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Town of Grantham - Board of Selectmen Regular Meeting Minutes November 10, 2009

The regular meeting of the Board of Selectmen was called to order at 5:00pm on Tuesday, November 10, 2009 by Chairman Harold Haddock Jr. The meeting was held in the Grantham Town Building, Jerry Whitney Memorial Conference Room at 300 Route 10 South.

Present: Chairman Harold Haddock Jr.; Selectman Constance Jones; Selectman Warren Kimball; Town Administrator Becky Newton, Esq.; Administrative Assistant Melissa White; Jay Fountain; Richard Hocker; Activities Director Laurie Field; Athletics Director Marsha Googins; Fire Chief Mike Benoit; Missy Walla; Jamie Hunt; F. Robert Osgood; Phil Schaefer; Joey Holmes; Town Clerk/Tax Collector Rita Eigenbrode; Library Board of Trustees Cindy Towle, Ed Jenik and Joy LaMont

ADMINISTRATIVE

For Approval/Signature – **APPROVED**

- ✓ Smith Lot Conservation Easement
- ✓ Account Payable Manifest
- ✓ 2009 Tax agreement with Eastman Community Association

APPROVAL OF MINUTES

- Chairman Haddock requested any changes to the regular meeting minutes of October 28, 2009. Administrative Assistant White informed in the list of those present, Don Nichols name was spelled incorrectly; the correct spelling is Nicholas. A motion was made by Selectman Kimball to approve the minutes of October 28, 2009 as amended; second by Selectman Jones. **Unanimously approved.**

Public Hearing: To see if the Board of Selectmen will accept the donation of \$10,000 for purpose of Recreation Park Improvements. The public hearing was opened for comment at 5:03PM. There were no comments so Chairman Haddock kept the hearing open and moved on to the regular agenda items.

APPEARANCES

- Dunbar Free Library Board of Trustees Purchase and Sales Agreement: Administrator Newton informed that after speaking with Town Counsel, the Library Trustees are able to hold property on behalf of the Town; that although a public hearing is not required they [Library Trustees] wanted to keep the residents informed on what was going on with the Library.

Library Trustee Co-Chair Cindy Towle explained the Library Trustees received a gift in April 2008 to use as they saw fit for the Library; that after a year of research it was decided the

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Library will need to be expanded in the future and looked at several different avenues. Towle stated that after talking with property owners on both sides of the Library, Ed MacNeill expressed interest in selling his property (Tax Map 237; Lot 6) to the Library. After non-public discussions with Mr. MacNeill (due to the acquisition of land) a purchase price was agreed upon and Town Counsel prepared a purchase and sales agreement.

A conceptual plan was done by Peter Blakeman, Blakeman Engineering to show the property could be used to expand the Library. Soil testing was also done; both reports were positive.

Towle stated the purchase and sales agreement with Ed MacNeill was signed on October 30, 2009 which allows Mr. MacNeill to be a renter for four years and requires the following:

- Carry his own insurance (the Town will maintain fire insurance)
- Maintain up to 2 million dollars liability insurance
- Responsible for maintenance, care and up-keep of the building
- Pay his own utilities
- Pay the property taxes

Towle informed the Library has a long-range planning committee that has been in place for approximately six months and now has more to work with; a place they can plan to go to.

Resident Phil Schaefer asked if an appraisal was done on the property and how much was paid for it. Towle answered that Karen Ryan did the appraisal last year and had three comparables of like property - \$185,000, \$190,000 and \$202,000; the Library paid \$180,000. Property taxes are \$2,809.08; assessment is \$181,700.

Administrator Newton informed that a piece of correspondence was received regarding whether the Library has to comply with the State Municipal Budget Law, RSA 32. After researching RSA 32, Newton found that section 202-A:4-C subparagraph 4 item B says libraries are exempt from all provisions of the Municipal Budget Act.

Resident F. Robert Osgood asked if the building had any historical value and if so, could it be moved. Towle stated the Trustees were not sure; that they were not planning on removing the building if they didn't have to. Towle went on to say that a hypothetical question was posed to the Grantham Historical Society that if the Library should happen to buy a piece of property that may have a historical house on it, would they be interested in it.

Resident Jamie Hunt asked if the church parking lot could be used for the Library. Library Trustee Ed Jenik stated that having library patrons and their children crossing Route 10 is very dangerous.

