

**Town of Boscawen
Select Board
MEETING MINUTES
Thursday, December 16, 2021 at 6:00 PM**

In Attendance: Lorrie Carey, Paul Dickey, Alan Hardy, Kate Merrill, Sarah Gerlack, Nicole Hoyt, Kellee Easler, Katie Phelps, Kearsten O'Brien, Tim Kenney, and Dean Hollins.

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 Chairwoman Carey. All in favor. None opposed.

Chairwoman Carey made a correction to the Consent Agenda, removing the Nonpublic Minutes for 12/09/21.

New Business: Planning & Community Development Director Easler presented a contract for Central NH Regional Planning Commission (CNHRPC) that will assist the Economic Development Committee by aiding the Land Development Regulations and Renewable Energy Ordinance development. Under the Energy Ordinance development, CNHRPC will update all documentation and provide support. They will also provide support to the Committee regarding developing and implementation to the work program. They are supporting the NH 79-E Community Revitalization Tax Relief Incentive in other programs. PCD Director Kellee Easler said they will be involved in community education as well. CNHRPC will be compensated \$7,500 for their assistance.

Selectman Dickey motioned to approve the contract agreement between the Town of Boscawen and CNHRPC including compensation of \$7,500. Seconded by Chairwoman Carey. All in favor. None opposed.

Finance Director Katie Phelps presented documentation for Board approval to complete numerous fund transfers between budget lines prior to year-end.

Chairwoman Carey motioned to approve the following funds transfers:

- **\$5,090.39 from account #4520110 RE Operating Wages to account #4130341 Executive Telephone.**
- **\$500.00 from account #4520120 RE Overtime to account #4130341 Executive Telephone.**
- **\$3,676.25 from account #4520436 RE Maintenance/Equipment Purchases to account #4151572 Tax Deeded Properties.**
- **\$3,955.35 from account #4520684 RE Park Program to account #4151572 Tax Deeded Properties.**

- **\$1,346 from account #4520689 RE Civic Program Support to account #4151572 Tax Deeded Properties.**

Seconded by Selectman Dickey. All in favor. None opposed.

FD Phelps presented an encumbrance for the Select Board to consider for Highway and Streets for \$13,575.39.

Selectman Dickey motioned to encumber funds from account #4312661 Equipment Repairs for \$13,575.39 for the purpose of performing truck repairs in 2022. Seconded by Chairwoman Carey. All in favor. None opposed.

FD Phelps presented an ARPA transfer request to the Board.

Chairwoman Carey motioned to transfer \$1,386 from the ARPA Fund to the General Operating Account to reimburse for expenditures previously approved to assist with homelessness. Seconded by Selectman Dickey. All in favor. None opposed.

Chief Tim Kenney spoke with Grappone Automotive about the Forestry Vehicle. He would be able to put down \$30,000 this year but they wouldn't get a truck until spring because Ford isn't accepting new purchases right now. PWD Dean Hollins had recommended putting the money towards a personal purchase because it may be faster. Chief Kenney said the remaining balance in the Capital Reserve Funds won't be spent until the new truck arrives so until then it will be building interest. Chief Kenney mentioned that they are over the weight capacity of their current truck. The truck capacity empty is 7,800 lbs. With water weight and 3 firefighters, it exceeds the capacity. Chief Kenney clarified they wouldn't need the Capital Reserve funds now, only the \$30,000. The final quote from Grappone is \$55,289. The motion would allow Chief Kenney to take the initial \$30,000 from Account #4220110 and \$25,289 from the Fire Truck Capital Reserve Fund to purchase a new forestry truck.

Chairwoman Carey motioned to allow the Fire Chief to purchase a new forestry truck with funds being allocated as follows: \$30,000 from Account #4220110 and \$25,289 from the Fire Truck Capital Reserve Fund. Seconded by Selectman Dickey. All in favor. None opposed.

Fire Chief Kenney asked for Board input on whether the Fire Department needs a warrant article to change their structure at Town Meeting. They wouldn't start paid on-call until January 1st, 2023. Chief Kenney said in his opinion they are not changing the relationship with the Town. Town Administrator Alan Hardy said if operations are substantially the same today as tomorrow then there should be no need for change. The Select Board concluded no change is needed because the structural operations remain the same.

Department Head Updates: PCD Director Easler sent links to the Planning Board and posted it on the Town Website regarding the Zoning Ordinance and Land Use Regulations. There will be a public hearing on the 1st Tuesday of January for the Zoning Ordinance. The Land Use Regulations public hearing will be held in April because the Zoning Ordinance must pass first. PCD Director Easler said there was a few changes in the package. It would go on the warrant and

if it is passed, it would go on the next day. PCD Director Easler will put the new Land Development Regulations on the website, March 1st before Town Meeting. Anyone interested in filling out an application will need to go on the website.

