

MINUTES
BRISTOL BOARD OF SELECTMEN
April 28, 2011

PRESENT: Chairman Rick Alpers, Vice Chairman Jeff Shackett; Selectmen Joe Denning, Phil Dion and Don Milbrand; Town Administrator Michael Capone.

Chairman Alpers called the meeting to order at 6:00 PM.

Minutes of April 14, 2011

The Board reviewed the minutes of the April 14, 2011 public and non public sessions. Selectman Denning made a motion to accept the minutes as written. The motion was seconded by Selectman Dion. The Board voted with two members abstaining from the vote, 3-0 in favor of accepting the minutes as written.

RFQ for Downtown Improvements Project

The Board discussed RFQ's received from Dubois & King and KV Partners. Selectmen Denning moved to accept the proposal from KV Partners, 2nd by Selectman Dion. The Board, 5-0 voted in favor of accepting KV Partners proposal.

Disciplining of Town Employee

At the request of Firefighter Fellows, a personnel matter was brought before the Board in a public meeting. Chairman Alpers requested that Firefighter Fellows confirm this request verbally as personnel matters are usually handled in non-public meetings. Firefighter Fellows confirmed her request.

Chairman Alpers entered the following into the record:

The Board of Selectmen has been informed by Chief Yannuzzi that on two occasions Firefighter Fellows was asked to participate in a quality assurance review program conducted by the Lakes Region EMS Coordinator and the Emergency Room physician.

The first of these meetings was scheduled for January 19th, 2011. Firefighter Fellows was notified by Chief Yannuzzi that she needed to attend the meeting but Firefighter Fellows did not show up.

A second meeting was scheduled for March 31, 2011. While Firefighter Fellows did attend the meeting, she refused to participate in any way.

In light of Firefighter Fellows unwillingness to participate in this review, even after being directed to do so by the Chief, he has recommended to the Board of Selectmen that her employment with the Town of Bristol be terminated in accordance with the Town of Bristol Personnel Policy for: violation of reasonable or official orders, refusal to carry out lawful and reasonable direction of a supervisor or other acts of insubordination.

Chairman Alpers then asked Firefighter Fellows if she had any questions.

Attorney John Krupski representing Firefighter Fellows asked to speak on her behalf. He provided a handout for the Board. Attorney Krupski stated he would like to respond to the facts presented in Chief Yannuzzi's letter. Attorney Krupski stated that the first meeting was cancelled by the hospital. He also stated that the hospital told him that the second meeting at which Firefighter Fellows was present, but refused to participate could be held at a later date.

Further, Attorney Krupski stated that all discussions held in the QA/QI meeting are confidential and Firefighter Fellows was willing to participate in the meetings so long as she was guaranteed all measure of confidentiality protecting her from the information being used against her. Attorney Krupski further stated that the attempt to discuss this matter is in violation of RSA 153-A: 34.

Chairman Alpers stated the Board would take the information under advisement and have it reviewed by Counsel. The Board would render a decision no later than the end of next week.

Request to Waive Permit Fee for Pasquaney Garden Club Event

The Board reviewed a request to waive the permit application fee for the Plant and Bake Sale scheduled for June to raise scholarship funds for students at Newfound Regional High School. Selectman Dion motioned to waive the fee, 2nd by Selectmen Milbrand. The Board, 5-0 voted in favor of waiving the fee.

Chairman Alpers suggested delegating authorization of waiving permit fees for non-profits groups. The Board discussed that as stated in the application, the Board must authorize waiving fees. The Board decided to have the last line re-written in the policy and hold a vote at a later date.

Review and Sign CDBG Documents for Bristol Freedom Cooperative

The Town Administrator reviewed the documents that required the Chairman's signature with the Board. Vice Chairman Shackett motioned to approve and authorize the Chairman to sign on behalf of the Board the Financial Management Plan, the Code of Ethics for CDBG Administration and the Town of Bristol Personnel: Conflict of Interest CDBG Program Guidelines, 2nd by Selectman Denning. Selectmen Dion asked why all of these documents were necessary. The Town administrator explained that they were part of the rather large amount of paperwork required for this project. The Board voted 5-0 in favor of adopting the documents and authorized Chairman Alpers to sign on behalf of the Board.

Goal Setting Facilitation Session with Primex

Chairman Alpers reviewed the Goal Setting Facilitation details with the Board. He stated he would like to hold this session to aid the Town Administrator and staff in setting goals for the future. The Board discussed dates to hold the meeting and agreed on June 2nd at 6PM. Town Administrator Capone will confirm the date with Primex.

