

TOWN OF ALLENSTOWN
Selectboard Meeting Minutes
TOWN HALL
16 School Street
Allenstown, NH 03285
May 1, 2023

Call to Order

The Allenstown Selectboard meeting of May 1, 2023, was called to order by Chair McDonald at 6:05 pm.

Chair McDonald called for the Pledge of Allegiance.

Roll Call

Present on the Board: Chair Scott McDonald, Maureen Higham, Jim Rodger, Keith Klawes, Sandra McKenney (remote).

Allenstown staff: Derik Goodine, Town Administrator, Chief Erik Lambert, Brian Arsenault, Building Inspector and Code Enforcement Officer, and Chad Pelissier, Road Agent joined the meeting at 6:11 pm.

Other: Diane Adinolfo, Planning Board Chairwomen and Ron Adinolfo, Chair of the Trustees of the Trust, and member of the Economic Development Committee

Chair McDonald made a Motion that Ms. McKenney be allowed to vote remotely.
Maureen Higham seconded the Motion.

A roll call was taken.

Scott McDonald, Aye
Sandy McKenney, Aye
Jim Rodger, Aye
Maureen Higham, Aye
Keith Klawes, Aye

The motion passed.

CITIZEN'S COMMENTS

None

NEW MINUTE TAKERS INTRODUCTIONS AND HIRES

Mr. Goodine stated that there was supposed to be two present, but Joan Monaco is here, and Sarah Dlubac hasn't joined yet. He interviewed Joan a couple of weeks ago, and she has done some test minutes and did a good job, and Sarah has also done some and is doing a good job. Sarah is fairly new at doing minutes, and Joan has done them in the past. They seem to both have the hang of it. So, he will introduce Joan. Joan told the board a bit about herself. Ms. McKenney asked if she had done minutes before and had she done planning and zoning board minutes. Joan explained the minutes she had done

in the past, although not planning and zoning. Chair McDonald mentioned they would try to make an effort to state their name when speaking.

VOLUNTEER ASSISTANT FOR TRUSTEES OF THE TRUST

Ron Adinolfo, Chair of the Trustees of the Trusts, stated that they have voted to bring Michael O'Meara on as volunteer administrator and gave an update of what they have been doing. They are having a meeting on the 24th of May to vote on funds for the library as they are doing repairs. If Derik or the board could let the other department heads know if they need to pull any money in from the capital funds to get it in to the Selectmen, and they will try to take care of it. Also investigating the Cemetery Trust Funds as some of the funds for perpetual care are not ours. They are working through that to get it sorted out. If the Selectboard needs any help just let them know.

Ms. Higham made a Motion to appoint Michael O'Meara as volunteer administrator of the Trustees of the Trusts. Mr. Klawes seconded the Motion.

A roll call was taken.

Scott McDonald, Aye
Maureen Higham, Aye
Sandra McKenney, Aye
Jim Rodger Aye
Keith Klawes, Aye

The motion passed.

PURCHASE POLICY CHANGES APPROVAL

Mr. Goodine presented the an Purchase Policy to the Board which would replace the 2019 updated originally done in 2013. It changes the Department Heads authority to purchase up to \$2,000 instead of \$1,000, and the threshold for the Town Administrator approval would go from \$3000 to \$5000 for Department Head purchases. Anything over \$5,000 needs BOS approval. These changes were previously approved but are now incorporated into the document.

On the last page of the policy Section 5.4, has been edited and is being proposed as exceptions to the policy. Yearly Budgeted Dues, Subscriptions, Computer Services Contracts are to be included as items that are already budgeted as part of the budget process and included as exceptions for PO's. Of course, the BOS still approves those expenses as they come through the manifest.

Chair McDonald made a Motion to accept the changes to the Purchase Policy.
Ms. Higham seconded the Motion.

A roll call was taken.

Scott McDonald, Aye
Maureen Higham, Aye
Sandra McKenney, Aye
Jim Rodger Aye
Keith Klawes, Aye

The motion passed.

