

TOWN OF ALLENSTOWN
Selectboard Meeting Minutes
16 School Street, Allenstown, NH 03275
November 29, 2021

Call to Order

The Allenstown Selectboard Meeting of November 29, 2021 was called to order at 6:03 PM by Chair McDonald.

Chair McDonald called for the Pledge of Allegiance.

Roll Call

Present on the Board: Scott McDonald, Sandy McKenney, Keith Klawes, Maureen Higham (via Zoom), Jim Rodger

Allenstown Staff: Derik Goodine (Town Administrator), Brian Arsenault (Code Enforcement Officer & Building Inspector), Chief Mike Stark (Allenstown PD); At 6:15 pm, Chief Lambert (Fire Department) and Chad Pelissier (Road Agent) joined the meeting. Debbie Bender (Finance) joined the meeting at 6:50 pm.

Other: Michael O'Meara, Diane Adinolfo, Ron Adinolfo, Mike Frascinella (Arrived at 7:00 pm via Zoom)

CITIZENS' COMMENTS

None.

Mr. Goodine said that Mr. Frascinella did extend the deadline to enter the Christmas lighting contest until December 4th. He said that December 18th will be the awards ceremony at the Community Center, along with caroling and a bake sale.

REGULAR AGENDA

- **Fireworks Ordinance**

Mr. O'Meara said this came up at a Planning Board meeting although it is not a land use matter. He said they developed an ordinance based on another Town's ordinance that preexisted. He said the proposal does not intend to restrict anybody's rights to enjoy fireworks, but to provide some guidance and expectations. Mr. O'Meara said they received input from Chief Stark and Chief St. Germaine and it is now up to the Selectboard to decide how to proceed.

Ms. McKenney said half of the people in town do not want fireworks, and the other half do so they should put it out to the voters to decide.

Chair McDonald said he doesn't mind fireworks except when they are abused, such as late night hours.

Mr. Klawes said he agreed with Ms. McKenney but wondered whether it would be a true representation of voters who come out to vote. He asked if they are regurgitating what the State RSA already is.

The Board discussed the language regarding unfavorable weather conditions and using fireworks during a drought.

Chair McDonald asked Chief Stark if his department could reasonably enforce this ordinance if its passed. Chief Stark said the issue is that when they get these calls, it is difficult to find out who set the fireworks off, or under what conditions they were set off. He said if you set off fireworks at 2 in the morning, you have to be able to say with absolute certainty who set them off in order to enforce the violation. His worry is that people who does not like fireworks will think that this ordinance is a grand solution.

Mr. Klawes asked what the difference is between the State RSA and this ordinance. Mr. O'Meara said that this is more detailed and specific to the Town and based on common sense.

Mr. Klawes asked where in this part of town are you going to shoot off fireworks that is going to be 50 ft. from anything. He said that he sees this as just banning fireworks entirely from the town. Mr. O'Meara said this is just a proposal and subject to change per the Board's input. Mr. Klawes said if you have an ordinance, then it has to be enforceable otherwise what is the point of it.

Mr. Adinolfo said the question should be whether it is safe to do it within 50 ft. and he does not think it is. He said some people do not think about the safety aspect. Mr. Klawes agreed with him.

Chair McDonald acknowledged the work they put into this ordinance but he agrees with Mr. Klawes that it is about enforceability.

Chair McDonald asked if they want to table this.

Ms. McKenney said personally she not like to see any fireworks in town. Chair McDonald said you cannot prevent them.

Mr. Goodine said they can discuss any changes at the next meeting and then hold a public meeting on it.

Chief Stark said that someone is going to be held responsible for damage to your property whether their action was legal or illegal. He said as long as you can prove someone did damage to your property, it is a done deal. He said to keep in mind that the aerial fireworks aren't hot once they have completed their display. He said the most dangerous firework are sparklers and that PTSD and scared pets will not be solved by an ordinance like this.

Chief Lambert said he agreed with Chief Stark.

Ms. Higham asked if they enforce it through the noise ordinance anyway. He said that is correct but 99.9% of the time, it resolves itself and it becomes a non-issue. He said that they do not have teeth when it comes to the emotional aspect of it, but they can respond and referee it.

