

TOWN OF ALLENSTOWN
Select Board
16 School Street
Allenstown, New Hampshire 03275

Minutes of Regular Meeting
December 17, 2012

Call to Order.

The Allenstown Select Board Meeting for December 17, 2012 was called to order by The Chair at 6:04p.m.

Roll Call.

Present on the Board: Jason Tardiff, Jeff Gryval, and Sandy McKenney.

Others Present.

Residents of Allenstown: Kelly Proulx; Armand Proulx

Others Present:

Other Public Officials: Larry Anderson, Sewer Commissioner/Trustee of Trust Funds/Budget Committee; Penny Touchette, Budget Committee Chair.

Allenstown Staff: Rob Martin, AFD; Ron Pelissier, Road Agent; Shaun Mulholland, APD; Diane O'Callaghan, Welfare Director; and Paul Apple, Town Administrator.

Citizens Comments:

N/A

Public Hearing: Review and Take public input on changes on the Town Personnel Policy, said changes to include a change in policy regarding investigations to require the Chief of Police to notify the Select Board immediately upon undertaking an investigation of a town employee.

Mr. Apple stated that it would require them to report to the Select Board when an investigation is undertaken. Mrs. McKenney stated that she thought that they had previously removed that. The Chair stated that they had talked about it but that they had not done so. Mrs. McKenney stated that they voted on this on July 30th and that it was Public Hearing #4. Mr. Apple explained that in

July they voted on the Personnel Policy as a whole and that this would be an amendment to the policy.

Mrs. McKenney asked Chief Mulholland if he had any comment on the proposed changes. Chief Mulholland stated they have had some history of public corruption in the town and it is not always in the best interest for him to go and explain what investigation is going on because it may involve one of them. He also stated that someone may not be able to keep quiet about the investigation and that he couldn't comply with the policy because if it's a criminal investigation telling them may interfere with the investigation.

The Chair stated that he can agree with him regarding informing the Board if it involved a Board member. He stated that as far as notifying the Board and not having people keep quiet during a non-public meeting that would go regardless of what happened in the non-public. Chief Mulholland stated that a criminal investigation is not an employee investigation therefore he does not know what non-public they would go under. Mr. Gryval stated that if it's about one of the Selectman it can't go into non-public and has to remain in public session.

Mrs. McKenney asked what the harm is in leaving the clause in the Personnel Policy. Mr. Apple stated that the policy has worked since they adopted it and that there has only been one investigation in which information was passed on in a timely manner. Mrs. McKenney stated that everyone voted on it when they approved it and asked who brought it up. Mr. Gryval stated that things were said when there was an investigation that they didn't know of and that the Chair put it on the agenda because that is his job to do so.

The Chair asked if they were to approve the changes, does he have to adhere to it or can he adhere to it. Chief Mulholland stated that he will adhere to it if he can adhere to it. He stated that he tries to give them information as much as possible but there are times that he cannot comply because it will interfere with his investigation. Mrs. McKenney stated that she agrees with Chief Mulholland and that it is in their best interest to have the clause stay in there because it protects them from having too much information. Mr. Gryval stated that it is clear that they have concern for the people they are responsible for and that they would like to know as much as legally possible as soon as they can know it.

Mr. Anderson asked why they are trying to push the Police Department to give them the information in the first place. Mr. Gryval stated that it is because they are responsible for all the people in the town. He stated that if someone is doing something with anything having to do with the Town, they are all responsible. He stated that it is not a matter of making decisions or changing an investigation but that it is difficult when things start moving along and they don't know what's going on with the people they are responsible for.

The Board determined to table this matter for a date undetermined.

Public Hearing #2: Review and take public input regarding the changing of Welfare Guidelines, changes are both procedural and substantive.

Mr. Apple stated that the draft that Ms. O'Callaghan gave them is in their materials and that there are no changes since the last time they discussed this.

The Chair opened it to the public.

Public Hearing #3: To review and take public input of a proposed ordinance to regulate parking on Granite Street.

The Chair asked the Board if they had any questions. Mrs. McKenney and Mr. Gryval stated that they did not have any questions.

Mr. Apple stated that he received an email from a citizen which is reproduced in their materials because she did not know if she could be there that evening.

Chief Mulholland stated that the area of concern is at the intersection of Main Street, Highland Street, Oak Street and Granite Street. He stated that the Crossing Guard came to him about an incident in the school zone. He stated that there were vehicles parked in the sidewalk and a boy who had to walk down the street was almost crushed by a truck. He stated that there is no parking on the South side of the roadway from Main Street. He stated that there were parking signs on the North side that were turned the wrong way which have been turned around.

