

APPROVED 7/15/96

Town of New Boston

Selectmen's Meeting Minutes

June 3, 1996

A regular meeting of the Board of Selectmen was called to order at 7:00 p.m. by Chairman Goodin.

PRESENT: Michael S. Pimenta, Selectman
Darlene M. Goodin, Selectman
Gordon A. Carlstrom, Selectman
Todd I. Selig, Town Administrator

Selectman Carlstrom made a motion to accept the May 20, 1996, regular and non-public Selectmen's Meeting minutes. Selectman Pimenta seconded the motion. The motion passed unanimously.

At 7:00 p.m., the Selectmen met with the New Boston Forestry Committee to discuss the Town Forest boundary surrounding the New Boston Transfer Station and Highway Department gravel pit, both located off of Old Coach Road. Present were: Forestry Committee Chairman, Graham Pendlebury; Forestry Committee Members, Ellen Reilly, Bob Todd, and David Allen; Forestry Committee Associate Members, Jonathan Brooks, Alan Briere, and Lyn Lombard; Road Agent Lee Murray; and Transfer Station Manager Bonnie Bethune. It was stated that adding a new brush pit at the Transfer Station would involve straightening the fence located to the rear of the Transfer Station Recycling Building. Chairman Goodin felt that the boundary of the Town Forest at this location should be considered to be the tree line, as opposed to the metal fence surrounding the Transfer Station. There appeared to be general concurrence with this suggestion, however, Selectman Pimenta suggested that the Forestry Committee should discuss the matter with the entire Committee membership and then report their recommendations back to the Selectmen. This was agreed to. Road Agent Lee Murray felt that in order to expand the Highway Department gravel pit located off of Old Coach Road it would probably be necessary to excavate within the designated Town Forest land. This would probably require the authorization of Town Meeting. Ellen Reilly felt that if the excavations were part of a larger forestry management plan, it might be possible to conduct the excavations without first going to Town Meeting. This possibility will also be looked into by the Forestry Committee in the future.

Road Agent Lee Murray came before the Board at 7:30 p.m. for his monthly meeting with the Selectmen. Road Agent Murray explained that backfill at the Rawlins' residence on Briar Hill Road has been falling down an embankment onto the edge of Clark Hill Road, thereby causing safety concerns. The Selectmen felt that Mr. Murray should send the Rawlins a letter concerning the matter.

The Board and Road Agent Murray decided to apply liquid calcium to the portion of Clark Hill Road in front of the Pocket residence at 382 Clark Hill Road as per Sue Pocket's request.

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Road Agent Murray informed the Selectmen that he planned to begin work on Meetinghouse Hill Road beginning on or around June 17, 1996. Work will start at the top of the roadway and move down the hill. The Highway Department will do all of the drainage work on the road themselves. The paving will be put out to bid.

Road Agent Murray presented the Selectmen with a revised driveway application form. The Selectmen felt that the form looked acceptable and authorized its use.

The Selectmen discussed turning the responsibility for mowing of the Town Common and Old Coach Road ballfield over to the Recreation Department. Road Agent Murray did not have a problem with this change as long as responsibility for maintaining the grounds of the Police Department and Fire Department were also turned over to the Recreation Department. Selectman Carlstrom made a motion not to turn the mowing of the ballfield or Town Common over to the Recreation Department. Selectman Pimenta seconded the motion. The motion passed unanimously. The Board next discussed a proposal to remove the large green shrub from in front of the War Memorial on the Town Common, and to replace it with a perennial garden. The Board was not in favor of the idea of removing the shrub in front of the War Memorial. Selectman Goodin made a motion not to allow a perennial garden to be planted near the War Memorial. There was no second to this motion. Selectman Pimenta felt that the shrub should stay in its current location but that the Recreation Department could approach the Board in the future with another proposal for a perennial garden in a different location near the monument. Selectman Pimenta made a motion not to tear up the green shrub in front of the War Memorial. Selectman Carlstrom seconded the motion. The vote was: Chairman Goodin - abstained; Selectman Carlstrom - yes; Selectman Pimenta - yes. The motion passed. Selectman Goodin abstained from the vote because she felt that the motion should have addressed the prohibition of a perennial garden being placed in or near this location.

