

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

Minutes of Regular Meeting
August 8, 2011

Call to Order.

The Allenstown Select Board Meeting for August 8, 2011 was called to order by the Chair at 6:03 p.m.

Roll Call.

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

Others Present.

Residents of Allenstown: Germaine T. Towle; Lisa M. Towle; Dylan Lambert; Mr. and Mrs. Aaron Lambert and family; Steve Rapisarda

Others Present: Elizabeth D. McCormack, Esquire, Cleveland, Waters & Bass, P.A.

Other Public Officials: Ron Pelissier, Road Agent; Carol Merrill, Budget Committee; Richard Merrill, Sr., Planning Board;

Allenstown Staff: Chief Rob Martin, AFD, Lt. Paul Paquette, APD;

Citizens Comments.

The Chair called for citizens' comments. Mrs. McKenney spoke about the poor quality of the audio recordings of the Select Board meetings. She said she was going to reposition the recorder closer to Mr. Apple, and that when a member of the audience was speaking, they needed to step forward, closer to the recorder in order to be heard. Additionally, she had turned off the air conditioner to cut down on the background noise. Lastly, she noted that a new digital recorder had been purchased, but was not yet in use. She said its software would be downloaded soon so it could be put to use, which should improve upon the quality of the audio for future meetings.

Richard Merrill then spoke about a topic discussed at the July 25 Select Board meeting, that being the appointment of a Financial Services Provider. He said Mr. Apple had also discussed this back in April at the first Planning Board meeting, and had noted the cost of some of the options available to the town at that time as well. Mr. Merrill was concerned about the cost of continuing on with Mr. Smith's services, which is \$45.00 per hour, at 8 hours

per week, which figures out to be \$1,440.00 per month. He said that after leaving the July 25 meeting, he had recalled the discussion in April, and how he and several other members of the Planning Board had clearly expressed to Mr. Apple that they wanted him to research some less expensive options before committing to any further contract with Mr. Smith.

Mr. Merrill said he had hoped to address this with Mr. Apple at that evening's meeting, but as he was not in attendance, he was speaking his piece for the record. He wanted to ensure that the Select Board was made aware that he was in full agreement with Mr. Gryval's concerns about continuing with Mr. Smith, as he had expressed at the July 25 meeting. His feeling was that Mr. Apple had not made an effort to research less expensive options as directed by the Planning Board back in April, and again by the Select Board shortly thereafter.

Mrs. Merrill also commented on the matter, reminding everyone that when the Select Board had approved of hiring Mr. Smith, it had been noted that he was being hired on a *temporary* basis. He was brought in at a time when the town's financial records were in complete disarray due to the poor practice of the previous bookkeeper, and it was his job to straighten out the books. He was also expected to train an Allenstown employee to perform the tasks correctly, after which his services would no longer be needed.

Mrs. Merrill opined that continuing to pay such an exorbitant rate for a Financial Services Provider whose purpose was fulfilled long ago was very unfair to the taxpayers. She further expressed that everyone should take an interest in the matter and convey their opinions and ideas about it to the Select Board.

Public Hearing I.

This Public Hearing is regarding a request by Mr. Robert Towle and Ms. Germaine Towle for the Town of Allenstown to release a right-of-way upon their property, located at 25 Whitten Street, and noted as Lot 1, Map 111.

The Towle's attorney, Elizabeth McCormack of Cleveland, Waters, and Bass, spoke on their behalf. She stated that the right-of-way in question was very old; in fact it was established in 1937. She reviewed the history of the properties surrounding the right-of-way and explained that it had been created in order to access a lot which resulted from the subdivision of a large parcel of land owned by Suncook Mills. There was one lot (#13) that resulted from this subdivision for which there was no road access, therefore a right-of-way was created and later named Reynolds Avenue.

In 1976, Cat's Paw Construction purchased a large parcel of land in the area of Reynolds Avenue, including Lot 13. In 1977, Reynolds Avenue was extended after a new house was built there, and the right-of-way (as well as some surrounding acreage) was conveyed to the Town of Allenstown. A new Subdivision Plan was created in 1988 when Cat's Paw Construction was further dividing their parcel which made it clear that the right-of-way was no longer relevant due to the development of the area since its inception as well as

the extension of Reynolds Avenue. Mr. Towle and Ms. Towle are requesting that the Town of Allenstown release this right-of-way due to the fact that it is no longer used or usable.

