

**MINUTES**  
**BRISTOL SELECT BOARD**  
**January 9, 2014**

**PRESENT:** Select Board Members: Don Milbrand, Joe Denning, Betsy Schneider, Shaun Lagueux, Janet Cote and Town Administrator Michael Capone.

Mr. Milbrand opened the meeting of the Bristol Select Board at 6:00 PM.

**Minutes of December 12<sup>th</sup> and December 19<sup>th</sup>, 2013**

Mr. Denning motioned to accept the minutes of December 12<sup>th</sup> and 19<sup>th</sup> as submitted, seconded by Ms. Schneider. The Board voted 5-0 in favor of the motion.

**New Business:**

**Archie Auger – Land Trust / Friends of the Minot-Sleeper Library**

Mr. Auger provided copies to the Board of information he had on some land, currently held in Trust by the Friends of Minot-Sleeper Library (“Friends”). The land was left to the “Friends” in trust with the proceeds from the sale to be used for the expansion of the library. It is a 2.13 acres parcel located on West Shore Road (Map 230 Lot 151) included in the Camelot Acres development. It was donated to the “Friends” in November of 2011. The “Friends” have not yet sold the parcel and have been paying property taxes on the parcel since they took possession of it. The “Friends” do not have funds to support this land. The parcel was put on the market but no sale was completed. Mr. Auger is asking the Board to consider accepting the property from the “Friends” to remove it from its taxable status. The Board can accept land under RSA 31:19. Board members asked questions of Mr. Auger inquiring on the legal issues with the Town accepting the property. Mrs. Cote clarified the intent of the donation suggesting there should be other possibilities for transferring the land. Mr. Auger stated there are no other RSA’s that allow this to occur. Mr. Milbrand noted that the Town could abate the property taxes. Ms. Schneider asked if this were possible. The Town Administrator mentioned that the Board can abate property taxes for “just cause” which has a very broad definition. The Board discussed other approaches to the land matter that could be considered. Mr. Lagueux inquired if the Friends of the Library would consider paying the Town back for any abated costs. Mr. Auger stated they would and suggested the next step would be for the Friends to submit a written request to the Board for a decision. Mr. Capone suggested that the existing Memorandum of Understanding specifying the details of a trust developed between the “Friends” and Mr. Carr be reviewed. Mr. Carr would have to consent to any change in the terms of the Trust. Mrs. Cote clarified that there should have been a change to the Trust when the transfer occurred. The Board will look into the matter further. They thanked Mr. Auger for attending.

### **Anson Smith – Parking for 16 Central Square**

Mr. Smith discussed a request for parking for the building that he is planning to renovate at 16 Central Square. The building will house residential units, but there is no private parking for the building. As he is renovating the building, based on his discussion with the Planning Board, he will be required to obtain from the Board for two additional parking spots. Mr. Denning stated that the Town has a deeded easement on a portion of the property near the Hydro Plant for parking. Mr. Capone suggested if there was going to be some type of an arrangement with the parking, that a lease agreement be developed for the designated spaces. Mr. Milbrand inquired of the Board if they were interested in pursuing the matter. Mrs. Cote stated more research is needed before deciding on a lease. Mr. Milbrand thanked Mr. Smith for working on the building and bringing it back. Mr. Denning asked for a timeline to respond to Mr. Smith's request. The Town Administrator will look into a lease agreement as well as the status of the existing under consideration within the next few weeks.

### **Investment Policy – Review and Approve**

Mr. Capone reviewed the proposed updated investment policy with the Board. Section IX was revised with current legal language along with the addition of Appendix E: BAN 1450. Mrs. Cote motioned to accept the revised investment policy, seconded by Mr. Lagueux. Mr. Lagueux commented on the policy adding that it was well put together and specific with regard to objectives. He is in favor of approving the policy. Mrs. Cote was also in favor of approving the policy as presented. The Board, 5-0 voted in favor of the approving the revised Investment Policy.

### **Review and Discussion of Warrant Article Language**

Mr. Capone provided the Board with a draft of the warrant articles to be presented at Town Meeting. The document was reviewed by DRA. Mr. Lagueux inquired if there was any specific order needed for the warrant articles and specifically the amount for the Kelley Park Playground Project. Upon discussion, Mr. Capone clarified there were no requirements for the order at Town Meeting unless there was a Bond Article presented. There was a discussion of the Playground Project amount. Mrs. Cote stated the Board agreed upon \$25,000 for the warrant article after Mrs. Dion had requested \$30,000. Mr. Milbrand inquired if the Board was still of the same opinion for the articles. Mrs. Cote asked for clarification on the Police Special Details article. The Town Administrator explained the article to the Board and also noted that there may have to be another article that would remove the \$40,000 from the Police Detail Line of the budget if this article were to pass.

Ms. Cote also inquired about the amount for the Town Hall renovation article. The Board is proposing additional funding in the article to complete all of the proposed repairs to the building. Mr. Capone reviewed the estimates from the previous year noting that he had checked with CCI, the firm that proposed the original estimates, and they suggested a 3% increase over last year's numbers. This would put the balance needed to complete repairs above \$71,000. It was suggested that the proposed amount of \$80,000 remain in the article.