Towle stated the Library has used the parking lot for overflow parking; that what will happen to the parking lot and Church in the future is unknown. Chairman Haddock clarified the parking lot is owned by the Town. Mr. Hunt stated he is not in favor of another parking lot in his neighborhood and along Route 10.

Towle stated there may not be another parking lot along Route 10; that the plan shown was just a conceptual.

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CORRESPONDENCE

- New Hampshire Municipal Association (NHMA): At the annual meeting of the NHMA, on Thursday, November 19, 2009 at 1:30pm each member municipality has an opportunity to vote for members of the Municipal Advocacy Committee and the Committee on Government Affairs. The Board of Selectmen will not be able to attend.
- New London Town Administrator Jessie Levine: An email was received informing that the New London Selectmen attended the State DOT's hearing on the ten-year plan in Newbury and Andover, and the condition of Route 114 from Bradford to Grantham was discussed. The New London Selectmen asked Ms. Levine to pull together a petition from all Boards of Selectmen (Bradford, Sutton, New London, Springfield and Grantham) to ask the State to place Route 114 into the ten-year plan. The Grantham Board of Selectmen will sign the petition.

Administrator Newton recommended specifically discussing the need for a crosswalk and/or sidewalk across from the Fire Station. Mr. Jenik felt a crosswalk near the library should be added to the plan.

- Community Alliance of Human Services: A request for financial support was received from the Community Alliance of Human Services. The Board of Selectmen will review the request during the budget preparation.
- Lake Sunapee Region VNA & Hospice: A request for financial support was received from Lake Sunapee Region VNA & Hospice. The Selectmen will review the request during the budget preparation.
- New London Hospital: New London Hospital announced their Emergency Medical Services (EMS) received the EMS Unit of the Year Award at a ceremony sponsored by the New Hampshire Division of Fire Standards and Training & Emergency Medical Services and the Emergency Medical and Trauma Services Coordinating Board.
- Theresa Field: Theresa Field requested to purchase the wrought iron patio set at the Recreation Park Building for \$40. A motion was made by Selectman Kimball to sell the wrought iron patio set to Theresa Field for \$40; second by Selectman Jones. Unanimously approved.
- West Fairlee, VT Fire Department: A letter was received from Kevin Dexter, West Fairlee, VT Fire Chief requesting the 1986 Pierce Dash Fire Engine (recently retired) be donated to them. Chairman Haddock asked if that was the Fire Engine that had not received any bids. Administrator Newton said yes.

Grantham Fire Chief Mike Benoit stated that West Fairlee is in Grantham's Mutual Aid group; that Grantham was in the same situation as West Fairlee 35 – 40 years ago and recommended donating the Engine to them.

Mr. Schaefer asked if the Engine was advertised "for sale" or "for donation". Chairman Haddock responded "for sale".

Mr. Schaefer asked if it would be appropriate to advertise it as an item for donation to see if a town in New Hampshire wanted it. The Board of Selectmen did not want to spend more money on advertising. It was noted that the Fire Department requesting the donation was within Grantham's Mutual Aid group.

A motion was made by Selectman Kimball to donate the Fire Department's 1986 Pierce Dash Engine to the West Fairlee Fire Department; second by Selectman Jones.

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Unanimously approved.

OLD BUSINESS

- Winterizing the Recreation Park Building: Selectman Kimball informed Willmot Plumbing & Heating submitted a bid to winterize the boiler. Bids will be reviewed at the next Board of Selectmen's meeting.

Administrator Newton informed the low temperature alarm still needs to be cleared; that the alarm can be overridden and still have fire and burglar protection. Selectman Kimball will contact Capitol Alarm to get the low temperature alarm cleared.

- Columbarium: Selectman Kimball is still working on this.

NEW BUSINESS

- Primex Workers' Compensation 7.5 % Multi-Year Discount Agreement:

RESOLVED: To hereby accept the offer of the New Hampshire Public Risk Management Exchange (Primex) to enter into its **Workers' Compensation 7.5% Multi Year Discount Program** as of the date of the adoption of the resolution, and to be contractually bound to all of the terms and conditions of Primex risk management pool membership during the term of the **Workers' Compensation 7.5% Multi-Year Discount Program**. The coverage provided by Primex in each year of membership shall be as then set forth in the Coverage Documents of Primex.