At that point, Mr. Tardiff asked if there were any questions from the Board, which there were not, so the topic was opened up to the public. There were several questions from residents asking Ms. McCormack to clarify the points of interest shown on the map, which she did. She also pointed out that the total area in question amounted to approximately 112 square feet.

There were no further questions or discussion, so Mr. Tardiff elected to move on to the next Agenda item, leaving Public Hearing I open in the meantime.

Public Hearing II.

Regarding changes to the Hawkers and Peddlers Ordinance set out in Chapter 711 of the Municipal Code of Ordinances. The proposed change is to the definition of "peddler" by removing the words "vegetables, fruits, garden truck, farm products, provisions" so as to exclude farm stands from the permit requirement contained in the ordinance.

Quite simply, the removal of these words will enable residents and nonresidents to sell vegetables and fruits from their gardens, farm vehicles, etc. on the side of the Road without having to obtain a permit to do so.

Select Board members had no questions, so the topic was opened up to the public. The only question raised was regarding whether or not the change would apply to only residents or not, and it was determined that it would also apply to nonresidents, as long as they were not trespassing on the location at which they were selling their items.

There were no further questions or discussion, so Mr. Tardiff elected to move on to the next Agenda item, leaving Public Hearing II open in the meantime.

Public Hearing III.

Regarding the adoption of an ordinance regulating second hand dealers and pawnbrokers. The intent of the ordinance is to establish a system which fairly and impartially regulates retail transactions of a pawn or secondhand nature for the purpose of identifying stolen property unintentionally received by the regulated parties and detecting regulated parties intentionally transacting business in stolen property.

Lt. Paquette explained the purpose of the new ordinance and gave the reason for its adoption, saying that some items had been sold recently by a dealer, only to find out a day later that the items had been reported stolen.

Select Board members had no questions, so the topic was opened up to the public. There were no questions or discussion, so Mr. Tardiff elected to move on to the next Agenda item, leaving Public Hearing III open in the meantime.

Execution of Letter of Appreciation for Joyce McKay.

Mrs. McKenney explained that Ms. McKay, a longtime resident of Allenstown, was retiring from her position at the State of NH and planning to move to

Illinois. The purpose of the letter was to acknowledge her work with the Steering Committee for the Old Allenstown Meetinghouse and to congratulate her on her retirement. Select Board members each affixed their signatures to the letter.

Consideration of Resignation of Call Firefighter.

Select Board members had already reviewed a copy of the Letter of Resignation from Thomas D. Kaempfer, and were prepared to accept it.

Mr. Gryval made a Motion to accept the resignation of Call Firefighter Thomas D. Kaempfer effective July 22, 2011. 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.

Discuss June 13 Minutes.

Mrs. McKenney said she had attempted to listen to the audio recording of the June 13 meeting but it was barely audible. She said she was prepared to vote on it as amended at the last meeting without discussion.

Mrs. McKenney made a Motion to approve the amended minutes of June 13, 2011 as written. Mr. Gryval seconded the Motion. A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Purchase Orders, Abatement Requests, Other Business.

Mr. Apple hadn't left any paperwork to be addressed at the meeting; however Lt. Paquette had just submitted a Purchase Order for work on one of the cruisers, Unit #1. Although it had not been submitted by the Wednesday deadline, the Board accepted it for review that evening since it was filed on an emergency basis.

The Board signed the form, and then Mrs. McKenney made a Motion to go forward with auto body repairs for Cruiser 1 at a cost of \$3,839.00. Mr. Gryval seconded the Motion. A Roll Call Vote was taken: Mr. Tardiff-Yes; Mr. Gryval-Yes; Mrs. McKenney-Yes. The Chair declared the Motion passed.

Review Application for Raffle Permit.

The Allenstown Historical Society was requesting to hold a raffle at their car show the following Saturday, August 13.

Mr. Gryval made a Motion to grant the permit for Allenstown Historical Society for August 13 with a rain date of August 14, 2011 for a raffle and a 50/50 raffle at their car show. 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.

Review Adoption of National Incident Management System.

The Select Board was already familiar with the topic, as they had reviewed the details previously. Mr. Gryval made a Motion to accept the Resolution of

Adoption of the National Incident Management System. 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.

Public Hearing I (Revisited).