PCD Director Easler said the Energy Committee met this week. They are working on the Master Plan first. PCD Director Easler sent it to the Planning Board and Senior Planner, Matt Monahan for review. The changes to the Master Plan and Zoning Ordinance don't need to be completed until next year. They will go to Town Meeting in 2023. The zoning ordinance will be undergoing significant change. The Energy Chapter only has the wind right now. They are adding solar, biomass, wood and geothermal. They also put out an energy meeting schedule as well on the Town website.

Agricultural Committee member, Ms. Tina LaRoche has given her resignation to Chair John Keegan.

PCD Director Easler asked for the administrative impact fees to be used for the proposed Dutch doors for the P&CD Office if possible. There is more traffic coming in and out of the building now and COVID rates continue to increase. They would be taking down the door, storing it and putting in a Dutch door. They would store the original door in the building. TA Hardy said if the Select Board would like to move forward, they will provide a document next week to approve and sign.

Town Clerk Nicole Hoyt said they had previously encumbered money for preserving papers in their next historic books. Town Clerk Hoyt met with a gentleman this week because there is a list of records that they want the Town to preserve. They couldn't locate the list of records in the gentleman's possession that they looked at years ago. Town Clerk Hoyt is searching out these records. They are missing Town Meeting records from 1832 to 1964 as well as inventory and treasurer records from the 1800s. The gentleman remembers reviewing records with Eileen Gilbert previously but so far there is no records at the library.

Town Clerk Hoyt said the price of the new title company came in higher than their current title company. They are sticking with the same company and their rates haven't changed. Town Clerk Hoyt said this year they switched companies for tax and sewer bills. It saved the Town under \$400. They just received the new quote, and it is going to be higher. Merrimack County Registry of Deeds recording increased. Town Clerk Hoyt will review all changes in the budget to make sure they are in good standing. They still haven't heard on certification. Only one Merrimack County report came in. The sewer abatement for business in Town is still in process but Town Clerk Hoyt will be sending out delinquent notices in January and lien notices in February. Deputy PCD Director Kearsten O'Brien said Economic Development hasn't met since they last discussed it. They are meeting the first week in January. Chairwoman Carey asked if it would be appropriate to decide on the abatement knowing the conversation that came from Economic Development. Deputy PCD Director O'Brien suggested going back to Economic Development because the Chair wasn't fully aware because he wasn't at the meeting. The recommendation is supposed to come directly from the Chair of the Committee. Deputy PCD Director O'Brien will talk to the Chair tomorrow and email the Select Board on moving forward.

Human Services Administrator Sarah Gerlack reminded everyone Holiday Food Baskets are this Wednesday December 22nd if anyone is interested in helping. They will get the truck at 6:30 am and ask everyone helping to arrive for 7:00 am. Ross Express will be picking up and delivering the baskets. PWD Hollins employees will also be helping. There will be donuts and coffee. Pick-up would be from 8:00am to 10:00 am. It will be set up on the side parking lot, so they aren't taking up space in the front parking lot. HS Administrator Gerlack said when the Town helps with cremations, they usually receive a donation around \$1,000. They just had a situation, and the cremation society raised their price to \$1,100 which would now be the Town's contribution. Chairwoman Carey asked if it would affect their budget. HS Administrator Gerlack said they don't do many during the year. She also pays it up front and then goes after their banking account to get the reimbursement. HS Administrator Gerlack said the Santa Meet and Greet night went great and there were around 100 children within an hour. Next year they want to do a bigger event in the library. The Santa letters are almost done, and kids should be getting a letter sometime next week if they wrote a letter to Santa. Lastly, HS Administrator Gerlack received an email about a reimbursement plan through GOFERR for Municipalities and Food Pantries for the cost increase during COVID for food distribution. She submitted a reimbursement request for \$4,600 worth of receipts. HS Administrator Gerlack should know next week if it is awarded.

PWD Dean Hollins talked to Grappone about their truck situation. They found two vehicles, but the dealers are not willing to trade with Grappone. They won't sell it at a municipal discount because there is such high demand. PWD Hollins went to Hillsborough Ford dealership and priced out a Ford and Dodge. It would take about 6-weeks to come in. Another dealership advertised a vehicle that fit what Public Works is looking for. Someone had customized the vehicle but may not be purchasing it. The dealership suggested they buy the car through Grappone as a personal sale and then sell it to the municipality. To clarify, they can't provide a municipal discount, but they can still sell it at retail. PWD Hollins said Grappone emailed soon after stating they talked to the New England Representative who will allow them to purchase the truck as a private individual and when it comes in, they will inventory it and then sell it with a municipal discount. They said the truck wouldn't be ready for 6 months, but it is about \$6,000 cheaper. PWD Hollins is asking the Select Board for approval to order the truck now. They have the money for it, but they don't need to pay until they have the truck. PWD Hollins isn't sure if they need to put down a deposit, he is still waiting to hear back. The Select Board approved moving forward with ordering the truck.

