



MINUTES
Selectboard Meeting
Monday, April 18, 2016 Town Meeting Room 6:00
PM

Selectmen: Ed Thorson, Russ Smith, Joy Nowell

Town Personnel: Dennis Pavlicek, Town Administrator; Pam Bryk, Administrative Assistant; Henry Thomas, Fire Chief; Robert Lee, Police Chief; Brad Wheeler, Police Sergeant.

Public: Linda Powell, Bruce Barton, Paul McVittie, Durham Jones, Attorney Colin Robinson, Harlan and Sylvia Page, Attorney Perry, Mr. and Mrs. Demers

1 Public Input
None

2 Presentations/Appointments

a) Durham Jones - Stonewall Lane - 16A-188-518

Jones lives at 842 Route 103A, his interest is in the property on Stonewall Lane, map/lot # 16A-188-518. Jones has tried to reach the Farmers to see if they would sell but now the town has taken the land by tax deed. Thorson said we can not sell the property directly to you, it would be a sealed bid open to everyone. Pavlicek recommended we do a sealed bid and it will be in the shopper and on the website. Jones said that Stonewall Lane is a paper road and the right of way to the property goes through my current property already. Nowell made a motion to put an ad in the paper to sell this parcel 16A-188-518. Smith seconded the motion, All in favor. Pavlicek said we will put an ad in for a sealed bid.

b) Attorney Robinson - Page Easement

Attorney Robinson and Harlan and Sylvia Page along with the Demers and their Attorney Perry were there to discuss the revised deed for the easement over town land voted on at town meeting. On April 4 at the

Selectboard's meeting, Attorney Robinson met with the Board and discussed a list of concerns that the Board had. Robinson revised the deed and the Board agreed on all the changes that were made. Robinson said that he shared the deed with Attorney Perry, and the Demers still need to grant an easement of the corner of their property. Robinson said if we agree on the terms tonight we can sign the new deed and place in a file. Robinson said he received Bernaiche's memo on the value of the property. Robinson said Bernaiche followed a range and method and came up with the median value of the land. If the Board is going to demand compensation, Robinson believes it should be at the low end of the range. The Board agreed to go to the low end. Nowell made a motion to have a \$6500 valuation on the easement, Smith seconded the motion, all in favor.

Attorney Perry had no comment at this time and has had no negotiations as of yet. The Demers still have to grant a easement for this deed to continue. Thorson said we are here just to represent the taxpayer. Robinson had the deed ready to sign. The deed will be placed in escrow until other conditions are met, demonstrate that the abutters granted an easement over their property. The easement is in escrow and will be paid when the boathouse is sold and will be paid at closing. Pavlicek said the buyers will pay the \$6500 and also the transfer tax. Since we are a municipality we are exempt from the transfer tax and the buyer will still have to pay their half. Nowell made a motion to sign the Page easement and for it to be held in escrow at such time as it is ready to be used. Smith seconded the motion, All in favor. The Board signed the deed for the easement. The Demers said that they did not know anything about this easement from the town.

c) Chief Lee

The Board asked Bob Lee to come up. Thorson wanted to discuss why the new police cruiser was delayed. Lee said that last year he submitted the purchase order right after town meeting and it was denied. The Board took over and did it all. This year it was a warrant article and it was passed at town meeting- I had already provided the cost and information and believed it would be done by you again this year. I came back from being away and it wasn't done. I had Deb put it together and sent it over. I called the dealer and found out we missed the ordering window. Thorson said he called Irwin Ford who carries the state bids and they are checking to see if they can honor the 2016 price for the 2017 cruiser. You should have sent it over right after it was passed at town meeting. Lee said you were in charge of it. Thorson said we don't order any equipment for the departments, just like the highway they order their own trucks. Lee said when there are problems

in the town they go to Dennis, problems with the highway they go to Cal, problems with fire they go to Henry, problems with rec department they go to Travis. So when the cruiser was in Concord it didn't come to me it went to a selectmen. Thorson said it was me and it wasn't a big deal. Lee said not according to the town rule. Thorson said you are required to enforce it, you work for the town. Lee said the employees are responsible to Dennis, that was the rule. Smith said we can revisit the rule, the officers can report to Lee then he can call Dennis. Lee said not at 3 a.m. have them call me and then I call Dennis. Why aren't they calling the police chief, they are calling a different department. Who is responsible besides me. Thorson said if something goes wrong it is your responsibility. Lee said that every time they leave it is documented in my office. I don't understand why if you want to know where they are you call a different department. Under RSA 105-1 all officers are accountable and responsible to me. Thorson said under RSA 105-2 a you have to enforce town policies.

Lee said so you can get a better deal on the cruiser. Thorson is still waiting to hear if they are able to sell at that price. Lee said we have funds put aside too. Thorson said we might get more money at the auction. Nowell said we should revise the paperwork to reflect the 2017 model. Smith and Thorson have looked at prices at the auction for these cruisers and some bids have been \$5000 to \$6000. Lee said to remove all the stripping costs a lot so we should just pay the \$100 fee.

Thorson asked Lee about the officers using their own cell phones. Lee said they can have their own. It's an option if they want to use them. Thorson said I don't believe we can require them to use their own cell phones, should we compensate them for using their personal phones. Pavlicek said we could do a stipend for \$25 to \$30 a month. Lee said he would poll the guys to see what they use and take it from there.

Thorson asked Lee if he is starting at 5:30 a.m. now. Lee said he is doing 5:30 a.m. to 2:30 p.m. He is coming in at 5:30 a.m. so he is out with the buses, the biggest issue that early is the bus routes and this way I am in contact with the bus company and dispatch if there is a problem. I have a good communication with the bus company.