Chief Mulholland stated that he went to observe the situation. He stated that there was a similar problem and that a parent stopped down the middle of the road to pick a child up. He stated that most of the parents park where they are supposed to and go pick up their children. He explained that this ordinance would prohibit stopping and standing in addition to parking in that stretch of area. He stated that it still allows the residents in that area to get deliveries or unload vehicles because there is no other place to do that.

Mrs. McKenney stated that she thinks that some of the citizens will have an issue because they might have a party and there won't be any parking. She stated that there is a citizen that does have an annual party on River Road and they got permission to park on the street on that day. Chief Mulholland stated that the only way they could do that is if they amend the ordinance to give him authority to make those decisions.

Mrs. Proulx stated that they have a big driveway but her concern is for the people whom have small driveways as well as the fact that they now have people parking in their driveway. She asked if there was anyway of prohibiting the parking from Monday through Friday at certain times. The Chair asked if that was possible because another resident asked if there was any way they could prohibit it during school hours. Chief Mulholland stated that school hours would be difficult but that they could do it for Monday through Friday at certain times. He stated that is it worse in the afternoon than it is in the mornings.

Mr. Gryval asked if they could have the signs made up to target the times they want to prohibit and would that be difficult to enforce. Chief Mulholland stated that they could do that but it gets a little more complicated. He stated that the signs would be adequate and would be sufficient enough for notification. Mr. Gryval asked if there was anything they could do to help the resident with people not parking in their driveway. The resident stated that they have a no parking signing. Chief Mulholland stated that that is all they could do and that the resident can call him when someone parks her driveway.

Mr. Pelissier asked if people didn't park on the sidewalks, is the road wide enough for them to park on the street. Chief Mulholland stated that it isn't but that he is dealing with this specific issue. He stated that most of that street is not wide enough to handle two vehicles or even vehicle parking on either side of the roadway. The Chair asked if they can do no parking on one side regardless and on the other side regulate when they can park there. Chief Mulholland stated that it is up to them what they want to do.

Mr. Apple stated that if they want to solve both problems, it sounds like they should send it back to the Chief to redraft and instruct him to address which side and what hours and then they can notice it for adoption at the next meeting. Mr. Gryval asked what the benefit of having the parking on the other side of the road is. Chief Mulholland stated that it is because they have the sidewalks on that side and it allows people to get their car further off the road on the side without a parking lot. There was further discussion of which side to have the parking restricted and what side to have no parking on.

The Chair asked how long it would take to draft an ordinance to do it all and fix all the problems. Chief Mulholland stated that he could draft it this week but that he thinks they will have a lot of people unhappy with what they are doing. Mr. Gryval stated that if they accept the school zone and leaves the parking on the side of the street as it is for now; we could have that in place before the children come back from Christmas break.

Chief Mulholland suggested that they make the ordinance change now until they can make other changes in the future, they could simply tell people not to do it because there are only a few people doing it. The Board determined to prohibit parking

Motion. Mr. Gryval made a motion to accept Option A and to prohibit parking Monday through Friday from 7:30am to 4pm on Granite Street between Main Street and Highland Street. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Close Public Hearing #2: Review and take public input regarding the changing of Welfare Guidelines, changes are both procedural and substantive.

The Chair asked if there were any questions on the Welfare Guidelines before they close the hearing. Mrs. McKenney asked when they would have the effective date be on this. Ms. O'Callaghan stated that she can have it done next week. Mr. Gryval suggested that they make it effective for January 1, 2013.

Motion. Mrs. McKenney made a motion to accept the General Assist Guidelines for Welfare for the Town of Allentown adopted December 17, 2012 effective January 1, 2013. Mr. Gryval seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Discussion of Tri-Town Joint Board vacancy

Mrs. McKenney stated that spoke with Kate Walker this afternoon who is not able to make it this evening because of her work schedule but that she will go and see Mr. Apple on Thursday.

Purchase Orders for acquisitions of 33 Riverside Drive and 52 Riverside Drive.

The Chair asked if there were any questions from the Board. Mr. Apple stated that what they have been doing is moving to acquire property by reference to address and incorporating an authorization in the main body of the motion. The Chair asked how many more properties they have down there to acquire. Chief Mulholland stated that there is one property left that is going through a foreclosure process. He stated that they would be demolishing the properties.

