

**NORTHFIELD BOARD OF SELECTMEN MEETING**  
**Minutes of the meeting of April 8, 2014**

Present: Sel. Shepard, Sel. Crowley, Sel. Waldron  
Also Present: Chief Raffaely, Jonny Van Tassel, Glenn Smith, Steve Murdough, Rick Silverberg, Eliza Conde, Cheryl Thetford, Charles North, Steve Sawicki and Trish Sawicki.

The meeting was called to order at 6:00pm

**1. Public Hearing – Metrocast Franchise Agreement**

The Chair opened the public hearing on the proposed Metrocast franchise agreement. There being no public comment the chair closed the hearing.

**2. Public Appointments**

The Chair recognized Winnepesaukee River Trail Association President Rick Silverberg who outlined efforts the organization has taken to secure funding guarantees. They have sought loans from the Russell Foundation, Lakes Region Land Trust and Field Foundation, each organization has refused to accept an application. They have also pursued lines of credit from Franklin Savings Bank, Laconia Savings Bank and Meredith Village Trust. Only Franklin Savings Bank accepted an application, which was denied. The problem has been the lack of collateral with which to secure a loan. He informed the Board that the WRTA would like to pursue the trail only option. He described this as including removal of the temporary rail crossing and exit at the Maher property on Rt. 3/11, continuing the trail from behind the Maher property to the property recently purchased by the Tilton Conservation Commission and construction of a new rail crossing at Knapp Road. From the new end of the trail users would cross Rt. 3/11 and proceed to the center of Tilton where they would cross back over Rt. 3, cross Cannon Bridge and proceed up Elm Street to Surette Park. Sel. Crowley asked Rick to review the finances for the project which he did. Sel. Crowley asked Rick to review the timeframe for the project. Rick replied that engineering is scheduled for this year and construction for next year. Sel. Waldron asked if the vote of the WRTA board to secure funding was unanimous. Rick replied that it was. Sel. Waldron asked if anyone from the WRTA board approached FSB advising that the loan not be approved. Rick replied that they had not. Sel. Waldron asked if the plan presented at town meeting had a bridge in it. Rick replied that it had two options and that the option that included the bridge was the one presented at town meeting.

**Shepard/Crowley** moved to accept the trail only option for Phase IIa of the Winnepesaukee River Trail. Sel. Waldron noted that the trail only option was not presented at town meeting. Sel. Crowley said we have two legal opinions, one indicates that modifying the scope of the project to reflect available funds isn't a problem and the other believes that there is. He also noted that DRA has said that their agency sees no problem in reducing the scope of the project if needed due to decreased availability of funds. He said that reducing the scope of a project is not typically a problem and is done by the school district, that the intent of the voters is that the taxpayers not be exposed. Sel. Waldron said that the intent of the voters is to fund a trail and a bridge and anyone who does not understand it that way is being disingenuous. He pointed out that an attorney has advised us not to proceed, if this were challenged in court the town would have to pay legal fees which would be expenditure not in keeping with the intent of the town meeting vote. Sel. Crowley asked Rick Silverberg if he honestly believes he has exhausted all avenues for borrowing money. Rick replied that he did. Sel. Crowley asked Sel. Waldron if he advocated killing the

entire project. Sel. Waldron replied that he advocated keeping the deal that was approved at town meeting; his biggest problem is that he believes the voters were presented with one project and now the town is being asked to sponsor a different project. Eliza Conde stated that she believes that the people are in favor of this project and that the voter's main concern is that the town not be financially liable for any of these funds. She is not sure it is financially responsible to refuse the grant funds for which a match is available just because the match for the trail and bridge option is not available.

Town Administrator Glenn Smith explained the funding history of the project; the crunch has come because the cost of the project jumped sharply in 2013, leaving little time for WRTA to raise the increased local match and because the TE program is being phased out the project cannot be delayed until the local match is raised. Rick Silverberg explained that initially WRTA had asked that the bridge be cantilevered off of the existing railroad bridge, a much cheaper option that DOT refused to consider. Sel. Crowley asked Rick how confident he was in the engineer's estimate. Rick replied that he was very confident, that the estimate included a 15% contingency and the portion of the project that was most likely to result in unanticipated factors was the construction of the bridge footings which is no longer a factor. Sel. Waldron asked about the condition of the ground where the trail will be built. Rick replied it was mostly compacted gravel as railroad vehicles use it now when repairing the rail. Sel. Crowley asked about liability insurance for the trail; Rick responded that WRTA maintains a policy. Sel. Crowley asked about maintenance of the trail; Rick responded that WRTA maintains the existing trail and will maintain this portion. Sel. Waldron read the response from Attorney Mayer that he is not comfortable with the Selectmen redefining the project after the town meeting vote. **Motion passed 2-1, Sel. Waldron dissenting.** A majority of the Board members authorized Glenn Smith to sign the agreement with Quantum Construction Consultants for design of this project.

The Chair recognized Steve Sawicki who asked that the town temporarily close the Class VI portion of Bean Hill Road and Rangeway number 4 until after mud season to prevent off road vehicles from rutting up the roadway, which makes it more difficult for the snowmobile club to maintain winter trails in these areas. Board members asked Glenn to review the town's authority to take such action.

### **3. Highway Department**

Highway Superintendent Johnny Van Tassel reviewed draft RFPs for line painting, street sweeping and catch basin cleaning. Board members authorized moving forward with street sweeping and catch basin cleaning documents, modified to include schedule that would allow for a May 13<sup>th</sup> review of proposals. Sel. Shepard asked that action on the line painting RFP be postponed at this time.