Ms. Higham said after hearing from both the Fire and Police Chiefs, perhaps they should do nothing because maybe it's not needed.

Mr. Adinolfo asked why the other towns have ordinances if it does not matter. Mr. Goodine said he thought a lot of ordinances came about when they legalized fireworks because then the towns had a choice whether or not to allow them.

Mr. O'Meara said the Planning Board does not have a preference one way or the other.

Chair McDonald recommended that they table this discussion for now and revisit it if the situation gets worse. Ms. Higham agreed. He thanked Mr. O'Meara and Ms. Adinolfo for the work they put into this.

Chair McDonald made a Motion to table the discussion and keep the work prepared by the Planning Board and if there is a situation in the future when they need to revisit it, the work will already have been completed. Mr. Klawes seconded the Motion.

Roll Call vote was taken.

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Maureen Higham- Aye

Jim Rodger-Aye

The Motion passed unanimously.

- **Fire Pumper Pump Repairs**

Chief Lambert said the pump repairs are tentatively scheduled for next week and it will be about a week and a half of down time. He said it is a generic process and is a good 5 year fix.

Mr. Goodine said they had not yet approved it formally.

Ms. McKenney made a Motion to allow the Chief to schedule the repairs of the fire pumper pump and approve an amount not to exceed \$20,000. Mr. Klawes seconded the Motion.

Roll Call vote was taken.

Scott McDonald- Aye

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

The Motion passed unanimously.

- **Inter Municipal Agreement with Pembroke for Building Inspector (Vacations)**

Chair McDonald said agreement this would allow Mr. Arsenault and the Building Inspector to cover for each other on vacations. Mr. Goodine said the intent of this was to have something in place to cover two weeks of vacation, not 30 days and two weeks is more logical.

Chair McDonald said Mr. Arsenault is concerned about the language “etc.” He said Mr. Arsenault is full-time in Allenstown, and the person in Pembroke is per-diem and runs a small construction company.

Mr. Arsenault said the projects at the Mill and the new assisted living facility have historical knowledge and someone just walking in would not be privy to this information and would not fully understand. He referenced the language he was concerned about which says, “to ensure the two communities building inspection and code enforcement functions are covered during times of prolonged illnesses, vacation, extended leave, etc.”

Mr. Klawes said he doesn’t necessarily have concerns.

Ms. McKenney asked how would that work where the Pembroke inspector is per diem and works another job.

Mr. Arsenault said there are other people that can fill in other than the Pembroke inspector, but to be bound by this agreement where one community does not have to pay for services and it’s actually a savings, is not right.

Mr. Klawes asked if it made more sense to have a per inspection or per diem agreement with Pembroke as opposed to this.

Mr. Arsenault said that Pembroke has a big commercial community and there is always something going on. He said the Pembroke building inspector’s resume does not say anything about experience with building inspection or code enforcement.

Ms. McKenney asked if Mr. Arsenault had a solution for this. He said he doesn’t mind helping another community and if they needed some additional help, but they also have enough resources with former building inspectors that they can call, and he could be the back-up. He said some town pay per inspection and some towns pay per hour.

Mr. Arsenault said he doesn't have any agreements with Hooksett on paper that he could show the Board.

Mr. Klawes asked if Mr. Arsenault could attempt to write an agreement to see what that looks like and they could present it to Pembroke.

Mr. Arsenault said he did not see it as a problem at this time as this agreement was presented to Mr. Goodine prior to them hiring somebody and he is not sure why they are pursuing this agreement. He said that when he takes vacation days, he plans accordingly in advance to make sure there is coverage.

Ms. McKenney agreed that she also does not like the way the agreement is written.

Mr. Arsenault said if they leaves things the way they are now, and Pembroke contacts them from time to time for a hand, that is very much acceptable. He said he also would be amenable to asking them to revise or scale back the agreement. Mr. Goodine said they wanted a formal agreement that would make a substitution seamless.

Mr. Klawes said that Mr. Goodine should discuss with the Town Administrator from Pembroke for clarification.

Other-

Mr. Frascinella said that Ms. Washer is helping out with the Christmas Lighting Contest and awards ceremony and they have 8 registered homes so far. Chair McDonald will be ordering the trophies.

