

TOWN OF ALLENSTOWN
Select Board
16 School Street
Allenstown, New Hampshire 03275
March 31, 2014

Call to Order.

The Allenstown Select Board Meeting for March 31, 2014 was called to order by The Chair at 6:00p.m.

Roll Call.

Present on the Board: Jason Tardiff, Jeff Gryval, and Kate Walker.

Others Present.

Residents of Allenstown: Jim Rodgers, Chris Tarsen, Lisa Toll

Others Present: Joe Alexander, Kevin Brasley Chairman of Pembroke Water Works, Tom Iryzk School Board

Other Public Officials: Dave Eaton, Budget Committee

Allenstown Staff: Shaun Mulholland, Town Administrator; Diane Demers, Finance Director; Ron Pelissier, Road Agent; Dana Pendergast, AFD; Joyce Welch, Health Officer; Cyndi Hetu, Minutes Clerk; and Paul Paquette, APD.

Citizens Comments:

N/A

Public Hearings on the amendments to the Solid Waste Ordinance

The Board opened the hearing to the public. The Chair asked Mr. Mulholland to explain the changes to the Solid Waste Ordinance. Mr. Mulholland explained that the proposed changes include what they would pick-up at curbside. He stated that the present ordinance allows for pickup at properties with six or less units. He stated that the proposed changes would allow for them to pick-up at properties with three or less units.

Mr. Tarsen asked if there is some way to regulate the curbside pickup like they do with taxes instead of the per unit as proposed. He asked if they could get a tax relief because they are paying taxes but not getting what they paid for. The Chair stated that they cannot do that because some homes, like the trailer parks, pay the same taxes as the rest of the residents and they don't benefit

from curbside pickup. Mr. Tarsen asked what the alternative is for him since he won't have curbside pickup. The Chair stated that they have the alternative to have a dumpster or they have the right to depose of their trash at the transfer station.

Mr. Tarsen asked if it is a big burden on the town. The Chair stated that the number is high as far as how many units they have that way and that they are trying to determine as to what qualifies as commercial or not.

Mrs. Toll stated that her mother owns a four unit as well and that she agrees with Mr. Tarsen that they should receive a tax rebate. She stated that they received a letter last year stating that they would not be picking up their trash anymore. The Road Agent stated that he didn't write the letter but that he would have to look into that. Mrs. Toll stated that she will get him a copy of the letter. The Chair stated that there will be no trash pickup at the units but that they can still depose of trash at the transfer station.

Mr. Gryval stated that one of the things that they are trying to do is to determine where commercial properties begin and end. He stated that either way, someone is going to be unsatisfied with the line. Mrs. Toll asked if a truck is driving by the location, what is the difference between them stopping and pull a few bags in. Mr. Gryval stated that they are looking at an outside vendor whom they have to be able to tell them how many commercial and residential. He stated that it will be substantial tax savings to the town but that the more stops they have the more they will charge in the contract.

Mr. Tarsen asked what is wrong with the way it stands right now. He asked if it was going to make that big of a difference. Mr. Mulholland stated that there are 16 different buildings that would be disenfranchised with this change. He explained that they are charged by each individual unit because the contractor would provide each unit with a 96 gallon trash can and a 96 gallon recycling can. He stated that if they can do the whole town in one day, with 997 stops, then they can do it affordably. He also stated that if they have to come back to work part of a day, it is going to cost more to do. He stated that if they eliminate the 16 buildings with multiple units, which eliminate 156 stops.

Mr. Alexander stated that currently Concord limits dump pickup to units of eight or more. Mr. Mulholland stated that the communities are all a little bit different. Mr. Alexander stated that as far as banks, insurance companies, mortgage companies, etc. all consider anything with 5 or more to be commercial. The Chair stated that each town has a different limit as well.

Mr. Alexander stated that they have contradicted themselves in what they are trying to do. He explained that the person that he bought the building off of used to load the trash cans into his trailer and bring it to the transfer station himself. He stated that he did the same thing for six months but that when it became time renew his sticker for the transfer station; he was not allowed to get

one because he lives out of town. He read the ordinance that states that property owners would need to arrange for a private company to pick up or that they or their tenants would need to transport their trash to the Allenstown transfer station. The Chair stated that the "they" refers to the buildings that are owner occupied. Mr. Alexander argued that he should have the ability to bring the trash to the transfer station especially if they are not doing curbside pickup.