There were no further comments from the public on the right-of-way issue, so Mr. Gryval made a Motion to close the Public Hearing on the release of the right-of-way from 25 Whitten Street. 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.

The Board also had nothing further on the topic, and Mr. Gryval made a Motion to grant the release of the right-of-way described in the Registry of Deeds Book 548, Page 166 for 25 Whitten Street to Robert L. Towle and Germaine G. Towle, Trustees of the Robert L. Towle Family Trust. 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.

Public Hearing II (Revisited).

There were no further comments from the public on the Hawkers and Peddlers Ordinance, so Mr. Gryval made a Motion to close the Public Hearing on the Hawkers and Peddlers Ordinance. 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.

The Board also had nothing further on the topic, and Mr. Gryval made a Motion to amend the Hawkers and Peddlers Ordinance, removing the words "vegetables, fruits, garden truck, farm products, provisions" from the definition of "peddler". 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.

Public Hearing III (Revisited).

There were no further comments from the public on the second hand dealers and pawnbrokers ordinance, so Mr. Gryval made a Motion to close the Public Hearing on second-hand dealers and pawnbrokers. 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.

The Board also had nothing further on the topic, and Mr. Gryval made a Motion to accept the adoption of the ordinance regulating second hand dealers and pawnbrokers as written. 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.

Presentation of Citation for Dylan Lambert.

Mrs. McKenney explained that on July 15, 2011, Dylan Lambert had observed his younger brother Clayton choking on a foreign object. He quickly reacted,

giving Clayton the Heimlich Maneuver and saving his life. He was presented with the citation and everyone applauded.

All in attendance gave their congratulations and praise to Dylan.

Approve Purchase of Property by Town.

Mr. Gryval made a Motion to approve of the purchase of 1 Riverside Drive under the FMA Grant and to authorize Mr. Tardiff, as Chair of the Board of Selectmen to sign the paperwork at closing. 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.

Other Business.

Ron Pellissier was in attendance with a Personnel Action Form for a salary increase for Alan Turcotte n exemplary employee during his year of employment. The Select Board readily agreed that he was very deserving of the increase, citing his work on the new recycling program.

Mr. Gryval made a Motion to increase the hourly rate of Mr. Turcotte of the Highway Department from \$10.00 per hour to \$11.00 per hour, effective August 1, 2011. 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. Pellissier took a few minutes discussing a drainage issue with the Select Board. No action was taken regarding it at the time, but he said he would be looking into the particulars of the job.

Approve Agreement Regarding River Gauge.

Mr. Gryval reviewed the topic, pointing out that a grant was received for the acquisition of the gauge and for the first 3 years' maintenance. The grant funds will be used to pay the obligations via a joint fund. It had been recommended that the Board approve the Joint Fund Agreement and authorize Chief Mulholland to sign on the Town's behalf.

Mr. Gryval added that since the Board had already discussed this and decided to approve it, this was just to formalize things. All were in agreement, so Mr. Gryval made a Motion to approve the Joint Fund Agreement and authorize Chief Mulholland to sign it. 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.

Approve Generator Maintenance Agreement.

Mr. Gryval said it looked to him, after reviewing the bids, that if they went with the least expensive bid, that being from Powers Generator Service, all of the town's generators could be serviced for what has been the rate to service the Police Department's generator alone. The proposed agreement would include service for the generators at the Town Hall, the Police Station, and the three at the Fire Station. After a brief discussion amongst the Board members,

they agreed that contracting with Powers Service would be in the best interest of the town.

Mr. Gryval made a Motion to approve the contract for Powers Generator Service Maintenance as of July 28, 2011 in the amount of \$1,630.00 total and to authorize Chief Mulholland, as Emergency Management Director, to sign on behalf of the Town. 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.

Discussion of Joint Meeting with Pembroke Select Board Regarding Tri-Town Ambulance.

Mr. Tardiff pointed out that he didn't want to spend time at the current meeting discussing the fine points of the Intermunicipal Agreement. He felt it most important to discuss any possible issues that could arise in the future.

Mr. Gryval offered that the previous week, he, Mr. Apple, Chief Martin, and Eric Lambert met to discuss the upcoming negotiations with Pembroke. He explained that the copy of a proposed Intermunicipal Agreement that Mr. Apple had forwarded to the Board to review was actually drafted prior to Tri-Town being hired by the Pembroke Fire Station. Because of this, he said, that agreement does not cover a lot of things that now have to be taken into consideration.