ZBA AND PLANNING BOARD MEMBERSHIP DISCUSSION

Diane Adinolfo thanked the Board for putting her on the agenda. She attended the New Hampshire Municipal Association for officials' workshop on April 6, 2023. She gave the board a copy of her notes. The speaker was Steve Buckley of New Hampshire Municipal Association. She stated that one of the things that came up when talking about a couple of boards, including Planning and Zoning, was that it is not a good idea for her to be on the Planning Board and to be the Planning Board rep to the Zoning Board. These two boards should be independent groups of people. Buckley also said that members of the Selectboard should not be on committees, although it is not prohibited by the RSA. She asked if it is a bad idea because of a problem or just a bad idea in general. Mr. Buckley stated it is a problem because of the control. Ms. Adinolfo stated she wanted to bring it to the board for discussion. Chair McDonald asked if Mr. Buckley had a recommendation on how to get more people involved and on the committees.

Ms. Adinolfo also attended the workshop last Saturday and took the ZBA track. The speaker was Chris Bolt. He stated a member of the Selectboard can be on the Zoning Board.

Mr. Goodine stated that Mr. Bolt is one of our attorneys. It comes down to a recommendation of possible conflict of interest. There would still be the concerns as Mr. Buckley spoke about, but nothing illegal about being on both. He is surprised that in NH a member of the Planning Board can be on ZBA as they hear cases that have already gone to the Planning Board, and he was an appellant, he would want everyone hearing his case to the ZBA to be fresh and not someone who already voted against it while sitting on the Planning Board. He would want the Planning Board member to abstain and have an alternate participate.

Mr. Arseneault stated that not all cases that go before the ZBA have already gone before the Planning Board.

Ms. McKenney stated that ZBA has had a Planning Board member on their board since at least the 1990s with no issue but feels in the case of the Selectboard it may be better to take the safe route so there are no issues.

Ms. Higham stated that in the past they had advertised for ZBA members and Planning Board members. They had a good response but as the process went on the numbers dwindled. They ended up with a full Planning Board and two alternates and a full ZBA but with no alternates.

Mr. Goodine suggested advertising again for ZBA only in hopes of getting two alternates for the board.

Chair McDonald asked how it is determined if someone has a conflict of interest? Who makes the decision.

Mr. Goodine asked Ms. Higham what is the juror standard?

Ms. Higham stated it is what you want it to be. The judges may make a statement about a possible conflict and ask if either side has a problem with it and if all say no it moves forward.

Mr. Goodine stated that the board member would have to disclose any possible conflict and then it is the

burden of the applicant to decide if they are ok with going forward or want to find another to hear the appeal.

Ms. Adinolfo stated she was looking at the Planning Board's RULES and procedures and feels they need to be updated. She suggested we put in some language regarding what the process is if there is a conflict of interest. The board member would give a description of the conflict and the applicant must decide and state if they feel there is a conflict.

Mr. Arsenault stated that he hears everyone's concern and feels when the meeting is opened you just discuss any potential conflict of interest and ask the applicant if they feel comfortable moving forward. Then the Board is asked if they are comfortable moving forward as well. It is voted up or down and then the issue is vetted, and the case moves forward.

Ms. Adinolfo stated that she found the Planning Board rules and procedures online but did not see any for ZBA. If there are none, they need to be done. She will also look at updates needed on the Planning Board as well.

She also informed the Board that if any areas are not accessible to the public they needed to be labeled as such. Any rooms that have personnel records etc.

NATURAL GAS CONTRACT AUTHORIZATION FOR TA TO SIGN AN AGREEMENT

Mr. Goodine stated that the contract was signed over three years ago, and they are now starting to creep up. Ours expires in about three months and our energy bills for natural gas suggest we might want to get ahead of this now. So basically, you would need to authorize me to sign this contract because literally today if I were to request it at 10 it expires at 3 so the big question is, right now today, last week was at 7.25¢ or something like that. For 15 months it would be .7368 a therm and for 28 months it would be .7844.