Mr. Capone reviewed the timelines for petitioned warrant articles and the public hearings with the Budget.

Mrs. Cote mentioned that there is a proposed budget item with the School District for a School Resource Officer. The item is scheduled to be discussed at a School Budget Hearing on Friday at 6:30 at the high school.

### **Town Administrator's Report**

Mr. Capone discussed an email he received from a representative of a group in opposition to the latest wind farm application asking if the Town would consider joining both Bridgewater and Hebron to seek intervener status with regard to the project and the subsequent hearing by the Site Evaluation Committee (SEC). Mr. Denning noted that the Board had previously stated their concern for this project and that they should consider this option. The Board discussed the matter and Mrs. Cote motioned to appoint Mr. Capone to look into seeking intervener status along with Bridgewater and Hebron. The motion was seconded by Ms. Schneider. The Board voted 5-0 in favor of the motion.

Mr. Capone reminded the Board that the State Primary election will be held Tuesday, January 21<sup>st</sup> from 8AM-7PM at the Marian Center located on 17 West Shore Road. Mrs. Cote inquired what the Board has traditionally done at elections. Mr. Milbrand stated that the Board should all be present however in the past at least one person has been there. He asked fellow Board members to let the Town Clerk know if they could be there for the day. Mr. Capone reviewed the layout of the building and other items that have been coordinated for the election.

At the next Board meeting on January 23<sup>rd</sup>, Mr. Capone hopes to have all year end budget numbers available to discuss transfers and adjustments, which should be done at a public meeting. Mrs. Cote inquired if encumbrances would be discussed at that meeting as well.

Next month, Highway Superintendent Mark Bucklin will be present to provide a quarterly update for the Board. In addition he will discuss the proposed change to road specifications with the Board as well as the additional signs considered for downtown and also comment on the Barter policy.

Mr. Capone mentioned that he will be working with the Finance Officer to produce updated budget and revenue reports that can be sent to the Budget Committee on Friday.

A one year contract with Integrys Energy for electrical rates is up for renewal at the end of this month. Mr. Capone has been reviewing rates and will discuss this matter further with the Board at their next meeting.

The Town was not selected to receive a HEAL grant for engineering work on sidewalks on Central, Merrimack and Spring Streets.

Recent notification from NHDOT advised that Round 5 & 6 Safe Routes to School funds have been combined. Mr. Capone reviewed the details of Round 5 & 6 projects and the work they include.

Mr. Capone updated the Board on a TAC meeting he attended at the Lakes Region Planning Commission. He mentioned that there is a draft of a transportation report available for Board members if they would like to receive a copy.

Mr. Capone and Ms. Shokal met with Mr. Tom Guarino from Plymouth State University to discuss an internship program for his students to work in the Town Finance Office to learn more about government accounting. Further discussions will occur in the coming weeks.

### **Select Board Items**

Mr. Lagueux asked if PSNH was going to move all of the utility lines on the existing poles on North Main Street to the new poles and not leave any of the other poles in place. Mr. Capone will contact the company to confirm the relocation of all utilities onto the new poles. Mr. Lagueux stated he would like to look at the lower parking areas on Central Street for improvements in the spring. He also inquired if there was any update with the Army Corps Engineers on the Pemi-Pathway Trail. Mr. Capone mentioned that he needed to follow up with the State to see if they made the necessary improvements to Route 3A to alleviate the concerns of the Army Corps.

Mrs. Cote inquired on the Grant-Bartering Policy per a prior request to have it on this week's agenda. Mr. Capone mentioned that he plans to include it as part of Mr. Bucklin's discussion with the Board at the January 23<sup>rd</sup> meeting.

Mrs. Cote inquired on the road maintenance with Ernest and Jonelle Drive. Mr. Lagueux stated he spoke with Mr. Revels and that everything is going well.

Mrs. Cote stated she had received several phone calls regarding the Board's presence at a meeting Monday which constituted as a quorum without a public meeting notice. She spoke with NHMA who advised that the meeting should have been noticed if it was a public meeting and suggests that the Board be more aware of their presence. Mr. Denning stated there was no meeting or discussion. He felt the Board members are aware of their actions and had no discussions.

Mr. Denning inquired on GASB 34 suggesting it is on the Board's agenda in the near future. Mrs. Cote suggested that the recommendation from the Auditor's should be addressed. Mr. Capone stated some are already being addressed however he would provide an update to the Board as new developments occur.

Ms. Schneider inquired if the Superintendent was still interested in meeting with the Board on use of the middle school. Mr. Capone stated the Town Clerk was supposed to speak with Ms. Schneider about the matter. Ms. Schneider also inquired if the Town could get into the State's

computer bids and if there would be any savings. She also mentioned that David Hill asked for a letter showing a breakdown of votes on the warrant articles. Ms. Schneider discussed the Motor Cycle being removed from the new equipment line to another area. It's been brought up numerous times with no change. She inquired of the Board whether they would like to see this item moved. Mrs. Cote agreed stating it should be separated out since it is a grant item. Mr. Capone will find a line to enter it under.