- **Old Allenstown Elementary School/Fields Future and ARD/ARD Fields and Emergency Shelter**

There was a discussion amongst the Board regarding potential uses for the Allenstown Elementary School. Mr. Goodine said it could be advantageous to have the Town Hall moved to this building, and they could potentially rent some of the space out to small businesses.

Mr. Goodine said the emergency shelter designated right now is in the elementary school because it has shower capability. He said the superintendent reached out to ask whether the Board had decided what to do with this going into the future.

Ms. Higham asked if they will lose the ice skating rink if something moves into Armand Dupont School. Mr. Goodine said pulling off the land will affect the value of the building and would it make it a non-conforming structure. Mr. Arsenault said he would have to determine what it is zoned as, but it is irrelevant because it is going to be owned by the municipality. He said if they were to sell the property to a commercial entity, they would have do an overlay district or spot zoning.

Mr. Klawes said the fields behind the elementary school were gifted with the premise that they only remain fields and that the land is too soft to build on. He said it is possible to give the land back and he does not think it is a terrible idea to use that school as a Town Hall and rent out part of the building.

Mr. Arsenault said that maybe the Board could consider hiring an appraiser to look at the building to see what the options are, what the revenue could possibly be based on the zoning. Mr. Pelissier said that Matt Monahan might be a good resource on this subject.

Mr. Klawes said they need to be proactive so they do not end up being apartments or work force housing.

Chair McDonald said it would be nice to have a gymnasium available to the Town that was not in control of the school.

Mr. Goodine said the elementary school is located in the Suncook Village Infill Development District and can be used for a variety of accepted uses.

Mr. Goodine said they should plan on having the emergency shelter in the new school regardless.

ROAD AGENT REPORT

Mr. Pelissier said that someone should go through the trailer belonging to Emergency Management as it is infested with mice. Mr. Goodine said he will talk to Ron Eisenhower about having it relocated to the fire station before winter. Chief Lambert said he would not have a problem with that.

Mr. Pelissier said prices are increasingly going up for tires, and a lot of other items. He said that he will get a full list of the increase in prices to them in a few weeks for revision.

He said he is working on encumbrances on a few roads.

Mr. Pelissier said they had an uneventful storm recently that didn't go too badly.

He said they have been talking about the new position which will be worked out as they go along. Mr. Goodine said they will be interviewing another person this week.

- **Budget Update**

Mr. Goodine said the next meeting will be on December 16th when the Committee reviews and votes on the Municipal and Sewer budgets.

- **Covid19 Update and American Rescue Act Funds**

Mr. Goodine said he attended a couple of the seminars that NHMA put regarding the Cares Act funds and he found out that Allenstown is not the only town that does not know what they will spend their funds on. He said Bow is also waiting to see what other options there are. Mr. Goodine said Concord has more ideas and their plan is more elaborate.

Mr. Goodine said on the county level, they are looking to roll out programs that will be an advantage to the Towns and the Concord City Mayor has been pushing for that.

He said that stormwater is eligible to spend the Cares Act money on within the Town.

Mr. Goodine said there is still an outstanding bill that is supposed to expand the use because a lot of towns are struggling to stay within the parameters. He said he and Ms. Bender need to do a spreadsheet to determine missing revenue.

Chair McDonald said next year they will have a bigger hole in school funding than this past year and asked if it would help. Mr. Goodine said that is not under the formula that the government uses.

TOWN ADMINISTRATOR'S REPORT

Mr. Goodine said he went to the conference for NHMA for a couple days along with a few others. He said Chair McDonald attended the portion on electricity. Mr. Arsenault, Ms. Bender, Ms. Caruso and Mr. O'Meara participated.

Mr. Goodine said he dropped a few tax bills into their folders today for the Board's review. Ms. Bender also added some paperwork for the health trust, HRA program, FSA amendment and Covid changes.

Mr. Goodine added Mr. Paquette's change of payroll and a call fireman, Mr. Keller, has submitted his resignation. Ms. McKenney said that Chief Lambert told her they have three interviews lined up.

Mr. Goodine provided the Board with minutes from the last meeting and he added a letter with a list of people that Avitar scheduled for inspections. He said he also a Comcast program update before they had a price change, mostly for broadcast fees.

He provided the Board with a letter from CASA for a \$500.00 contribution.