If we go with the 28 months, it will hold more value and is a better option as it covers two winters when gas prices are at their highest and the US is currently building three more natural gas export terminals in the next 18 months. In the last three years we have gone from not exporting gas to being the world's largest exporter with more to come. If priced 7 or 8 weeks ago we would have been looking at more like 90¢ per as a rate. Paying a little higher in the end and going longer would be a better move with everything that is happening and with future projections.

His question is do we do 15 months or 28 months?

Ron Adinolfo stated that at the last power meeting, Bob from Standard Power mentioned that right now there is a glut of natural power in the country and said they store this in salt mines. Every salt mine where they store it is absolutely full and so now, they are trying to export some of this because of the overload. So right now, there is a very big surplus of natural gas according to what he was telling us at the last power meeting.

Mr. Klawes made a Motion to let the Town Administrator sign a contract for 28 months for our natural gas or whatever is best at the time of signing. Ms. Higham seconded the Motion.

A roll all was taken.

Scott McDonald, Aye
Maureen Higham, Aye
Sandra McKenney, Aye
Keith Klawes, Aye
Jim Rodger, Aye

The motion passed.

KETTLE ROCK ROAD UPDATE

Mr. Goodine stated that our historian took the information he gave her, but was unable to get back to him for tonight's meeting. However, she, the historian, has some info that she believes shows it is a Class VI road. Goodine is waiting on some documents from her, so that he could jump on the Merrimack County Registry of Deeds and get deeds for the various properties. Many of the relevant deeds turned out to be properties in Epsom. He had checked the road history documents at State Archives for Allenstown and Deerfield, but couldn't find Kettle Rock Road in either, but it could have been called some other name. He hadn't read Epsom's records yet. He was not sure if the info found by the historian is related to the article found in the Dowst Memorandum.s that may describe Kettle Rock Road, Hopefully at the next meeting we'll have answers and then the TA will be asking the BOS if he can draft a letter to the lawyer and the people that are blocking the road and ask them not to block off a Class VI road. We can also discuss putting up a sign regarding the dangerous bridge which is why they closed it off.

He also wanted to thank the people at home for calling him and giving him some leads. A lot of times, those leads can lead to the answer to the status of the roads in town.

COMMUNITY POWER UPDATE

The sewer plant is up for some new power rates and was wondering when this would take effect. TA Goodine advised Jeff Backman to call Bob Haden. He believed that they are going to go out and do their own power rate now because it would be cheaper to do that than wait. Sewer is already a medium or high user of power. The whole community aggregation thing, is all about the small users. We can go out and actually bid out our Town facilities power already as we are medium to large energy users. The problem with deregulation is it is always been the small guy who has had trouble getting good competitive rates until electricity pricing skyrocketed. If one had tried that a couple years ago, it would have been a struggle. So really the sewer plant, with the amount of energy they use, would be able to get a competitive rate as a high energy user in the open market just like we do.

Chair McDonald stated that two sets of postcards will go out. The first says to watch for the next postcard as that will be your opportunity to opt out. The second postcard will go out 10 days later. We will then see if it will be cost effective.

Mr. Goodine said the rate would probably be effective in October. Our next meeting is June 6th after the postcards are set to go out.

ROAD AGENT REPORT

Mr. Pelissier stated that contracts will be going out for a couple of the roads. The contracts are already out for Clearview and Reserve because we did those last year, so those are all signed. Hopefully

tomorrow he'll have dates on these. GMI schedule their meetings on Thursday. As soon as we get them the info or the contracts for the other two, Valley & Theodore, it goes on the schedule.

Mr. Goodine stated GMI has the encumbered projects.

Mr. Pelissier said the others that are going on around town all need some work. We are waiting on sewer on Ridge Road because they have a manhole they are going to rehab. They lined the pipe last week there. As far as Deerfield Road, we are waiting on to deal with the private culvert pipe replacements. Pelissier made some adjustments to the letter that Mr. Goodine drafted, and it will go out soon

Mr. Goodine stated that since we have the equipment down there on Deerfield Road, we can give them the option of having us do it as we are going to be there doing ditching and the other culverts. Mr. Pelissier is going to come up with an estimate for how much the private owners would pay by using our savings on materials and avoiding mobilization costs, or they can choose to have their own contractor do it. The other thing besides rotting and deterioration is undersized culverts, as suggested by one of the planning board members. We don't need a bottle neck culvert literally in the middle because that is worse than a culvert that is rotted out.