The Board reviewed and signed a letter to the U.S. Postal Service concerning the possible relocation of the New Boston Post Office.

The Board instructed Town Administrator Selig to forward a letter of complaint dated May 8, 1996, concerning the Neville "Contractor's Yard" on the corner of Route 114 and Whipplewill Road to the Planning Board for review.

The Board discussed a letter of complaint it had received from Red and Bobby Hebert of 244 River Road dated May 21, 1996, concerning an alleged junkyard at the John Winslow residence located at 248 River Road, New Boston. Town Administrator Selig explained that he and Building Inspector Dennis Sarette had been looking into the situation and were in the process of trying to get Town Counsel Leslie Nixon's input on the matter. Mr. Selig was concerned that a strict interpretation of the junkyard ordinance at the Winslow residence could have some serious

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repercussions for Mr. Winslow's operation and asked the Board for direction on how to proceed. Selectman Pimenta felt that the Board should do what it had to do in order to enforce the ordinance. Selectman Goodin felt that Mr. Winslow had a valued business in the community and thought the Board should try to work with Mr. Winslow in order to remedy the situation. Mr. Selig felt it might be possible to send the Building Inspector to look over the situation with Mr. Winslow to determine exactly what items on the premises would have to go to meet the requirements of the junkyard ordinance. Mr. Selig said he would discuss the matter further with Mr. Sarette and would attempt to speak with Town Counsel about the situation.

The Board decided to replace the floor in the Town Hall Conference Room with new floor tiles. The floor in the Building Department and other damaged floor areas at the Town Hall would be repaired on an as needed basis. Once the repairs to the floor have been completed, the Board would like to see the entire floor stripped and buffed as was done at the New Boston Police Department following completion of construction. The Selectmen felt that a ceiling fan should be installed in the Conference Room for use during hot summer evenings. The Board discussed the possibility of replacing two windows leading upstairs to the Recreation Department with replacement windows. It was decided to wait until the structural repairs on the Town Hall were completed to ensure sufficient funds were available for the new windows.

The Board reviewed and signed an "Out-of-Town Policy" for department heads.

The Board reviewed and signed a "Bad Check Policy" for the Town.

The Board approved a new "Municipal Volunteer Form" for use by individuals who wish to volunteer their time to the Town of New Boston.

The Board will award the Boston Post Cane, previously held by Helen Christiansen, to the oldest living New Boston resident on Monday, June 17, 1996, at 7:00 p.m. Mr. Charles Gould of 360 Lyndeboro Road will be the recipient of the Cane. Mr. Gould was born on March 21, 1901. Maurice Briere of Colburn Road has been determined to be the second oldest New Boston citizen. Mr. Briere was born on December 27, 1903.

Mr. Dan Hinkston, an auctioneer for the Roland Sallada Estate, stopped in on May 31, 1996, to see if he needed a special permit from the Selectmen to hold an auction. The Selectmen did not believe that there was such a requirement in New Boston. Selectman Pimenta asked Mr. Selig to make sure that there were no Historical Society artifacts still being stored in Mr. Sallada's basement which might be improperly auctioned off. Mr. Selig said he would check with Rena Davis to determine if any artifacts were being stored at this location.

The Board of Selectmen discussed the idea of sending a letter of complaint to the New Hampshire Department of Safety concerning a N.H. State Police Officer residing in New Boston who,

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according to Chairman Goodin, has been seen by many people driving his police car around New Boston on personal business. The Board felt that any person who feels a N.H. State Police Officer is using a cruiser improperly should contact the N.H. State Police on their own to make a complaint.

The Board considered whether civilians should be allowed to ride-along in New Boston Police Department cruisers. The issue was addressed after N.H. State Representative Susan Clay rode with a New Boston Police Officer to get a better feel for local law enforcement in New Boston. Chairman Goodin felt that a significant liability existed by letting individuals other than New Boston officials/employees ride in the Police Cruisers and felt that the policy dealing with this issue should be amended to prevent such ride-alongs in the future. Selectman Pimenta pointed out that a liability release form must be signed by anyone desiring to ride in a New Boston Police Cruiser. Chairman Goodin, however, was extremely concerned as to whether this release form would hold up in court. Selectman Carlstrom stated his concern with liability. The matter will be discussed further when Police Chief Jim McLaughlin next meets with the Selectmen for his monthly meeting.