Johnny reported that he has obtained a quote for a sweeper for \$4,800. Board members discussed the matter. Glenn noted that at \$4,800 this would not require obtaining sealed bids. Sel. Waldron advised Johnny to develop a set of specifications and forward it to the people in the industry.

Johnny inquired of the Board as to whether they would like one or two summer employees this year, noting that the employee here last year has expressed interest in returning. He would prefer two summer employees in the spring to handle peak workloads. Board members discussed the issue and agreed by consensus to keep to one summer employee.

Board members discussed disposal of Truck 7 and asked Johnny to sell it for \$5,000, advertised at roadside, on craigslist, on the LGC website and the town website.

Sel. Crowley asked when Johnny intended to bring in an RFP for the Shaw Road work. Johnny responded that he is working on this and Cannon Bridge and hopes to bring the Shaw Road RFP to the Board at the next meeting.

#### **4. Police Department**

Chief Raffaely presented a purchase requisition for ammunition, noting that he had quotes from AAA, Riley's and Eagle Point. Sel. Waldron asked that he contact LL Cote. Board members authorized purchase of the ammunition from Riley's unless the quote from LL Cote was less expensive. Chief Raffaely also inquired as to a check to Riley's for boot replacement. Board members instructed that this should be done as a reimbursement program. He also stated that he is working on a contract for disposal of contraband and documents and that PD was having problems with the scan feature on their copier. He was advised to get prices on a desktop scanner.

Chief Raffaely presented a contract from RA Lemire for the repair of with the PD air conditioning unit. He, Board members and Glenn Smith discussed repair of the PD and town hall units. Repair of the PD unit would cost \$2,500. Board members expressed concern with spending that much on a 20 year old unit. Glenn reported that Lemire had said that replacement of the town hall unit would require modifications to meet new codes and would cost \$30,000. Glenn and John were advised to obtain bids.

Chief Raffaely reported that there is a growing problem with local kids daring each other to swim across the Winnepesaukee River at Surette Park. The current is swift and the water cold at this location and he feels that it is risky to do this so close to the dam. Board members discussed the issue. He also reported that earlier in the day there had been an intensive response to a report of two individuals roaming Spring Street carrying high powered rifles. Officers from Northfield, neighboring towns, state police and sheriff's office responded and found that the individuals were young people carrying BB guns.

Chief Raffaely reported that Officer Decormier is graduating from the Police Academy on Friday; a celebration is planned for Saturday evening at the Pines.

#### **5. Administration**

Glenn noted that all requirements for approving the renewal of Metrocast franchise agreement have been met. **Waldron/Shepard** moved to approve the agreement and authorize the Chair to sign it. Sel. Waldron said that he does not like the agreement as it doesn't provide the town with the ability to cancel if terms are not fulfilled. **Motion passed.**

Members briefly reviewed the situation with replacing the town hall air conditioning unit. Sel. Waldron said he would like it replaced with a more efficient unit. Glenn will continue to investigate this matter.

Board members reviewed the summary of the computer and server replacement proposal using prices filed by the recommended vendor Certified Computer Solutions, and modified the proposal to allow for laptops for the Police Chief and Highway Superintendent and defer purchase of computers for the Town Administrator and the Detective. Board members agreed by consensus to proceed with the computer and server replacement as scheduled but deferred action on the proposed service agreement until modifications to the agreement have been received.

Glenn reviewed a proposed service agreement from George Sansoucy LLC for professional services

related to utility abatement requests. He will continue to work on researching this agreement.

Glenn reviewed and Board members approved a proposal to hold Consumer Driven Health Plan orientation meetings for town employees on May 8<sup>th</sup> and May 13<sup>th</sup>.

Glenn reviewed a proposed amendment to the Dept. of Safety Hazard Mitigation Plan grant, which Board members signed.

**Crowley/Shepard** moved to re-appoint Doug Read as a town representative to the Lakes Region Planning Commission. **Motion passed 2-1.** **Waldron/Shepard** moved to appoint Wayne Crowley as the Selectmen's representative to the Planning Board. **Motion passed 2-0-1.**

Board members discussed issues concerning the ability of individual Board members to contact the town attorney seeking advice on matters brought before the Board. Sel. Crowley said that he feels that it is unreasonable to expect that all Board members would have to pre-approve each communication with the attorney in advance but could understand the need to obtain pre-approval from the Chair. Sel. Waldron stated that legal advice should only be sought when the town is in trouble or expects to be in trouble. Sel. Shepard and Crowley disagreed, saying that legal advice can be sought to explore the ramifications of possible courses of action. Glenn was asked to draft a policy on the matter for Board review.

Glenn informed the Board that NEDC has postponed work on the CDBG grant that had been discussed at the previous meeting.

Board members reviewed a format for Selectmen's business cards.

## **6. Non-Public Session *RSA 91A-3 IIa***

**Waldron/Crowley** moved to enter into non-public session under the provisions of RSA 91-A3IIa at 9:41pm. **Motion passed by unanimous roll call vote.** Present at the non-public session was Glenn Smith **Bluhm/Shepard** moved to reconvene the public session at 9:56pm. **Motion passed by unanimous roll call vote.**

**Crowley/Shepard** moved to seal the minutes of the non-public session under the provisions of RSA91-A:3 II because divulgence of the information likely would affect adversely the reputation of any person other than a member of the board itself. **Motion passed by unanimous roll call vote.**

## **7. General Business**

Board members reviewed accounts payable, payroll manifests and general correspondence **Shepard/Crowley** moved to adopt the minutes of the meeting of March 25, 2014. **Motion passed.**

There being no other business the meeting was adjourned at 9:59pm.

**APPROVED BY THE NORTHFIELD BOARD OF SELECTMEN ON APRIL 22, 2014**