A motion was made by Selectman Kimball to accept the Primex Workers' Compensation 7.5 % Multi-Year Discount Agreement; second by Selectman Jones. Unanimously approved.

- Playground Equipment Purchase: Administrator Newton stated the Selectmen signed the purchase order and acceptance agreement for the playground equipment. A considerable discount was given if the order was placed before November 13, 2009.

Newton informed an anonymous donation of \$10,000 was received as well as \$10,000 from the Byrne Foundation; that all the money for the playground equipment has been raised with the exception of some of the money needed to install the equipment.

Missy Walla reiterated that funds are still needed for the installation of the playground equipment and stated that she has been in contact with Primex (the Town's insurance carrier) to see what their requirements are for the installation. Newton stated that the warranty needs to be maintained, so there isn't risk of liability for improper installation.

Newton went on to say that even if the installation costs are a bit high, if all the money is raised, then she would be in favor of having a professional installation done.

Newton informed that although all the money has not been raised yet, permission was granted from the Auditors and NH Department of Revenue (DRA) to deficit spend against the Recreation [budget] account because it is a revolving account and money will be coming in from on-going fundraising.

- Conservation Easement on Smith Lot: Administrator Newton informed the Conservation Easement on Smith Lot, off Miller Pond Road, was signed by the Board of Selectmen.

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- 2009 Tax Agreement with Eastman Community Association (ECA): The 2009 agreement with ECA over taxation of lots was signed by the Board of Selectmen.
- Wells Fargo Lawsuit: Administrator Newton informed that on Friday, November 6, 2009 the Town of Grantham (as well as several other entities) was served with a lawsuit from Wells Fargo regarding a foreclosure. The amount in dispute is approximately \$400,000. Town Counsel is reviewing the lawsuit and working with the Tax Collector.

Selectman Kimball asked if the \$400,000 was the value that Wells Fargo is disputing. Administrator Newton responded yes; that Wells Fargo believes there is a Town of Grantham lien on the title. Wells Fargo is trying to get all the liens cleared so they can sell the property before it devalues.

The Selectmen asked if the lien would be for taxes. Newton stated that the Tax Collector researched it and found no lien.

- Treasurer Limits to ACH & Wire Transfers: Treasurer Chris Morris sent notification that he has been working on ACH & Wire Transfers for the "One Check" system in the Town Clerk's office; that the limits need to be changed for security purposes. Administrator Newton read his request:

Chris Morris, Town Treasurer, has asked the Select board to limit online transfers by the Treasurer (ACH and wire) to \$50,000.00 per day. As the Town's online Administrator, this will also limit to \$50,000.00 the Treasurer's ability to enable online transfers by other Town officials. Further, the Treasurer believes it is prudent that the Treasurer be required to:

- 1) Obtain the approval of the Select board before enabling online transfers by any new person or for any new purpose.
- 2) Notify the Select board of any change in the online transfer limit for any person authorized by the Select board to make online transfers. Currently, the Clerk and Deputy Clerk are authorized to make daily online ACH transfers of up to \$5,000.00 for the purpose of sending the State its portion of motor vehicle fees collected under the single check for MV fees program.
- 3) Maintain a current list of all persons authorized to make online transfers together with the type, purpose, and transfer limit(s).

Resolved: The Town Treasurer is authorized to make online transfers (ACH and wire) up to a limit of \$50,000.00 per day. As the Town's online Administrator, this will also limit to \$50,000.00 the Treasurer's ability to enable online transfers by other Town officials. Further, the Treasurer is directed to:

- 1) Obtain the approval of the Select board before enabling online transfers by any new person OR for any new purpose.
- 2) Notify the Select board of any change in the online transfer limit for any person authorized by the Select board to make online transfers. (Currently, the Clerk and Deputy Clerk are authorized to make daily online ACH transfers of up to \$5,000.00 for the purpose of sending the State its portion of motor vehicle fees collected under the single check for MV fees program.)
- 3) Maintain a current list of all persons authorized to make online transfers together with the type, purpose, and transfer limit(s).

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Selectman Kimball asked if the bank would also have the list persons authorized to make online transfer. Chairman Haddock stated yes.

Selectman Jones moved to accept the resolution [above]; second by Selectman Kimball. Unanimously approved.