Mr. Alexander stated that in Concord, if property owners were not eligible for curbside pickup they could buy a dumpster and get a reduced rate on pickup because it is part of the overall contract. The Chair stated that has to do with the Co-op which Allenstown is in the last year of their contract with. Mr. Alexander stated that Concord put it into the contract with Casella to allow the property owners to have a reduced fee. Mrs. Alexander asked what company they are negotiating with for disposal. The Chair stated that they are negotiating with Casella.

Mr. Mulholland explained that the issue is that it is more cost effective for Casella to send the same truck to pick up from the town and from Holiday Acres, who has their own contract with Casella, then the town could be charged for Holiday Acres' trash. He stated that they could regulate the fees that Casella charges the commercial properties but that they would have to decide if they want to do that. Mr. Alexander stated that he thinks that it should stay where it is now and that he would like to resolve why he can't get a sticker for the transfer station.

Mr. Tarsen asked how close they are to the change taking place. The Chair stated that this is not going to change overnight and that there would be some notice ahead of time. Mr. Mulholland explained more of the negotiations with Casella. There was further discussion of the time it takes to do trash pickup and whether or not Casella could do it in one day.

Mr. Mulholland stated that the Board will either make a decision tonight or another night. He stated that they will post the decision which will be on the website if they want to subscribe to it.

Mr. Anderson expressed concern with Casella being able to pick up all the trash in one day. He stated that they use three trucks to do Holiday Acres and that he doesn't see how they will do it all in one day. Mr. Gryval stated that they spoke to other towns that bid this project who all claim that Casella can do it. There was further discussion of doing pickup in one day.

Public hearing to accept unanticipated funds from the NH Department of Safety in the form of two grants to conduct Emergency Management exercises in the amount of \$13,870 and \$18,820.

The Chair opened the public hearing and asked the Board if there were any questions. There were no questions from the Board.

Meet with Pembroke Water Works regarding the Utility Agreement

Mr. Mulholland stated that they have the Utility Agreement for Pembroke Water Works. He stated that they have complied with everything that they are supposed to do in order to be issued the agreement.

Mr. Brasley stated that he had a question regarding the RSA 231:184 which states that Pembroke Water Works needs to ask Allenstown's permission to dig in the roadways. He asked if they already do that with excavation permits. Mr. Mulholland stated that they do but that Pembroke Water Works has to have authorization to operate within the right of way which is how the courts interpret the statute. Mr. Brasley stated that they were not aware of that but that if Allenstown is fine with the wording, then they do not have any issues with the wording.

Mr. Mulholland stated that it comes from the heart of the Fairpoint litigation. He stated that there are two issues here; one to get the agreement and the second is to tax those people who should be taxed.

Motion. Mr. Gryval made a motion to grant the Pembroke Water Works Utility Agreement. Ms. Walker seconded the Motion. There was no additional discussion.

Close Public Hearing on amendment to Solid Waste Ordinance

The Chair closed the public hearing on Solid Waste. He asked if the Board if they want to make a decision on this tonight or to discuss it another time. Ms. Walker stated that she wants to wait to discuss this more. The Board determined to discuss this further at another time. Mr. Mulholland stated that he will post it in the newspaper as well so that they can see the decision made.

Mr. Alexander asked if they discuss that in public or not. Mr. Gryval stated that they will discuss it in public.

Close public hearing to accept the unanticipated funds.

The Chair closed the public hearing.

Motion. Mr. Gryval made a motion to approve the unanticipated funds in the amount of \$13,870 and \$18,280. Ms. Walker seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

Department Goals and Objectives for 2014

Mr. Mulholland stated that he worked with the department heads to develop the goals and objectives for 2014. He stated that they developed a number of them. The Chair asked the Board if they had any questions for the Department Heads regarding their goals and objectives for 2014.

Mr. Gryval asked Chief Paquette about the accreditation for the Police Department is something that he thinks that they can get done this year. Chief Paquette stated that he is not very familiar with all of that right now but that he thinks that they can get it done this year. He stated that he and Lt. Stark will be attending a seminar next month on accreditation to try to get a better idea of what needs to be done.

Mr. Gryval asked how the tablet project has been going. Chief Paquette stated that they are online and that the officers are using them. He stated that the last cruiser is getting outfitted for it. He stated that next week they should be able to show the Board how the tablets work.

