chairwoman Carey suggested approving it because if it changes, they can amend it. It allows them to do the budget calculations.

Selectman Dickey motioned to approve the estimated 6% COLA for 2022 and amending it once the final figure is published. Seconded by Selectman Burdick. All in favor. None opposed.

Finance Assistant Kate Merrill said ARPA gave them something to calculate lost revenue. FA Merrill did the calculation using the 4.1% growth rate they suggested. The revenue reduction calculated to \$580,107 assuming there was a 4.1% growth over 2019. FA Merrill read the email FD Phelps sent out stating 'the interim final rule gives the recipients broad latitude to use funds for the provision of government to the extent of the reduction in revenue. Government services can include but are not limited to maintenance of infrastructure or pay go spending for building new infrastructure. Paying interest, principal on outstanding debt, replenishing rainy day or other reserved funds, or paying settlements or judgements will not be considered a provision.' FD Phelps said they could use reduction in revenue as their reasoning if an expenditure didn't fall into any other approved ARPA category. Selectman Dickey asked if the revenue calculated included cars. FA Merrill said it includes all fund revenues.

Department Head Updates: Chief Brechtel said Penacook Rescue's numbers are up quite a bit for the year. They are on track to exceed 1,000 calls. People are waiting longer to call. They are down to one ambulance; they don't have the money to budget another one. They ordered a new truck a long time ago. They just got notification that it may be delivered in January. They will

have an expected date of delivery by March. Chief Brechtel will have an end of the month report by the end of the week. Chief Kenney said EMS is a broken system. Chief Kenney said it goes back to Concord Hospital where they are housing patients in their ambulances because there are no beds. Chief Brechtel said they are averaging about a 30 minute wait. Chief Kenney said recently they needed a second ambulance, and it came out of Loudon, NH. There are so many calls going on that there aren't enough ambulances to get to the calls. Chief Brechtel said they transported one family in Merrimack to Massachusetts because Southern NH didn't have an open bed.

PWD Hollins received his roll off container they ordered a few weeks ago. He didn't expect to have it until the end of the year. He applied for a grant to hopefully help reimburse the expenses. Roy Roy's funeral services will be held Wednesday October 6th at 10:00am at Immaculate Conception. Some of the Town employees will be at the church and services. Services will be held at the Veteran's Cemetery at 2:00pm.

PCD Director Easler reported Walker Pond sale closed on Tuesday. They did the check today and sent it out. They are waiting on the number from Cheryl. PCD Director Easler reminded everyone that Charlie Niebling is having his Forest Walk on N Water St.

FD Phelps presented two Trustee transfers for Board approval.

Chairwoman Carey motioned that the Trustees of the Trust Funds transfer \$4,300 from the Fire Station Capital Reserve Fund to the General Fund to reimburse for the following expenditures: Harriman Invoice 2105053 for \$2,800 & Harriman Invoice 2108053 for \$1,500. Seconded by Selectman Burdick. All in favor. None opposed.

Chairwoman Carey motioned that the Trustees of the Trust Funds transfer \$31,103 from the Police Cruiser Capital Reserve Fund to the General Fund to reimburse for the following expenditures: Phil Mitchell & Sons for \$375 & Grappone Automotive Group \$30,728. Seconded by Selectman Dickey. All in favor. None opposed.

Old Business: TA Hardy has not been able to get anything except a \$12,000 proposal on 7 Baker St. They closed the door on the proposal. PWD Hollins is willing to do the disposal and they will incur the cost against that. They are hoping they lower the cost of disposing to under \$12,000. PWD Hollins said it will go to the landfill. They need to find a piece of equipment to rent. PWD Hollins said it would probably take them about 3 days. Selectman Dickey asked when they expect to have the work done. PWD Hollins said they need to get equipment first and shut off the utilities.

TA Hardy said funding for Commercial St. will be available tomorrow on October 1st. They hope to have the Central NH Regional Planning Commission contract next week. The Town does not have to go competitive bidding on the Regional Planning Commission. Central NH Regional Planning Commission drafted an RFQ for the environmental engineer. Afterwards they will get a contractor for the actual removal. The contractor from Central NH Regional Planning Commission is an interested party. There is discussion about the hauling part of the debris. Selectman Dickey asked if they are hauling it. They would look at hauling the building at the end

of March/beginning of April. PWD Hollins said they are going to load a container quick, so they won't want to wait for their roll offs. They will need at least \$100,000 for hauling for the Town's portion of the match. Selectman Dickey asked when they will start taking the building down. TA Hardy said it will depend on the environmental engineer.

TA Hardy said the Dorval House looks great. The volunteer crew was painting today. They are going to plan B with the siding. They are going to replace the siding because it is so damaged. The porch is all painted. TA Hardy said the library now has the ADA compliant remote door installed. It is being funded by the library itself.

TA Hardy said there is no statutory provision for public input at Select Board meetings. The Select Board had the guidance document from NHMA, written by Christine Fillmore. They recommend procedures they can use, statutorily there are cases where rights are involved, which would allow for public comment. One way to manage it, is to draft a set of Rules of Procedure for the Select Board. The alternative is having public comment periods every meeting with public notice which would be expensive. The best suggestion is to work with counsel to draft up a set of Rules of Procedure. Chairwoman Carey said FD Phelps mentioned something Loudon was using. Chairwoman Carey said they would like to proceed with the draft. WA Gerlack said on the NHMA website they had their agenda for their annual meetings. The meetings are Wednesday, in-person and Thursday, and Friday are virtual if the Select Board would like to attend. It is \$65 if you register before the date.

Chief Brechtel asked about the Torrent Building because they heard about it being sold. Winter is coming up and the last couple of years they have had damage to employees' cars from the side of the building where they park. They wanted to know if there was a plan moving forward specifically with the roof with the winter coming. TA Hardy said they are looking into the numbers, but the reality is there isn't funding to replace the roof. They need to find funding a different way. The bigger issue is what the Town wants to do with the Torrent Building long-term. Chairwoman Carey said Facilities Director Gary Moore was looking into quotes for the Torrent Building roof. TA Hardy said they received quotes, but it looks like we would be asking for a contribution to the Municipal Buildings Capital Reserve for the following year. The proposal indicates the roof would be the same shingle they used for the Municipal Office Complex. The current roof lasted over 30 years.

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

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

Motion to seal non-public under RSA 91A:3 II (E) for one year made by Lorrie Carey. Seconded by Paul Dickey. All in favor. None opposed.

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

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

Motion to seal non-public under RSA 91A:3 II (A) for three months made by Lorrie Carey. Seconded by Paul Dickey. All in favor. None opposed.

Chairwoman Carey motioned to go into non-public under RSA 91A:3 II (C). Seconded by Selectman Burdick. 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.

Motion to seal non-public under RSA 91A:3 II (C) for five years made by Lorrie Carey. Seconded by Paul Dickey. All in favor. None opposed.

Chairwoman Carey motioned to go into non-public under RSA 91A:3 II (C). Seconded by Selectman Burdick. 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.

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

Next Meeting:

Thursday, October 7th @ 6PM.

Respectfully submitted by Hannah Gardner