Chief Kenney checked on the new fire engine they ordered. They were waiting on the pump, and it is now in testing. It is due January 15th to be completed and sent back. They said it could be earlier or later depending on the holiday season. Chief Kenney has been in contact with an Agent rep, and they think the BRIC program project could fit the bill. Deputy PCD Director O'Brien and Chief Kenney are going to work together and connect with Stephanie Alexander regarding the program. The paperwork is due by January 28th. Deputy PCD Director O'Brien said the grant would be 75% federal dollars with a 25% match. They would need to know exact numbers to present. It does state there has been EOC buildings but Fire, EMS, Public Works, and PD can be added. Chief Kenney said Warner, NH received the grant previously.

Finance Assistant Kate Merrill reminded everyone about the Holiday Party taking place tomorrow during lunch hours.

Deputy PCD Director O'Brien said the Hazard Mitigation contract price for Central NH Regional Planning Commission is increasing. She notified EMD Jason Killary to let him know his budget will be changing to fit their price. It will be \$3,000. Deputy PCD Director O'Brien asked the Select Board to sign the agreement with the price change. Next year there will be 4 meetings for Hazard Mitigation.

Chairwoman Carey motioned to approve the increase in the cost of services to the Boscawen Hazard Mitigation plan contracted through Central NH Regional Planning Commission and the Town of Boscawen from \$2,200 to \$3,000. Seconded by Selectman Dickey. All in favor. None opposed.

Selectman Dickey asked if they could get black masks with the Town of Boscawen written on it. Deputy PCD Director O'Brien is currently working on getting masks. There is a fabric shortage. FD Phelps suggested having a company make them. Selectman Dickey asked to get a quote from a company. They will need around 100 masks for employees, committees, and the board.

Old Business: The Board of Health met and PCD Director Easler said the Omicron Variant was diagnosed in the beginning of the week.

PCD Director Easler talked to Mr. Bill Murphy about the 1913 Library. Mr. Murphy recommended fixing the furnace first and then electrical before doing anything. PCD Director Easler will get quotes. She is also waiting to hear back from Mr. Mark Hopkins. TA Hardy said once the ceiling was restored, they started seeing a stain under the false chimney. Chairwoman Carey said they previously discussed with Mr. Hopkins putting a handicap ramp on the side of the building.

TA Hardy said ARPA money is coming from the State. They may see between a 30 to 40% grant for a Sewer or Wastewater Project. The project would have to be bonded. Once they receive more information from Cole at Underwood Engineers and his conversations with DES, they will be able to provide more information for the board.

FD Phelps presented copies of Independent Contractor agreements for Building Inspector and Code Enforcement Officer for review and signature. Alan Hardy will act as back-up Building Inspector and Code Enforcement Officer effective January 1, 2022. Mr. Hardy said Chuck Bodien asked that he keep up with building codes because there will be a lot of change. FD Phelps added the duties of the position from the job descriptions. Tax dollars are not involved in the Building Inspector position. Both agreements are set for a one year term. The Code Enforcement Officer agreement has a budget line in the executive budget to pay for the position. Mr. Hardy clarified only to the extent that it is not an expense paid by the applicant.

Chairwoman Carey said there was a question raised regarding the purpose of the Contingency Fund. It is in statute under RSA 31:9-a. Every Town annually by article separate from the budget and all other articles in the warrant may establish a contingency fund to meet the cost of unanticipated expenses that may arise over the course of the year. Such fund shall not exceed 1% of the amount appropriated by the town for town purposes from the preceding year excluding

Capital expenditures and Amortization of Debt. They started with a \$33,000 contingency fund in 2014. For 2022, they had a Town of Boscawen special detail for Police Detail for \$660. They also had very significant increases in deeded properties in terms of cleaning up and hauling away. One site that was cleaned up was \$2,400. They also had the Fire Department impact study fee, Hazard Mitigation, the Fire Department study, and retirement/vacation payout that came out of contingency. Each one was an unanticipated expense. There was also a question regarding perpetual litigation. Chairwoman Carey said municipalities and towns do have instances where there is a seemingly perpetual litigation by one entity. In this case, the choice is to address the issue annually year after year. The question was do taxpayers have to fund ongoing litigation regarding same or similar issues in perpetuity. Right now, they don't know the answer. TA Hardy said there would need to be cases that come down where the court was trying to make a point. They only have two choices which is to defend the Town or not. TA Hardy said the Town should defend itself. Chairwoman Carey said it is beyond their jurisdiction. The court must make the decision to either perceive something as a malicious prosecution or to tell the applicant they aren't accepting it. The State of NH Judicial system has chosen to hear everything that comes forward. The court usually asks for clarification which is beneficial to the municipality. The Town of Boscawen annually has an issue raised by an individual year after year which the Town must use taxpayers' money to fund the discussion of with the courts system. There are no grants for perpetual questions.

Ex-Officio Updates: Chairwoman Carey said Brownfields Advisory Committee met this week. All the proposals are due December 21st at 2:00 pm. The Committee will receive their packets on December 22nd. On Tuesday, January 4th, at 5:30 pm they review and schedule the interviews with Qualified Environmental Professionals (QEP).

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

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

Next Meeting:

Thursday, December 23rd, 2021 @ 6PM.

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

Respectfully submitted by Hannah Gardner