Town Administrator Selig reported that the Clark Hill Road Committee has been meeting regularly and had formulated a list of 10 questions for Road Agent Lee Murray to answer concerning road maintenance, etc.

The Board reviewed and signed the State of New Hampshire Financial Report form (MS-5) which must be submitted by the Town for the tax rate setting process in October.

The Board reviewed a memo from Building Inspector Dennis Sarette dated May 28, 1996, concerning a recent dye test conducted at the catch basin to the rear of the Heidi Palmer Real Estate Office. Selectman Pimenta felt that a copy of the memorandum should be forwarded to Heidi Palmer for her information. Mr. Selig said he would send the memo to Mrs. Palmer.

The Selectmen discussed the "Program, Planning, and Budgeting" seminar which was presented by Mr. Hodgkinson on Tuesday, May 28, 1996. The Selectmen felt that more focus on long range planning would be helpful to the Town. Perhaps a 5 year budget projection could be developed. The Selectmen also discussed the idea of holding School Meeting before Town Meeting, as well as moving Town Meeting back to Tuesday evening after elections have been completed.

The Board of Selectmen authorized Mr. Selig to begin the process of scheduling a hearing to declare the following cemeteries abandoned: Dennison Road Cemetery, Eaton Cemetery, North Side Cemetery, Bunker Hill Cemetery.

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The Board reviewed the Town's Financial Statement for the fiscal year ending December 31, 1995, which has been prepared for New Boston by Plodzick and Sanderson Professional Association.

The Board of Selectmen reviewed quotes which were received from Computers Etc. and Amherst Computer Repair for the new Police Department computer. Selectman Pimenta made a motion to purchase Computer Option I from Amherst Computer Repair for the sum of \$1,600.00. Selectman Carlstrom seconded the motion. The motion passed unanimously.

The Board of Selectmen reviewed a recent report from GZA Environmental dated May 17, 1996. The report indicates that minute concentrations of trichloroethene were detected at wells B-2, B-4, and S-1. Well S-1 is hydraulically upgradient from the landfill. GZA has offered to perform an unscheduled VOC analysis during their next visit in October. However, such an analysis would cost the Town another \$500.00 above and beyond what has been budgeted for this purpose. An October VOC analysis is not critical considering the low concentrations of trichloroethene found according to GZA. After careful consideration, the Board felt that a VOC analysis would not be conducted until 1997.

Town Administrator Selig updated the Board that Laura Pavesi of 388 Clark Hill Road has agreed to donate an old 386 computer to the Town for use at the New Boston Police Department. The Selectmen signed a thank you note to Mrs. Pavesi.

The Board of Selectmen discussed possible issues which could be discussed at the next Department Head Meeting scheduled for June 5, 1996, at 9:00 a.m. in the Town Hall Conference Room.

The Board tentatively scheduled a gravel pit inspection at the Granite State Concrete pit located on Lyndeborough/Hopkins Road for Monday, June 10, 1996, at 6:00 p.m.

At 9:40 p.m., Mr. Jim Dodge of 40 Dodge Road came before the Board of Selectmen to ask why he and Mr. Selig had been reprimanded by the Selectmen on May 20, 1996, during a non-public session of the Board of Selectmen, for a conversation he and Mr. Selig had on Tuesday, May 14, 1996, at the New Boston Fire Department concerning the May 13, 1996, Selectmen's Meeting. Mr. Dodge also wanted to know what right the Selectmen had to ask how and from whom he had learned about a controversial January 28, 1996, ride-along involving Selectman Pimenta and a part-time police officer in a New Boston Police Department cruiser. Mr. Dodge stated that he has just as much of a right to ask a Town Official, in this case the Town Administrator, about Town-related issues as any other taxpayer in New Boston. Mr. Selig, according to Mr. Dodge, did not divulge anything which had been discussed at the non-public portion of the 5/13/96 Selectmen's Meeting, or anything inappropriate.