Talk turned to what approach to take at the next joint meeting on August 22. Mr. Gryval opined about how he thought it should go. First, he said, they could sit down and remind the Pembroke Select Board that the Allenstown Select Board had sent them a letter stating that they want to work with Pembroke to try to enter into an Intermunicipal Agreement, however, nothing has really progressed on Tri-Town's part.

Mr. Tardiff said it was important to remember that Allenstown needed not just ambulance service, but also a solution to the second response time issue, with which Pembroke has not had any problems. He reminded everyone that Pembroke was not going to be the deciding factor in what Allenstown does; Allenstown will decide what is needed in Allenstown, and then will find the best way to acquire what is needed.

All three Select Board members expressed concerns over making it work with Pembroke, but also their hope that an amicable agreement could be reached that would benefit both towns equally. The ideas of asking the residents of Allenstown what they all wanted and putting the issue on the ballot for a final decision were raised as possibilities.

Board members spent some time discussing some of the things that should be included in an Intermunicipal Agreement with Pembroke. Talk eventually turned to the appointment of an Oversight Board to "manage" the creation of an Intermunicipal Agreement, and who would be on such a Board.

Larry Anderson asked for clarification on the main issues with entering into an Intermunicipal Agreement, that is, what were the major problems that had to be solved. Mr. Gryval explained the basics of what was going on with Tri-

Town (as far as the exorbitant costs involved with the running of the service and the difficulties they are facing in the current economy). He explained how an Intermunicipal Agreement between Allenstown and Pembroke would benefit Tri-Town in that if their employees were employed by a municipality rather than a for-profit entity, there were many things that would then be funded by the state/federal government. He then took a few minutes to list just a fraction of the many different items that would cost money in the running of the service, then asking how much of each of those individual costs would each of the towns involved have to pay?

This led to some brainstorming amongst all attendees about how some of those cost items would be addressed, using the current investment model of Allenstown paying for 42% and Pembroke paying for 58% of the contract with Tri-Town.

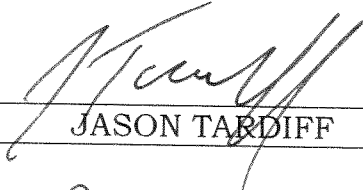

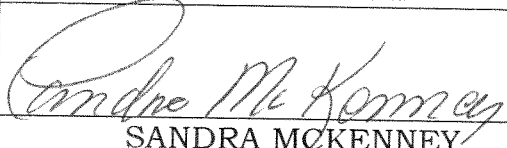
Everyone who got involved in the conversation found out how difficult it was to discuss the broad points without getting caught up in the finer points. The multitude of caveats that would need to be considered and negotiated before entering into an agreement seemed almost overwhelming to those involved in the conversation.

The Select Board ended the conversation with a list of notes and points to touch upon at the August 22 meeting with Pembroke.

Adjournment.

Mr. Gryval made a Motion to adjourn. 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, and the meeting adjourned.

Signature Page.

Original Approval:	
 JASON TARDIFF	9.19.11 DATE
 JEFF GRYVAL	9-19-11 DATE
 SANDRA MCKENNEY	09-19-11 DATE

Amendment Approvals:		
Amendment Description:		
	JASON TARDIFF	DATE
	JEFF GRYVAL	DATE
	SANDRA MCKENNEY	DATE

Resolution

Adoption of the National Incident Management System

It is hereby resolved by the Town of Allenstown, New Hampshire that:


WHEREAS; Emergency response to critical incidents, whether natural or manmade, requires integrated professional management, and

WHEREAS; Unified command of such incidents is recognized as the management model to maximize the public safety response, and

WHEREAS; The National Incident Management System, herein referred to as NIMS, has been identified by the Federal Government as being the requisite emergency management system for all political subdivisions, and

WHEREAS; Failure to adopt NIMS as the requisite emergency management system may preclude reimbursement to the political subdivision for costs expended during and after a declared emergency or disaster and for training and preparation for such disasters or emergencies.

THEREFORE; It shall be the public policy of this municipality to Adopt the NIMS concept of emergency planning and unified command. It shall further be the policy of this municipality to train public officials responsible for emergency management.



Chairman, Board of Selectmen



Board of Selectmen



Board of Selectmen

Attest: 

Diane Demers, Town Clerk

Adopted, this day of 8.8.11