The Chair stated that he doesn't see any goals and objectives for the Highway Department. Mr. Mulholland stated that they are listed. He stated that they have the creation of automation of road files, MS-4 Storm Water Management Plan, SRTS Phase II, and curbside collection contract.

Mr. Gryval asked Chief Pendergast what he means by organization of the second floor. Chief Pendergast stated that second floor of the station has a bunch of junk up there. He stated that he wants to clean it out and organize the chaos up there.

The Chair asked how the goal of the Fire Department Inspector and Safety clients was going. Chief Pendergast stated that is in process right now. He stated that they are breaking down commercial properties into areas and do different areas each month. He stated that unless it is an emergency, he doesn't plan to go in right away and shut anything down.

Mr. Gryval asked the Road Agent about the creation and automation of road files. Mr. Pelissier stated that UNH started a study where they listed all the roads and their conditions, lengths and widths. Mr. Gryval asked what they are going to do with the information now. Mr. Pelissier stated that they are going to get it into VUEWorks. Mr. Mulholland stated that this also refers to the automation of the road files here. He stated that file has already been started and that if you go to look up a roadway, the documents for it go into the file. There was further discussion of the VUEWorks software and the capabilities of it.

The Chair asked about boat registrations. Mr. Mulholland stated that it is something that is not going to cost them any money but that it is something they can offer the residents. The Chair asked if it is really going to take six months to work on. Mrs. Demers stated that it is because of the training that Ms. Rogers has to get with the State.

The Chair asked about the PD Community Meetings. Chief Paquette stated that they are holding meetings to inform residents of what they are doing over at the PD and where they are going in the future. He stated that they will be doing a meeting next week.

Mr. Gryval stated that they have a goal of completing an inventory of all of their equipment and asked if it is really going to take nine and a half months to do it. Chief Pendergast stated that they don't have a full inventory of their equipment. He stated that they need to number all of the equipment and go through the expired equipment. Ms. Walker if that inventory is going to be in a centralized location. Chief Pendergast stated that they have software that allows them to track inventory.

Mr. Mulholland asked if the Board concurs with the goals and objectives of the Department Heads and they may continue on the path that they are on. The Board agreed that they are concurrent with the goals and objectives of the Department Heads.

Approve Budget Allocations for Departments for 2014

The Chair asked what the Board's opinion on the budgets. Mr. Gryval stated that it is his opinion that the voters have spoken and that they don't want to see the tax cuts that they worked to try to get. He stated that he thinks that they need to take their vote seriously and put the money into the areas of the default budget where it needs to go back. Ms. Walker stated that she agrees with Mr. Gryval. There was discussion of some budget lines that will be over expended and others that will be under expended.

Mr. Gryval stated that one of the good things about the voter's decision is that a number of the departments that they cut significantly will go back to the default which will allow those departments to function a little better.

The Chair asked if they need to make a motion to that. Mr. Mulholland stated that they just need to tell them so that they can go back and put the numbers back to the default amount. The Chair asked if they have any thoughts on where to move the money around. Mr. Mulholland stated that they will need to move money around and that it is just a matter of whether or not they physically move the money around.

Mr. Gryval stated that there is \$193,247 above what the Select Board had recommended which is what will go back in. Mr. Irzyk stated that the Select Board has the power to re-establish those budget lines as to what they want it to do. He asked what the difference was between the Select Board's budget and the Budget Committee's budget that went before the ballot. Mr. Mulholland stated that the amount was \$155,540. Mr. Gryval stated that the major cut to that was the Fire Department that was made.

Mr. Irzyk stated that he trusts the people that he elected to sit there to expend the budgetary funds rather than arbitrarily allocate them into the budget lines. Mr. Gryval stated that for tonight's purposes they have to put it somewhere but that it will get moved around during the year. He stated that they are not going to spend the money just to spend it. Mr. Mulholland stated that it is a lot cleaner to leave the lines the way that they are.

Mr. Eaton stated that they scheduled a meeting for April 24, 2014. He asked that they have a spreadsheet with the new numbers before the meeting. Mr. Mulholland stated that he will get the spreadsheet and an expenditure sheet before the meeting.