- Cash Flow Projection: Administrator Newton informed that payments due in the next couple of months include approximately \$316,000 to SAU #75; 1.4 million to Sullivan County; another payment of \$316,000 to SAU #75; and \$200,000 to the Village District. By the end of December there will be approximately \$200,000 in operating cash.

Chairman Haddock informed the school payments are paid monthly but the funds are collected in July and December; the Village District requests their money "upfront".

Selectman Jones informed that Sullivan County requires their payment be received by December 17, 2009.

- Monies owed to Dunbar Free Library: A request for a check in the amount of \$10,711.58 was received from the Trustees of the Dunbar Free Library. Administrator Newton stated that during the course of the audit there were some monies owed to SAU #75 in the amount of \$462.00 and to the Dunbar Free Library in the amount of \$10,711.58. Newton explained that each year there is a small amount of money left over between what is appropriated for the Library and what is actually paid to the Library; that for some reason it was allowed to accumulate for the last few years.

Selectman Jones stated that Library keeps the money they don't spend; that it does not go back into the General Fund. Jones stated if they haven't requested, we (the Town) hasn't paid it.

Trustee Towle stated it was her understanding that the reason for the high amount was because the amount appropriated for the cost of insurance was more than what the actual premium was.

Newton stated she was concerned with the fact that there weren't any notations in previous year's audits; that it just came to light in this year's audit.

Towle stated that if the Library over spends their budget they have to pay it back to the Town.

A motion was made by Selectman Jones to issue a check to the Trustees of the Dunbar Free Library in the amount of \$10,711.58; second by Selectman Kimball. Unanimously approved.

DEPARTMENT REPORTS

- Activities – October Report:
 - Haunted Pumpkin Festival was held on October 24th; about 225 people attended.
 - Grantham Scarecrows were prepared on September 23rd. More businesses are purchasing scarecrows.
 - Grantham 4-H is the only after-school program sponsored by "Our Town" and meets every two weeks throughout the school year. There are 41 members in grades K – 6.
 - Christmas Tree Lighting is November 29th at 4:30pm; Grantham Fire Station.

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- Breakfast with Santa is December 5th 8:30 – 10:00am; Grantham Town Hall.
- New Year's Eve Family Dance Party on December 31st at Grantham Town Hall.
- "Take a Kid Fishing" program with NH Fish and Game will be held in January.
- A plan for a winter carnival in February is being worked on.
- It is unknown at this time if ice skating will be offered.
- A complete list and details of "Our Town" Activities is available at www.granthamnh.net/activities.

➤ Athletics – August – October Report:

- Soccer was well attended; having the larger fields worked great.

Late registrations continue to be a problem making it hard to form teams and meet the league deadline. Director Googins asked for help with advertising and other venues to alleviate the problem.

Chairman Haddock asked if it was the coaches. Googins stated the problem is with parents asking to register their child after the deadline; that the league starts before school so there isn't a way to filter the information through the school.

Googins stated that many families are still vacationing when soccer registrations are held; that she has tried to do registration in the spring in anticipation of the fall but that didn't work.

- Frank's Café went well but the rain affected attendance.
- Recreation Field dedication was held on October 25th.
- The gym floor at the school is being replaced which impacts basketball practice. Lebanon School District has allowed use of their Hanover Street School gym at no cost in the interim. The league has also rescheduled some games. Kindergarten and first grade teams will start at a later date.
- Lebanon Junior High Athletic Director Linda Preston has offered to donate old field hockey equipment. Googins stated she will send a survey in the spring to see if there is any interest.

➤ Town Administrator:

- Primex Workers' Compensation Program Summary renewal was received. 2009 premium was \$13,941 and projected 2010 is \$14,022.
- Primex Workers' Compensation Safety Improvement Grant Program has allocated \$960 to the Town of Grantham to apply for different safety items. Newton will forward the information to the Fire Department.
- Notice of Public Hearing was received from the Henniker Planning Board that New Cingular Wireless is proposing to construct a 135-foot tower on Old Hillsboro Road. The Town of Grantham received notification as a Planning Board application of regional impact.
- Transfer Station brush containers should be arriving soon. When the bill is received it will go before the Board of Selectmen for approval of payment out of the Reclamation Fund.