Motion. Mr. Gryval made a motion to authorize Chief Mulholland to acquire the property at 52 Riverside Drive in Allentown in the amount of \$102,113.68. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Motion. Mr. Gryval made a motion to authorize Chief Mulholland to acquire the property at 33 Riverside Drive in Allentown in the amount of \$177,768.18. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Review and Discussion any additional Year End Purchases

Mr. Apple stated that there are two additional requests for year-end purchases. He stated that the first proposal is for the Police Department to change out the existing DVR which is a result in change in software at the sheriff's office and that if they don't do it, they won't be able to see the video. Chief Mulholland stated that they won't be able to monitor the station and if things were to go wrong no one would be able to help.

Motion. Mr. Gryval made a motion to spend \$5,025 to change the existing DVR for installation and labor for the Police Department. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Mr. Apple stated that the heater in the Fire Department bay needs to be replaced. He stated that there are three quotes in their materials. Chief Martin stated that he received a notification last week from his annual inspection regarding the heater. He stated that it will take 15 days to replace it.

Motion. Mr. Gryval made a motion to spend \$3,353.50 for the replacement of the heater at the Fire Station. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Motion. Mr. Gryval made a motion to encumber the \$3,353.50 for the replacement of the heater at the Fire Station. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Ratify the Investment Policy

Mr. Apple stated that last year they ratified the Investment Policy as pursuant to RSA 41:9 VII and they come to that point again this year.

Motion. Mr. Gryval made a motion to ratify the Investment Policy. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Purchase Orders, Abatement, Other Business

Mr. Apple stated that they need to sign off on the Town to receive a radio from the Department of Safety. He stated that they would need to authorize the Chairman to sign on behalf of the Town.

Sign off on receiving radio

Chief Mulholland stated that they received radios from the State earlier this summer and the State had additional funds left over and asked him if they wanted a radio. He stated that they had one available for them at a value of about \$3,000 apiece but it's no money out of the Town's pocket. The Board authorized the Chair to sign off on receiving the radio.

Elderly Exemption

Mr. Apple stated that he has an Elderly Exemption application for 7 Emile Drive which is the taxpayer that they dealt with last week. He stated that they asked him to make sure she filed out any paperwork which has been done. He stated that they did the motion last week so that they only need to sign off on it.

Execute From PA-34

Mr. Apple stated that there is a form PA-34 which is required whenever there is a property transfer. He stated that they took 289 Pinewood Road for taxes and that that transaction allows them to execute the PA-34. He stated that it requires their signature so that he can file it with the DRA. The Board authorized the Chair to sign the bottom of the PA-34. Mr. Gryval asked if they have cleaned up that property yet. Mr. Pelissier stated that the buildings are all demolished but they haven't removed everything yet.

Application for Current Use

Mr. Apple stated that the application for Current Use was filled by property owners for land lot located off Kettle Rock Road which is tax map 401 lot 12 and 402 lot 146 for a total of 35.2 acres. He stated that the Assessing Clerk and the Assessing Contractor recommend the Board's approval. He stated that when it is put into Current Use, it is taxed at a significantly lower rate.

Motion. Mr. Gryval made a motion to accept the Application for Current Use for Kettle Rock Road Allenstown NH map 104 lot 12. Mrs. McKenney seconded the Motion. There was no additional discussion.

Motion. Mr. Gryval made a motion to accept the application for map 402 lot 146. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

2012 Equalization Report

Mr. Apple stated that they received a memo from the Assessing Agent with the 2012 Equalization Report. He stated that there are two issues with this memo. He stated that they have to sign the Equalization Assessment dated certificate. He also stated that the current equalization rate for 2012 is 118.5% which is within an acceptable perimeter however; it does suggest that they need to do some reassessment work in the coming year.

Mr. Apple stated that they need to do a motion to execute the assessment date so that it can be filed. He also stated that at some point in the new year they need to discuss what needs to be done in terms of assessment work in the coming year. The Chair asked what it means by changing the equalization rate. Mr. Apple stated that they are within acceptable perimeters and that he would recommend that they sign the form but that they need to have the Assessment Agent in to discuss what they need to do in the new year.

Mr. Apple stated that Mrs. Severance came to him about this and it would appear that the Assessing Contractor neglected to present this to the Board at all. The Chair asked Mr. Apple to express to the Assessing Contractor that his contract is up this year and the concern for not addressing this sooner.