Possible Purchase of Land at 496 Lake Street

Last fall the Town had approached the realtor listing this property and made an offer that would have been subject to a Town Meeting Vote last month. At the time, the realtor already had an offer on the property. Since that time, the property was foreclosed on by the Meredith Village Savings Bank. Earlier this month the Town became aware of the availability of the property and approached the bank about acquiring it. After some discussions with the Bank, they have agreed to offer it to the Town at a discounted price and allow time for the Town to hold a special Town Meeting to approve the purchase. Town Administrator Capone provided the Board with a sales agreement drawn up pending the approval at a Special Town Meeting. The Board discussed the process for pursuing a special meeting.

Vice Chairman Shackett mentioned that he felt the area would make a nice riverside park with parking and benches for people to enjoy the area. The Board discussed improvements for the land and potential uses.

Vice Chairman Shackett made a motion to authorize Chairman Alpers to sign the Sales Agreement with Meredith Village Savings Bank for the purchase of 496 Lake Street pending approval at a Special Town Meeting, 2nd by Selectman Milbrand. The Board voted 5-0 in favor of the motion.

Vice Chairman Shackett motioned to authorize Town Attorney Bernie Waugh to draw up paperwork to Grafton County Superior Court for a Special Town Meeting on the purchase of the land, 2nd by Selectman Milbrand. The Board vote 5-0 in favor of the motion.

Selectmen's Items:

Selectmen Denning provided an update on the Safe Routes to School Round III project at the Newfound Memorial Middle School parking lot. It's possible this project can be done this summer. John Corrigan of NH DOT is awaiting final allocation of funds for the project.

Vice Chairman Shackett stated he wanted to make sure the Board does not lose sight of the Mica Building Project.

Town Administrator's Report:

Town Administrator Capone provided an update on Brownfield's funding for the Mica Building. He attended a meeting of the Brownfield's Advisory Committee earlier in the week in which it was mentioned that they should receive word of funding for the project in four weeks. On April 12th, there was a second assessment done on the building. The Board discussed safety concerns with regard to this structure.

The Board discussed holding a meeting on May 12th at the Fire Department. This meeting will be rescheduled to June 9th due to testing at the Fire Department.

Representatives of PSNH will be present at the May 26th Selectmen's meeting. The Board would like to have PSNH outline the impacts of the Northern Pass project on Bristol. The meeting will be held at the Old Town Hall.

Selectmen meetings in July and August will be changing to Monday nights to accommodate the Concert Series. Town Administrator Capone will verify the schedule for concert dates.

The Borough Road Bridge Replacement Project won an award for the 2011 Engineering in Excellence.

The Town Administrator read a letter from a Bridgewater resident thanking Sergeant Guerriero and Officer Kratz for their help recently. In the letter, both officers were complimented on their professionalism.

Vice Chairman Shackett asked about the \$100,000 surplus from the Borough Road Bridge Project that was mentioned by the Evan Dietrick of Dubois & King at the last meeting. The Town Administrator mentioned that he had been reviewing some of the financials and had as of yet been able to determine why Mr. Dietrick thought there would be have been \$100,000 available for the project. He was going to contract Mr. Dietrick next week.

The Town Administrator read a letter from Archie Auger commending the Highway Department on the good work they did repairing a wall at the Worthern Cemetery.

Town Administrator Capone notified the Board that to date, \$696.54 has been reimbursed to the General Assistance by recipients of public assistance.

There was a follow up discussion with regard to placing a marker along route 3A near the location of the site at which three volunteer firefighters had died in 1940 trying to complete a rescue in a well. Fire Chief Yannuzzi mentioned some of the other efforts underway to recognize those firefighters. The proposed marker would cost about \$1,400. It was noted that there was no money in the budget allocated for this purpose. There was some discussion about raising funds some other way or perhaps waiting until later in the year to see if there might be any money in the budget to be used for the memorial.

The Town Administrator mentioned that he had received a phone call from a resident concerned about the high cost of the cable services provided by Metrocast. The Administrator noted that he had written to Metrocast to pass along the concern.

Public Comment

None

Non-Public: RSA 91-A:3 II c and 91-A:3 II d:

With no further business before the Board, at 7:06PM Selectman Denning motioned to enter non-public session to discuss a legal matter, 2nd by Selectman Milbrand , the motion passed by a roll call vote 5-0.

Respectfully submitted,

Kelly Lacasse
Executive Assistant

Rick Alpers, Chairman

Jeff Shackett, Vice-Chairman

Joe Denning, Selectman

Don Milbrand, Selectman

Phil Dion, Selectman