Chief Pendergast updated the Select Board that they entered into an agreement with Richie Brothers the other day for the engine. He stated that it will be leaving tomorrow for the auction. He stated that all the paperwork will be going with it. He stated that the auctioneer thinks that it may go to a collector because it is an original American Le France.

Posting Road Limits

The Chair asked if they have a certain process that they are supposed to follow as far as notification and timeframe. Mr. Mulholland stated that the process is that the Road Agent is supposed to make a recommendation to the Select Board; the Select Board then approves it, and getting advanced notice out to those that continue to use the roadway so that there is an opportunity to get a waiver if needed.

The Chair stated that they can't just post the roads without notice ahead of time. Mr. Pelissier stated that it happens all the time over the entire state. The Chair stated that they should have some type of notice that the roads will be posted at a certain time period. Mr. Pelissier stated that they aren't going to be able to notify everyone but that they can put it on the website. There was discussion of notifying people in advance about posting the roadways.

Ms. Walker asked how this affects the residents on those roads. Mr. Mulholland stated that it affects the residents by damaging the roadways and the town doesn't have the money to fix the roadways. He stated that if they post a road and someone is given a waiver, they can put restrictions on that waiver and require a bond to pay for the destruction of the road. He explained that giving advanced notice allows for people to come before the Select Board with any issues regarding a waiver that they may have.

The Board determined to post the four roadways with a sign that indicates a week's notice of the posting. The roadways to be posted would be Mt. Delight, New Rye Road, Podunk Road, and Dodge Road starting April 7 to June 1, 2014.

Motion. Mr. Gryval made a motion to post New Rye Road, Mt. Delight, Podunk Road, and Dodge Road to be closed to weight limits over 6 ton from April 7 to June 1, 2014. Ms. Walker seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

There was discussion of posting the roads next year. The Chair stated that they will post the roads next year from March 1, 2014 to June 1, 2014 but that the Road Agent still needs to come to them with what roads need to be posted.

Appointment of Officials to Parks & Recreations Commission

Motion. Mr. Gryval made a motion to appoint Carl Schaeffer as Parks & Recreation Commissioner with a term to expire on April 1, 2017. Ms. Walker seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

Discuss acquisition of Highway Truck

Mr. Pelissier stated that the truck has been upgraded to a nine series. He stated that they were able to get quite a few upgrades and some additional pieces for the sander and plow package. He stated that they came in under budget by about \$3,000 to \$4,000. Mr. Mulholland stated that the lease agreement is better than they thought because they were able to negotiate last year's rate which puts them under budget.

Mr. Gryval asked if this is one of the things that the people voted it in so they have to spend that amount of money. Mr. Mulholland stated that they have to raise the amount of money but that they are not going to spend the full \$36,000.

Mr. Gryval asked if the town logo and similar items would come out of that amount. Mr. Pelissier stated that they have enough stickers here so that they don't need to buy any more.

Mr. Mulholland stated that they will tell Liberty to order the truck and that it will be delivered to Fairfield where it will be upgraded. He stated that a lease agreement will come to them to sign at some point. Mr. Pelissier stated that it will be ready in July or August. Mr. Mulholland asked who they want to sign the contract. The Board authorized Mr. Mulholland to sign the contract.

Discuss assisting the school with gating the access to Ferry Street

Mr. Gryval asked Mr. Irzyk if he had anything that he wants to discuss with them. Mr. Irzyk stated that he just wanted to follow up with them regarding their earlier conversation. He stated that he will follow up with a formal letter requesting their assistance gating the access to Ferry Street. There was further discussion of making sure the property owner is not in the way when they block it off.

Town Administrator's Report

Boys and Girls Club Land Donation

Mr. Mulholland stated that the Boys and Girls Club had a meeting today with the Board of Directors and Nobis Engineering in regards to the proposal to donate land to the town. He stated that while they appreciate the donation to the town, it is not in their best interest to receive the land. He explained the issues with utilities, sidewalks, swamp land and other reasons.

Mr. Mulholland stated that the Board of Directors determined that the donation was not appropriate and that they had all agreed that the Whitten St Park was the best piece of land to do that. He stated that they are back on track with focusing on that. He stated that the application for the CDFA tax credits will be submitted on time and they are moving forward as planned.

Consent Calendar

Mr. Mulholland stated that there are a lot of things that came in today that are in the Consent Calendar.