Motion. Mr. Gryval made a motion to accept the Equalization Municipal Assessment Data for 2012. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Committee Updates

Planning Board

The Chair stated that they had a meeting last week but there was nothing of significant importance to report.

Budget Committee

Mr. Gryval stated that last Thursday there was a general consensus of the Board to cut the School board budget significantly and that there will probably be a vote on that this week. Mr. Gryval asked what position the Board wants him to take on that as they do not typically get involved in that aspect of it. The Chair stated that they should abstain from the vote as they usually do.

Mrs. McKenney stated that she is concerned with them taking a vote on it and that she would rather he try to express to them the concerns of doing that. Mr. Gryval stated that the precedence that is being set is that they are looking at cutting right off the bottom line without knowing what the effect of that will be.

The Chair stated that he is not thrilled with the process but he is also not thrilled with the fact that the School failed to do what the Board asked everyone else to do. Mrs. McKenney asked if the School was asked to come below default. Mrs. Touchette stated that they did not give anyone any directives and that they asked everyone to come in with what they felt they needed. The Board determined to have Mr. Gryval abstain from that vote as is their usual practice.

Mr. Gryval stated that there have also been conversations going on between Budget Committee members about reopening all of the town budgets. He stated that he would like the Board's permission to keep working with the Town Administrator and the Police Chief to formulate a plan to deal with that. He stated that they are going to ask all the department heads to be present on Thursday night. He stated that they have already asked a couple of the department heads what would happen if their budgets were cut any more.

The Chair asked if the Budget Committee knows that the Town basically has employees and nothing else. Mr. Gryval stated that the ones whom choose to listen know but that there are a couple of members whom want to decrease the budget. He explained that the budget as it stands right now if not open is actually higher than what had been requested. He stated that there has been no one item or line that they want to see cut without cutting from the bottom line. The

Board gave Mr. Gryval permission to continue working with the Town Administrator and Police Chief to determine how they are going to handle this.

SVRTA

Mrs. McKenney stated that they will be having a meeting on January 9th at the Police Station.

Old Allenstown Meetinghouse

Mr. Gryval stated that they have not had a meeting since their last one.

Tri-Town Ambulance

Mrs. McKenney stated that there has not been a meeting and that the second Thursday in January should be their next meeting.

Mr. Apple stated that the Joint Board met last week. He stated that Chief Martin and he were part of a Reconciliation Committee to get the standing guidelines and the Personnel Policy to jive and that they were able to do that today. He stated that they are meeting again tomorrow to adopt those two elements.

Record Retention Committee

Mrs. McKenney stated that Mrs. Rogers has been so busy that she doesn't want to keep bothering her about it. She stated that Mrs. Rogers knows about the need to get together.

Mr. Gryval asked Mr. Apple if he got the email from Mr. Verville in regards to the volume of materials on file. Mr. Apple stated that Mrs. Rogers went down with Mr. and Mrs. Verville on Friday to take a look at those records. He stated that Mrs. Rogers told them that they were significantly older than ones they have already shredded.

Safe Routes to School

Mr. Apple stated that there was nothing new to report.

Economic Development Committee

Mr. Apple stated that there was nothing new to report.

Town Hall Renovations

Mr. Apple stated that they are almost done with the project. He stated that they have the painter coming in tomorrow and then the temporary ramp will be taken down and the new one welded in place. He stated that they will be down by the end of the year.

Shelter Committee

Mrs. McKenney stated that they have a meeting scheduled for January 7th. She stated that she did get a copy of the criminal background check. Mrs. McKenney stated that she thinks that a list of the members was sent to her and that she will send it to Mr. Apple.

Manifests

Motion. Mr. Gryval made a motion to ratify the first manifest for December 10, 2012 in the amount of \$718,259.92. Mrs. McKenney seconded the Motion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Mr. Apple explained that the first manifest is so high because they paid the county taxes which were a better part of that manifests.

Motion. Mr. Gryval made a motion to ratify the second manifest for December 10, 2012 in the amount of \$998.00. Mrs. McKenney seconded the Motion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Mr. Pelissier stated that they talked about the hut for the sander and Mr. Gryval gave direction on getting it done and asked if they wanted the figures for everything. He also stated that they authorized to buy \$3500 worth of blocks but they don't quite need that much and do they want him to get what they need or spend all of the \$3,500. The Chair stated that they should use the entire \$3,500 because the price will keep going up if they wait.