Mr. Pelissier stated that sweeping will begin either Friday or next week as they can't do it in the rain. Catch basins will be done in a couple weeks. We will have to check if it is MS4 expansion now or not.

Mr. Goodine suggested having a meeting with Matt Monahan to see what if it means now or not for the expanded MS4.

Chair McDonald asked when the state is going to paint their roads, and do they give any notification?

Mr. Pelissier said no, but they did get some information on the crosswalks. The crosswalk in front of Subway is a state crosswalk. When we signed for Safe Routes for School, we "bought" the crosswalk at Sullys. Chair McDonald asked if they have the authority to close the road or half of it to do the painting. Mr. Pelissier said they will get together with the Police Chief, and he will close the road for them. He said they can paint the crosswalk in front of Subway, then they can do the one at Sullys. Also, Elm St. sidewalk is being done. He suggested that the town does the removal, gravel work and asphalt curbs and have Advanced Paving come in and pave the sidewalk. It will cost \$3,450 for the asphalt paving and \$2500 on their end as opposed to about \$18,000; if they have someone else come in. He got a few quotes and Advanced came in the cheapest.

TOWN ADMINISTRATORS REPORT

Mr. Goodine stated that for Avitar Assessing is recommending a denial of the Public Service of NH abatement request they put in. On March 7, Avitar emailed the applicant saying that the shortfall of their abatement request which didn't provide a proper breakdown of the values and rational as to how they arrived at that. An email provided the detail of the assessment information land and easements distribution transmission as assessed by the town asking for a response in 20 days. No response was received as expected for this year, and it is Avatar's recommendation that the abatement be denied for lack of any credible opinion of value for each of the assets in the town. This will no doubt end up being another appeal. Evan from Avitar is working on the abatement.

The programmer who is on lease for channels 1098 and 1094 has had his agreement terminated.

Effective May 23rd, HBO Max is going to be going away and a new thing called MAX coming to the streaming services as an app and is going to become part of the discovery channel and their network as well as HBO and HBO Max.

TA dropped three elderly applications into the consent calendar for approval. At the last meeting, the BOS approved a deferral application, but did not sign the actual decision portion of the application for the client that we met in the non-public session. It needs to be signed. The Board signed the form.

At the last meeting BOS voted and approved to abate the interest for the person who paid their escrow, but then the taxes were reversed because it went to the wrong property, and it accumulated \$23.69 in interest. A signature is needed on that abatement. The Board signed the abatement.

Between June 8 – 12th, the server migrations will be done to get rid of the cloud, and the servers will be located inside the Town Hall and Police Station. There should be no interruptions and should be done by Monday morning at 8:00 am.

Cemetery Trust Fund cemetery perpetual care issue– TA spoke to Deb Bender on Friday about where that was left and what happened, and she believes the lawyer sent out a letter to the Archdiocese and hadn't heard anything back, so that is where we are at and will investigate further. If they don't take it, we will have to see what that means for us.

TA did the annual ARPA report last week for our ARPA funds, reporting \$58,000+. There was a little bit more after Mr. Pelissier bought the pipes and everything and the amount was about \$500 more than you had originally authorized, however, you already authorized it in the manifest to pay those bills. We have about \$400,000 left.

We need to approve the minutes from the BOS meeting February 21, 2023. In your folder there is a replacement for the original as Mr. Arsenault was misquoted and it was Mr. Pelissier that said they would be getting highway funds for Kettle Rock Road for 65 years.

Hillsbrook should be opening on May 19th but may be delayed. There are documents missing that they need before they can be opened. China Mill should be opening in June, and they want to have a tour after it is cleaned up.