The Chair asked why there is a letter from 2011 in the Consent Calendar. Mr. Mulholland stated that it should be attached to another piece and that the taxes are paid up on that. He stated that the owner is requesting abatements on homes that have been abandoned. He further explained that even though someone applies for a demolition permit it does not take the structure off the tax rolls. He explained the process of getting the properties off of the tax rolls.

Mr. Mulholland stated that in this case, the home is still on the abandoned property. He also stated that they need to fix this because the owner is getting a lot of tax bills for homes that are no longer there and they are not reporting more properties to be part of their tax warrants which gives a false assessed value of properties.

Mr. Gryval asked if they ever approved the person who was interested in being the Deputy Emergency Management. Mr. Mulholland stated that they did. He stated that they only did the appointment to June 1, 2014. He also stated that he will add her name to the website.

Motion. Mr. Gryval made a motion to approve the Consent Calendar of March 31, 2014. Ms. Walker seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

Senate Bill 236 proposed Amendment

Mr. Mulholland stated that he received an email from Mr. Johnston from NH Municipal Association. He stated that they are proposing that they add in an amendment to Senate Bill 236

that would allow for towns and budget committees to change their recommendation otherwise it will be 2016 until that comes along.

Mr. Gryval stated that he saw that the bill that was proposed about noticing meetings was killed. Mr. Mulholland stated that there were a lot of bills that were killed. Mr. Gryval stated that it was their Representative Turcotte to bring that up as a concern and that they actual killed that.

Mr. Mulholland stated that he plans to attend the House hearing tomorrow and see how it goes.

Review and Approve Minutes

Mrs. Hetu asked Mr. Mulholland if he had minutes. Mr. Mulholland stated that he only has minutes from March 10, 2014 but that he does not have the minutes from March 17, 2014. Mrs. Hetu stated that she would resend the March 17, 2014 minutes to him.

The Chair asked if they should have a statement indicating that Mrs. McKenney left during the meeting. Mr. Mulholland stated that it doesn't show it but that she is not in the rest of the votes. He stated that they could handwrite that in there if they want it in there. Mrs. Hetu stated that she can write it in there next time when a Selectman leaves the meeting.

Motion. Mr. Gryval made a motion to accept the minutes of March 10, 2014 as written. Mr. Tardiff seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Abstained. The Chair declared the Motion passed.

Non-public Session I

Motion. Mr. Gryval made a motion to go into non-public session under RSA 91-A:3,II(d) at 8:00pm. Ms. Walker seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

Motion. Ms. Walker made a motion to come out of non-public session at 8:12pm. Mr. Gryval seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

Motion. Mr. Gryval made a motion to seal the previous set of non-public minutes because it is a contract negotiation. Ms. Walker seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

Motion. Mr. Gryval made a motion to enter into the Purchase and Sales agreement for the sale of property located map 409 lot 5 and to authorize Mr. Mulholland to sign the Purchase and Sales Agreement contingent upon the Select Board reviewing the final form of that Purchase and Sales Agreement. Ms. Walker seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

Non-public Session II

Motion. Mr. Gryval made a motion to go into non-public session under RSA 91-A:3,II(e) at 8:15pm. Ms. Walker seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

Motion. Mr. Gryval made a motion to come out of non-public session at 8:35pm. Ms. Walker seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

Motion. Mr. Gryval made a motion to seal the previous set of non-public minutes because it is an ongoing litigation except, if the Board agrees, to have the Town Administrator to draft a summary of the previous non-public to be entered into the permanent minutes of this meeting. Ms. Walker seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

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

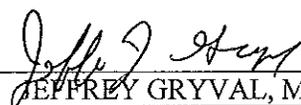
A Roll Call Vote was taken: Mr. Tardiff-Yes, Mr. Gryval – Yes, and Ms. Walker - Yes. The Chair declared the Motion passed.

The Chair adjourned the meeting at 8:36pm.

TOWN OF ALLENSTOWN
SELECTBOARD
PUBLIC MEETING MINUTES

March 31st, 2014

Signature Page

Original Approval:	
 JASON TARDIFF, Chair	4-28-14 DATE
 JEFFREY GRYVAL, Member	4-28-14 DATE
KATE WALKER, Member	DATE

Amendment Approvals:		
Amendment Description:	Approval:	Date:
	JASON TARDIFF, Chair	DATE
	JEFFREY GRYVAL, Member	DATE
	KATE WALKER, Member	DATE