Barton questioned that he thought we leased the cruisers. Thorson said we decided to purchase to save the 6% interest charge. Powell questioned are the other towns doing it too or are they still leasing. Thorson said some towns lease and some buy at least the ones I have talked to.

Thorson said that we are going into non-public now, Lee said he wanted

it to stay public if it is about me. Thorson said it concerns others so it will be non-public.

3 Regular Business

a) Re-Inspection Fee

The Board received an email from Greenwood recommending we charge an additional \$30 fee for re-inspections. He would like to add a clause in the building permit fee page saying "the building official may charge a re-inspection fee when, in his/her opinion, more inspections than normal were required. The fee shall be a minimum of \$30." Nowell said maybe say unnecessary trips out to the site. The Board agrees with the re-inspection fee but would like it to be reworded, instead of more than normal. Smith suggested it say more inspections were required. Pavlicek will talk to Greenwood and it will be added on the building fee schedule.

b) Landry - taxes

The Board received a letter from Landry, 97 Bay Point Road, map/lot #007-174-379 asking for an extension on the tax deeding of her property. The cottage is for sale now. The Board agreed to give Landry until November 1, 2016 to pay her taxes. The interest will still accrue at the 18% APR. Nowell made a motion to give the extension until November 1, 2016 to pay the taxes due, Smith seconded the motion, All in favor.

c) Heller - taxes

The Board received an email from Heller, 212 Route 103A, map/lot #019-147-352, regarding a tax lien being put on her property. Heller is asking for a waiting period, she will have the money soon. Pavlicek said this is a tax lien which means the interest will go from 12% APR to 18% APR. Smith said leave it where it is, don't change the process. Smith made a motion to leave the process as is, Nowell seconded the motion, All in favor.

d) Landscape Contractor - Brush/Dump sticker

The Board received a letter from Tressa Landscape inquiring about a dump pass for their business, they work for a lot of Newbury residents and looking to see if they can use the town dump for brush and leaves. New London does have a pass like that for landscapers and contractors. Smith said we should look into it, does New London charge a fee. Pavlicek will look into it.

31. Correspondence

31.1. State of NH Office of Energy and Planning

The Board received the state population estimates for the year. This year will have our senior citizen facility residents on it and will see a bigger increase.

31.2. New Hampshire Telephone Museum

The Board was invited to the fundraiser and reception at the NH Telephone Museum.

31.3. Arbor Day Foundation Letter

The Board received a letter of congratulations for being a 2015 Tree City USA. Newbury has been a member for 11 years.

31.4. New London Dispatch News

The Board received a copy of the March 29, 2016 NL Dispatch News.

31.5. CAP Thank You Letter

The Board received a thank you letter from the Community Action Program for the \$4700 town appropriation.

31.6. State of NH DOT Letter

The State sent the Board a revised red list for bridges. No bridges in Newbury are on the list.

31.7. Healey Email

The Board received an email from Healey regarding the second quote on the AV equipment. Healey is waiting for the company to get back to him. Thorson asked if we can see somewhere how it all works. Pavlicek said that Healey and himself had gone down to the first company for a demo. They were very informative and can meet our deadlines. Pavlicek said we will wait for the response from this second company and then have the Board sign the purchase order. Nowell said she would defer to Bruce Healey on this decision. Smith also agreed to defer to Bruce, that is his background. Nowell made a motion to have Healey choose the system that is best and make the final decision. Smith seconded the motion, All in favor.

31.8. Agendas

Smith questioned where the agendas were posted as he did not see them at the transfer station. Agendas will be posted at the transfer station, South Newbury, the town office and website in the future. They will be posted earlier in the week but will not be a complete agenda, residents will still have to refer to the website or the one posted at town office on Friday.

32. Approve Payroll/Payables

32.1. Payroll/Payables April 16, 2016

The Board approved and signed the payroll and payables of April 16, 2016.

33. Acceptance of Minutes

33.1. Selectboard Minutes of April 4, 2016

The Board approved and signed the public and non-public minutes from the April 4, 2016 Selectboard's meeting.

34. Other Business

34.1. Intent to cut

The Board approved and signed a buffer zone cut for a dead tree for Charles Colin, 50 Lake Ave, map/lot # 16A-321-423. Greenwood and Conservation Commission had looked at the tree and approved the cut.

The Board approved and signed an intent to cut for Hallisey, Cloverfield Road, map/lot #18-201-092 and 18-205-122.

34.2. Tax Warrant

The Board approved and signed a timber tax warrant for Unger, 844 Mountain Road, map/lot #025-174-501 in the amount of \$108.75.

The Board approved and signed a timber tax warrant for Nowell, 197 Fortune Road, map/lot #025-739-158 in the amount of \$136.64.

4 Non-Public Session

Per RSA 91-A:3, II, a-e

- a) Thorson made a motion to go into non-public session under RSA 91-

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A:3,II,a at 6:55 p.m., Smith seconded the motion, All in favor.

Smith made a motion to go into non-public session under RSA 91-A:3,II,a at 7:32 p.m., Nowell seconded the motion, roll call vote - Smith yes, Nowell yes, Thorson yes.

Smith made a motion to seal all the non-public minutes indefinitely, Nowell seconded the motion, Roll Call vote - Smith yes, Thorson yes, Nowell yes.

5 Adjournment

- a) Meeting Adjourned at 8:30 p.m.

Smith motioned to adjourn, Nowell seconded the motion, All in favor.


Ed Thorson, Chair


Russell Smith


Joy Nowell