Mr. Pelissier stated that the hut for the sander was \$3,450. The Chair stated that they should authorize him to buy everything they need for it this year but not to exceed \$7,000.

Motion. Mr. Gryval made a motion to authorize the Road Agent to spend no more than \$7,000 for the blocks and hut. Mrs. McKenney seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Review and Approve Minutes

Mr. Apple stated that he has three sets of minutes and that he made the corrections that Mrs. McKenney suggested.

Motion. Mrs. McKenney made a motion to accept the minutes as amended for November 19, 2012. Mr. Gryval seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Motion. Mrs. McKenney made a motion to accept the minutes as amended for November 26, 2012. Mr. Gryval seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Mr. Apple stated that he does have a draft of the December 3, 2012 minutes however there will be a number of changes in them so that he recommends that they table that set of minutes until the next meeting.

Town Administrator Resignation

Mr. Apple informed the Board that he regrets to announce that he has accepted another position as Town Administrator in North Hampton and that he is tendering his resignation effective January 16, 2012.

Mr. Gryval asked about wording in his resignation where it says that it is a position with authority that is defined by local by-laws. Mr. Apple stated that it is a Town Administrator job and that they have adopted by-laws that define the position which afford him certain measures of authority. He stated that the position operates more like a Town Manager position.

Mr. Gryval asked if there was any chance of him extending this out to after the budget and elections season. Mr. Apple stated that he will talk to them about their schedule and if they can accommodate him on that. He stated that regardless he will be present at the Public Hearing on January 12, 2013 and it will be his intention to be here for the Deliberative Session in February because he was primary author of the budget.

Mrs. McKenney stated that they should have a special meeting to look at their options of what they are going to do because their next meeting is not until January 7, 2013. Mr. Apple stated that he will be with them on January 7th and 14th unless they are willing to lengthen their time and that he will do his best to get back to them this week. Mr. Apple suggested that they put it on the agenda to accept the resignation in their next meeting.

Mr. Apple stated that he wanted to personally thank each of the Board members and for the opportunity to serve. Mr. Gryval asked what they need to do as Mr. Apple exits, who is going to

do the exit interview. He also asked if they need to do an audit. Mr. Apple stated that he doesn't think that there needs to be an audit and that the year-end audit would serve the same purposes. The Board will think about these things and discuss it at their next meeting. There was discussion of when to have a special meeting.

The Chair stated that he would like to discuss their options and asked what they are. Mr. Apple stated that they have a couple of options; they can hire MRI or LGC also has a service. He stated that LGC has an interim service and an employment search. He recommended that they go through the employment service. He stated that MRI is a better bet as they have more familiarity with them. He stated that he has some people in mind that would be good for the interim and that he doesn't mind discussing that with them in private but that they have options.

Mr. Apple stated that one of the options is that Mrs. Demers is now working for MRI and they could ask MRI to send her for a couple of days a week as an interim. He stated that Mrs. Demers knows the town and the process and that she would do the kind of job that they need. The Board determined that they will continue the discussion at a special meeting and that the date will be determined this week.

Other Business

A resident stated that he had a complaint sand and salt that is being plowed off the sidewalk being put on this yard. He stated that it was a little while before and that he had spoken to the prior Road Agent about the person who ran the bobcat. Mr. Pelissier stated that it wasn't a town employee, that it was a contractor, but that they do it all themselves now and they try not to get people's property. The Chair suggested that if it does happen to call the Road Agent the day it happens.

Mrs. McKenney made a motion to recess at 7:30pm for the purpose of the annual holiday observance with the Pembroke Select Board. Mr. Gryval seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

The Board of Selectman came back from recess at 9:27pm.


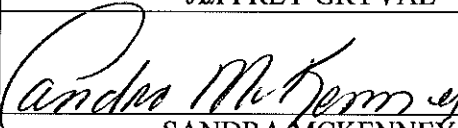
Motion. Mrs. McKenney made a motion to adjourn. Mr. Gryval seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

The Chair adjourned the meeting at 9:27pm.

TOWN OF ALLENTOWN
SELECT BOARD
MEETING MINUTES
December 17, 2012

Signature Page

Original Approval:	
JASON TARDIFF	DATE
 JEFFREY GRYVAL	1-28-13 DATE
 SANDRA MCKENNEY	01-28-13 DATE

Amendment Approvals:		
Amendment Description:	Approval:	Date:
	JASON TARDIFF	DATE
	JEFFREY GRYVAL	DATE
	SANDRA MCKENNEY	DATE