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Selectman Pimenta said the issue came up because his wife had overheard Mr. Dodge and Mr. Selig say his name during their conversation at the Fire Department on 5/14/96. Mr. Pimenta then explained that Mr. Selig had said to him at a later date that Mr. Dodge appeared to know more than the average person about the 1/28/96 ride-along incident. Mr. Pimenta, however, did not believe the Board had reprimanded either Mr. Dodge or Mr. Selig. The other Board members concurred, stating that they only remembered asking Mr. Selig to speak with Police Chief James McLaughlin and Mr. Dodge to find out how Mr. Dodge had learned about the 1/28/96 ride-along incident. Town Administrator Selig explained that although Selectman Pimenta had stated many times that he was only speaking for himself, and not for the entire Board, the last thing that was said before exiting the non-public session on 5/20/96 was stated by Selectman Pimenta warning that this was an official verbal warning to both Mr. Selig and Mr. Dodge about discussing inappropriate topics in the future. Since neither Selectman Carlstrom nor Chairman Goodin objected to this warning, Mr. Selig took this statement to be the official non-written/verbal position of the entire Board. Both Mr. Dodge and Mr. Selig contended that nothing inappropriate whatsoever was discussed by them on 5/14/96.

Selectman Pimenta explained that his name was dragged in and out of the newspapers as a result of the 1/28/96 ride-along and just wanted to make sure others were not discussing things which were similar in nature to the topics which got him into trouble. Mr. Dodge felt that the 1/28/96 incident involving Selectman Pimenta was entirely different from the discussion he had with Town Administrator Selig. Mr. Dodge wanted to know what right the Board felt it had to reprimand private citizens for asking questions regarding Town business to a Town Official. Mr. Dodge also wanted to know why he was not allowed to explain the situation to the Board before it issued a reprimand or warning. Mr. Dodge questioned the fact that the Board went into non-public session to discuss an issue which pertained to him. Selectman Pimenta made a motion to formally apologize to both Jim Dodge and Todd Selig for blowing the entire incident out of proportion. Mr. Selig said that he was not looking for an apology. Selectman Carlstrom seconded the motion. The motion passed unanimously. Mr. Dodge stated that in his opinion, the Board of Selectmen appears to be going after people one after another. He feels that this just can not continue. Chairman Goodin asked Mr. Dodge if he feels that the Board has made improvements in the way it has been handling issues. Mr. Dodge felt that in some ways it has, and in some ways it has not. Mr. Dodge also stated that he feels the Board does too much in non-public session. Mr. Dodge left at 10:20 p.m.

The Board reviewed a letter from David Fluharty of UNH T2 concerning Road Agent Lee Murray's Master Road Scholar designation.

Chairman Goodin reported that she and Town Administrator Selig had inspected the reclamation which had been done to Clayton Savoy's gravel pit located off of Lyndeboro Road. Both Mrs. Goodin and Mr. Selig felt that the reclamation had been done to the Board's satisfaction. The Board will wait until the area has been seeded with a new type of grass seed which grows in sandy

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conditions before releasing the reclamation bond. Skip Gomes did all of the reclamation work for Mr. Savoy.

The Board reviewed a letter from Charlie Hoyt dated June 3, 1996, requesting a waiver of all interest due on 1994 and 1995 real estate taxes. The Board was unwilling to grant such a waiver/abatement.

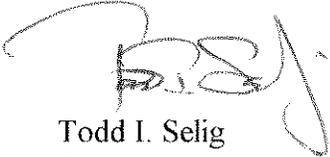
Chairman Goodin signed pistol permits.

The Board signed Intent-to-Cut forms.

The Board reviewed and/or signed other miscellaneous correspondence and materials.

Selectman Pimenta made a motion to adjourn the meeting at 10:35 p.m. Selectman Carlstrom seconded the motion. The motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "T. Selig", with a large, sweeping flourish extending to the right.

Todd I. Selig
Town Administrator