Mr. Milbrand read a letter asking for authorization for allowing Northern Boats to act as a deputy for boat registrations. Mr. Denning motioned to sign the authorization, seconded by Mrs. Cote. The Board voted 5-0 in favor of the motion.

A letter from Our Lady of Grace Chapel had a request for financial assistance with providing social day programs for a Bristol resident with Alzheimer's. The organization is called A Day Away. Ms. Schneider will obtain more information on the matter. Mrs. Cote made a motion to contribute towards A Day Away and sponsor a Bristol resident contingent upon whether the recipient organization can accept Town funding, seconded by Mr. Denning. The Board voted 5-0 in favor of the motion.

Mr. Milbrand mentioned the Board's report for the Annual Town Report and asked for others to edit if necessary. Ms. Schneider inquired on a sentence on page two. Mr. Milbrand clarified that it was merely a fact. Mr. Capone will correct the grammar and review the report.

Mr. Denning stated he felt the Board needed to regroup with regard to their Budget Committee strategy. Specifically, he felt that the role of the Board's representative to the Budget Committee should be to support the Board's position with regard to their proposed budget. Ms. Schneider indicated that, by law, she has the right to vote as she sees fit. Mr. Denning agreed that she had the right to her own vote however he felt it was not the right thing to do. He felt that it gives her a second vote on the budget which other Board members do not have. Ms. Schneider stated that she felt she had the right to vote differently based upon information she learned and that was part of her duties to the residents. Mr. Denning disagrees because he feels this position is to represent the Board's position on a matter, not her own. Mr. Milbrand reiterated Mr. Denning's point that the Board elected Ms. Schneider to represent the Board not her own ideas. He asked that since the intent was to represent the Board, that Ms. Schneider does so in the future. Ms. Schneider suggested that the Budget Committee creates by-laws to avoid situations such as this.

### **Public Comments**

Paul Simard stated the three republican candidates for the Executive Council Seat, will be present at an event to be held at the Enfield Community Center on Sunday, January 12 from 2-4.

Ernie Richards stated he read an article in the paper on the energy rates and inquired if we had any assurance going forward with the rates. Mr. Capone stated the Town is under contract for

a period of one year at the agreed upon rates. He also asked where the rates apply. Mr. Capone stated it applies to all Town properties for usage only.

Paul Manganiello commented that he felt the Board's presence at the Budget Committee meeting was an act of intimidation. Mr. Milbrand stated that he recalls commenting at the last meeting that he personally would try to attend all the meetings and that was not the Board's intent.

Ms. Hoyle brought up the signage questions she asked back in November. She noted that some of the concerns had been addressed but not all of them. Mr. Capone mentioned that they would continue to address those that they could, but it would require more time.

Ms. Hoyle mentioned the Grace Electronics sign which is still up. Mr. Lagueux commented that the building has been sold. Mr. Capone mentioned that he plans to contact the new owner once the sale is finalized to see if he/she will remove the sign.

Ms. Hoyle also asked about enforcement. She inquired if it was the Board's responsibility or the Planning Board. Mr. Milbrand stated it was the Towns provided the proper enforcement was in place in the Zoning Ordinance.

Mr. Capone mentioned that Mr. Bucklin would provide an update with regard to his plans for placing additional directional signs in the downtown. He is currently checking with the State to see if they will be supplying any of the signs that would be on the State right of way.

Steve Favorite mentioned that the Lakes Region Planning Commission had selected a new Executive, Jeff Hayes. He also mentioned that House Bill 1573 had been proposed to do away with Regional Planning Commissions and to make all Planning Boards elected offices.

#### **Manifest of January 9, 2014**

Mr. Lagueux motioned to accept the manifest of January 9<sup>th</sup>, seconded by Ms. Schneider. Mrs. Cote had a question about a cutoff date for 2013 bills. Mr. Capone explained the bill submission process into the next year. The Board voted 5-0 to approve the manifest.

Ms. Manganiello inquired on the submission deadline for petitioned warrant articles. February 4<sup>th</sup> is the deadline. The dates to file for office are 8AM January 22<sup>nd</sup> through the 31<sup>st</sup> by 5PM.

With no further public business to come before the Board, at 8:30 PM, Mr. Lagueux made a motion to enter into non-public session under RSA 91-A: 3 (e) and (i). It was seconded by Ms. Schneider. The Board voted 5-0 in favor of the motion by a roll call vote.

At 9:37PM, Mr. Lagueux made a motion to come out of non-public session. The motion was seconded by Ms. Cote. The Board voted 5-0 in favor of the motion.

At 9:38PM Mr. Lagueux made a motion to adjourn. The motion was seconded by Ms. Cote. The Board voted 5-0 in favor of the motion.

Respectfully Submitted:

Kelly Lacasse

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Don Milbrand, Select Board

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Joe Denning, Select Board

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Betsy Schneider, Select Board

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Janet Cote, Select Board

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Shaun Lagueux, Select Board