Mr. Goodine did not yet provide them with a police chief report.

He said the Hooksett town line extension of sewer is estimated to be around \$7 million and the State asked if they were going to fund that and Mr. Goodine said not this current year.

Mr. Goodine said that Chair McDonald said in the Gatsas report there was a note about the bridge project being funded but they do not know when they are going to start. Mr. Goodine is looking to see if he can get an update on it.

Mr. Goodine also has a form to sign for Moe Paquette's promotion.

CONSENT CALENDAR, MINUTES AND MANIFESTS

- **Ratify Consent Calendar: November 29, 2021**

Ms. Higham made a Motion to ratify the Consent Calendar of November 29, 2021. Mr. Klawes seconded the Motion.

Roll Call vote was taken.

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

The Motion passed unanimously.

- **Approve Payroll and Accounts Payable Manifests: ACH Manifest 1129 and 1132, Check Manifest 1128 and 1133, Non-Check Manifest: 1122 and 1131, and Town P/R Manifest dated 11-18-21.**

Ms. Higham made a Motion to approve the ACH Manifest 1129 and 1132, Check Manifest 1128 and 1133, Non-Check Manifest: 1122 and 1131, and Town P/R Manifest 11-18-21. Mr. Klawes seconded the Motion.

Roll Call vote was taken.

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

The Motion passed unanimously.

- **Review Minutes:**

Public: November 15, 2021

Ms. Higham made a Motion to approve the public meeting minutes from November 1, 2021, as amended, and October 27, 2021. Mr. Klawes seconded the Motion.

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

The Motion passed unanimously.

Non-Public: October 18, 2021

Ms. Higham made a Motion to approve the non-public meeting minutes from November 15, 2021. Mr. Klawes seconded the Motion.

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

The Motion passed unanimously.

Non-Public Agenda Items- Three Items

Chair McDonald made a Motion to enter into non-public session in accordance with the provisions of RSA 91-A:3, II (c) at 8:24 pm. Ms. McKenney seconded the motion.

A roll call was taken.
Scott McDonald- Aye
Sandy McKenney- Aye
Maureen Higham- Aye
Keith Klawes- Aye
Jim Rodger- Aye

The motion passed unanimously.

Chair McDonald made a Motion to return to public session at . seconded the motion.

A roll call was taken.
Maureen Higham- Aye
Scott McDonald- Aye
Sandy McKenney- Aye

Keith Klawes- Aye
Jim Rodger- Aye

The motion passed unanimously.

Chair McDonald made a motion to seal the minutes of the non-public session as they might adversely affect someone not a member of the Board. Ms. McKenney seconded the motion.

A roll call was taken.
Scott McDonald- Aye
Sandy McKenney- Aye
Maureen Higham- Aye
Keith Klawes- Aye
Jim Rodger-Aye

The motion passed unanimously.

Mr. Klawes made a Motion to grant Ms. Bender an additional week of vacation which will start accruing immediately, and as of the first payroll in April, 2022, her new pay rate with an extra step, including COLA, will be \$38.79 per hour. Ms. McKenney seconded the Motion.

A roll call was taken.
Scott McDonald- Aye
Sandy McKenney- Aye
Maureen Higham- Aye
Keith Klawes- Aye
Jim Rodger-Aye

The motion passed unanimously.

Mr. Klawes made a Motion to adjourn the meeting at 9:30 pm. Ms. McKenney seconded the Motion.

A roll call was taken.
Scott McDonald- Aye
Sandy McKenney- Aye
Maureen Higham- Aye
Keith Klawes- Aye
Jim Rodger-Aye

The motion passed unanimously.

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November 29, 2021

SIGNATURE PAGE

Original Approval:		
SCOTT MCDONALD, Chair		DATE
SANDY MCKENNEY, Vice Chair		DATE
MAUREEN HIGHAM, Member		DATE
KEITH KLAWES, Member		DATE
JIM RODGER, Member		DATE
Amendment Approvals:		
Amendment Description:	Approval:	Date:
	SCOTT MCDONALD, Chair	DATE
	SANDY MCKENNEY, Vice Chair	DATE
	MAUREEN HIGHAM, Member	DATE
	KEITH KLAWES, Member	DATE
	JIM RODGER, Member	DATE