The 12 people attending the school tour on May 8th will be accommodated arriving at the site at 4:45 to 5:00. The tour will be between 5:00 and 5:40. Please dress accordingly for a construction site. No sandals, heels or open toed shoes.

TA is working on past minutes with Veronica to get them updated and posted.

OTHER BUSINESS

None

RATIFY CONSENT CALENDAR

Ms. Higham made a Motion to ratify the consent calendar of May 1, 2023.

Mr. Klawes seconded the Motion.

A roll call was taken.

Scott McDonald, Aye
Maureen Higham, Aye
Sandra McKenney, Aye
Keith Klawes, Aye
Jim Rodger, Aye

The motion passed.

REVIEW MINUTES

Ms. Higham made a Motion to accept the public minutes of February 21, 2023
Mr. Klawes seconded the Motion.

A roll call was taken.

Scott McDonald, Aye
Maureen Higham, Ay
Sandra McKenney, Aye
Keith Klawes, Aye
Jim Rodger, Aye

The motion passed.

APPROVE PAYROLL AND ACCOUNTS PAYABLE MANIFESTS:

Ms. Higham made a motion to approve the ACH Manifest – 1030, 1031, 1034. AND 1036;
Check Manifest – 1033 and 1037; Non-Check Manifest –1032 and 1035; Town P/R Manifest – 04-22-23.

Mr. Klawes seconded the Motion.

A roll call was taken.

Scott McDonald, Aye
Maureen Higham, Aye
Sandra McKenney, Aye
Keith Klawes, Aye
Jim Rodger, Aye

The motion passed.

Chair McDonald made a Motion to go into Non-Public session in accordance with the provisions RSA 91-A-3: Part II (C) at 7:38PM for Two Items. Mr. Klawes seconded the Motion.

A roll call was taken.

Scott McDonald, Aye
Maureen Higham, Ay
Sandra McKenney, Aye
Keith Klawes, Aye

Jim Rodger, Aye
The motion passed.

Chair McDonald made a Motion to return to public session at 9:05 pm. Mr. Klawes seconded the Motion.

A roll call was taken.

Scott McDonald- Aye
Jim Rodger- Aye
Maureen Higham- Aye
Keith Klawes- Aye
Sandy McKenney- Aye

The motion passed.

Chair McDonald made a Motion to seal the minutes of the Non-Public session as they may adversely affect someone not a member of this Board. Mr. Klawes seconded the Motion.

A roll call was taken.

Scott McDonald- Aye
Jim Rodger- Aye
Maureen Higham- Aye
Keith Klawes- Aye
Sandy McKenney- Aye

The motion passed.

Mr. Klawes made a motion that the applicant for the defaulted payment plan needs to pay \$700 by May 8, 2023, then pay all of the three income tax amounts to the town within 30 days, and if for some reason there is a delay on payment of the income taxes, then he must come back into the Board and explain the reason and ask for another 30 day extension. Applicant will also continue to make payments until there is a zero balance owed on taxes. Ms. Higham seconded the motion.

A roll call was taken.

Scott McDonald- Aye
Jim Rodger- Aye
Maureen Higham- Aye

Keith Klawes- Aye
Sandy McKenney- Aye

The motion passed.

Mr. Klawes made a Motion to adjourn at 9:07 pm. MS. Higham, seconded the Motion.

A roll call was taken.

Scott McDonald- Aye
Jim Rodger- Aye
Maureen Higham- Aye
Keith Klawes- Aye
Sandy McKenney- Aye

The motion passed.

TOWN OF ALLENTOWN
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
May 1, 2023

Signature Page

| Original Approval: | | |
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| SCOTT MCDONALD, Chair | DATE | |
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| MAUREEN HIGHAM, Member | DATE | |
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| SANDRA MCKENNEY, Member | DATE | |
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| KEITH KLAUES, Member | DATE | |
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| JIM RODGER, Member | DATE | |
| Amendment Approvals: | | |
| Amendment Description: | Approval: | Date: |
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| | SCOTT MCDONALD, Member | DATE |
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