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- Estimates were obtained for the two bridges that are "red listed" by NH Department of Transportation and were included in the Capital Improvement Plan. The bridge to the back entrance of Olde Farms is listed as structurally deficient; the other bridge on Olde Farms Road over Sawyer Brook is listed as poor.

Both bridges are eligible for state aid 8020. The bridge on Olde Farms Road over Sawyer Brook is approximately \$645,000 with the municipal share being approximately \$129,000. The bridge to the back entrance of Olde Farms is estimated at \$665,000 with the municipal share at \$133,000.

Administrator Newton stated that there are quite a few private bridges in town and suggested the Board of Selectmen require the property owners post them as private.

A motion was made by Selectman Kimball to require private bridges be posted with some indication they are not owned by the Town of Grantham; second by Selectman Jones. Unanimously approved.

- The next Selectmen's Meeting will be held on **Monday, November 23, 2009 at 5pm.**
- Grantham Town Offices will be **closed from noon on Wednesday, November 25th through Friday, November 27th.** Regular hours will resume on Monday, November 30th.

OTHER

- Resident Phil Schaefer requested the Town keep "real, hard numbers" as to the cost of snow removal at the school so that at the end of the year it is known how much was invested in time and mileage etc. The Selectmen stated they already have planned to do that.

Mr. Schaefer informed that at the last School Board Meeting there was discussion on whether or not the school recycles. Mr. Schaefer stated it was determined they don't take recyclables to the Transfer Station because they don't have the facility to; that the question came up as to whether the Town could stop at the school and pick up their recyclables.

Selectman Jones stated the Town does not have the capacity to take care of the school's recyclables. Laurie Field stated there are recycling bins in the classrooms and the janitors pick them up as "recycled". Mr. Schaefer stated that it is "minimal" due to lack of facility.

Mr. Schaefer asked if Building Supervisor F. Robert Osgood could stop at the school and pick up the recyclables on his way by; that it would be a benefit to the town because they wouldn't be going in the trash.

Selectman Jones asked why the school's custodian couldn't take the recycling in the truck they have; that the Town only has a regular sized truck and it barely holds all the trash generated from the town buildings. Selectman Jones stated the school is a separate political sub-division and this should be accounted for in their operating budget.

Mr. Schaefer felt this was an opportunity for the town and school to cooperate rather than be independent.

Laurie Field and Marsha Googins stated the school gave employees notice that they are recycling paper and plan to recycle cardboard and plastics.

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Building Supervisor Osgood stated there is less trash in the winter; but in the summer the truck is full due to trash from the Park & Ride and park. Osgood stated he could take the school's recyclables if the Board wanted him to but it would mean extra time and trips.

Selectman Jones stated that if Osgood could fit it in his schedule that he could talk to the school about it, but the Town's costs would be increasing to accommodate this and the Town has not budgeted for it.

Chairman Haddock stated the school had not contacted the Selectmen about this.

Cindy Towle asked if this would be reciprocal; and asked if the school would pick up the town's trash and recycling if Osgood couldn't do it.

- Library Trustee Ed Jenik stated that once they purchase Mr. MacNeill's property they would like to gift it to the town. Administrator Newton stated it is her understanding that the property is being purchased by the Library Trustees as "duly authorized agents" which makes it Town property immediately.

NON PUBLIC

In accordance with RSA 91:A:3, II on a motion by Selectman Jones, second by Selectman Kimball, after proper vote 3-0, the Board entered into Non-Public session at 6:06pm to discuss a matter affecting personal reputation. Present were: Chairman Harold Haddock, Selectman Constance Jones, Selectman Warren Kimball, Town Administrator Becky Newton, Esq., Administrative Assistant Melissa White and Athletics Director Marsha Googins.

No votes or decisions were made while in Non-Public session.

Following proper vote, the Board returned from Non-Public session at 6:25 pm.

- Hearing no comments on the Public Hearing; Selectman Jones made a motion to close the public hearing at 6:26pm; second by Selectman Kimball. Unanimously approved.

ADJOURNMENT

There being no further business, Selectman Jones moved to adjourn, second by Selectman Kimball; **the Board voted unanimously to adjourn at 6:26pm.**

The next Selectmen's Meeting is scheduled to be held on **Monday, November 23, 2009** at 5:00 p.m. in the Grantham Town Building; Jerry Whitney Conference Room at 300 Route 10 South.

Respectfully submitted,

Melissa M. White
Administrative Assistant