



Selectmen's Meeting Summary January 20, 2016

Selectman Ken Ross-Raymond, Chair	Present
Selectman Pete Ballou	Present
Selectman Joe Schmidl	Present
Town Administrator Margaret Warren	Present
Administrative Assistant Kathie Downes	Present

Visitors: see sign in sheet attached with original summary on file.

Chairman Ross-Raymond called meeting to order at 6:30 PM.

- Review and Approve Minutes of last meeting
 - January 6, 2016 meeting summary. **Selectman Ballou moved to accept summary as written, Selectman Schmidl seconded. All voted in favor.**
- Review Accounts Payable & Payroll registers. **Select board moved and accepted**

Department Heads:

Fire Chief MacDuffie – monthly update

- Stats: 6 EMS, 1 outside fire, 1 chimney fire
- Comstar – still have to set up bank account and send new license. Will start April 1st. Have new modem which will have a fee of \$7 per month.
- New defib monitor in and in service – with training last night.
- Department has three new EMT's

Old Business:

- Final review of 2016 Proposed Budget Figures:
 - Bldg Inspector Salary line to include 2% increase \$3914 to \$4,200 – bringing bottom line to \$6,925.
 - Library salary line to include 2% increase - Salary line item is now \$27,247 changing line by decrease of \$1,804 from \$29,051 which was presented by Library. Total Library budget is now \$37,509.
- Final review – 2016 Warrant Articles – Final draft given to Selectmen for review – with reference to some word changes by DRA and town counsel.
- Meeting Updates/Reminders:
 - FYI - Meetings Coming up:
 - 1/21 – OHD Committee – 6:30 PM – Academy Hall – Lazy Boy Rockers sent in letter of interest – will leave for the tomorrow's meeting.
 - 1/26– MVSD Budget Public Hearing is on **Tuesday, January 26, 2016**. The Hearing starts at **7 pm** at Merrimack Valley High School (Auditorium). The Public Hearing is designed for the MVSD Board to hear comments on the draft budget and warrant articles. These comments are listened to and have heavy impact on the final budget as well as planning for Annual Meeting.
 - 1/27 – Conservation Commission – 7 PM – AH
 - 2/1 – Planning Board – 7 PM – AH
 - 2/3 – Selectmen – 5:30 PM – AH
 - 2/8 – Public Hearing - Budget Committee– 7 PM – AH

Selectman Ross-Raymond noted he has a commitment which will prohibit his attending the 2/3 Selectmen Meeting and 2/8 Budget Public Hearing. Selectman Schmidl will sit in Budget Committee as Selectman Ex-Officio.

- Conservation Commission and Recreation positions:
3 members for 3 yrs. for CC and 2 members – three year terms and one member – 2 year term for Recreation. Posting will be put out next week for letters of interest to be submitted by March 1st.
- Selectmen received a call from citizen on South Road indicating additional hours at Transfer Station other than Saturdays are good idea. Any day other than Saturday would work for him. Selectman Schmidl asked TS Operator Wheeler if there is a day during the week that someone would already be there. Mr. Wheeler stated no – but would look at Wednesday as being a good day for additional hours not using machine that day. Selectmen noted they are still looking for input from town citizens before moving ahead. Eventually a trial period would probably be in place.
- NH Dept. of Safety – Homeland Security and Emergency Management will hold 402 Overview for Executive & Senior Officials on March 15th 4 PM – 7 PM at MVHS. This course will provide an orientation to the Incident Command System. Fire Chief MacDuffie also got this notice.
- Invitation to the KACC – Annual Meeting – Hopkinton Library – January 21st - 5:30 PM.

New Business:

- Reminder: Declaration for Candidacy 1/20 – 1/29/16

Public Hearing: Chairman Ross-Raymond opened the public hearing at 7 PM. Two issues for discussion. NH State Trooper Beauchemin joined the hearing to help explain the ordinance. Selectman Schmidl gave a general overview of the proposed ordinance (attached with summary). This was suggested as a way to deal with the problems which have come up over the past year. It is not proposed to generate revenue for the town but to address the issue with recurrent problems whereby the event has occurred before an officer can get to the scene. Trooper B noted the fine amounts are more of a deterrent – and if police have visited twice the main point is to get a dialogue with people involved. Selectman Ballou noted it is a tool to help police facilitate an issue.

1. **Disorderly Residence Ordinance:** General overview of proposed ordinance.(attached with minutes) State Police representative Trooper Beauchemin. Suggestion of way to deal with problem – addresses problem at property owners' level – repeat offenders – recurrent problems. Selectman Ross-Raymond noted this is not to generate revenue to the town. Trooper Josh Beauchemin – fine amounts are more of a deterrent – police have visited twice – main point is to get dialogue with property owner. Problem solver. Plan – if it does not work there will be a fine.
 - General Discussion opened to those in attendance:
 - Has there ever been occasion when this happens? *Yes but trooper could not get there while it was happening. But to have this in place would help solve the problem.*
 - If one is arrested - go to court – Judge makes decision - but with this ordinance a person does not have any recourse – can get fined without recourse. *The recourse is to*

meet with officials and come up with plan to alleviate the problem and if that fails person can still take issue of fine to court – same as if ticketed.

- The ordinance addresses property owner – not necessarily the person committing the offense. Responsibility should be put on offender. *Property owner works with town to correct the situation.*
- I complained about neighbors –called police – couldn't do anything because they did not see it. To me this is a solid plan – if we can't arrest them hit them in pocket book.
- Can you video what is happening? *Not admissible.*
- What are the hours this is in effect. 24 – 7
- What is excessive. *Reasonable is the key.*
- What is reasonable to one is unreasonable to another. Who determines if the complaint is reasonable? *Law enforcement.*
- If we pass this ordinance and events occur – what happens then. *Police take statements and move from there.*
- What is the appellate process – due process. If criminal charges are brought one goes to court – here the Selectmen serves as judge. If person decides to take it to court – Is the town going to court – or do we have to involve town counsel?
- We've had number of attempts at noise and a nuisance ordinance is this back door to get an ordinance in. *Not the intent of this ordinance – look at reasonableness.*
- So it is matter of opinion of law enforcement and then BOS.
- Should be the responsibility of one who is abusing the ordinance.
- Board would take action as recommended by Police.
- Does Franklin use this and does it work *Yes it does work – good deterrent.*
- How is this decided . *This will be a question on the ballot at town meeting – decision will be by vote of the people.*
- General Discussion with regard to what fines and length of time proposed. It was agreed that a lower fine and higher length of time is best. Also discussed sending notice to person by certified mail vs first class mail.
- State Trooper Beauchemin noted that criminal issues are charged first – if incident is not criminal would use the ordinance. The ordinance in all probability would not be used frequently.
- Public Hearing closed at 8 PM. **Selectman Ballou moved to proceed with making proposed edits to ordinance and having question on ballot, Selectman Schmidl seconded. All voted in favor.**

Open Public Hearing at 8 AM on- Bond Issue – Fire Truck: Warrant Article # is to To see if the Town will vote to raise and appropriate the sum of up to \$262,000 for the purchase of a new Tanker, and to authorize the issuance of not more than \$185,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon; furthermore, to authorize the withdrawal of up to \$77,000 from the Emergency Services/Fire Capital Reserve Fund created for this purpose. (Selectmen and Budget Committee recommend this appropriation). 2/3rd's Majority Vote is needed.

Fire Chief MacDuffie gave general overview of the tanker which is being replaced – 30 years in service, rust inside tank, time has come for replacement. Need to go with a bond because over the past years town had not put enough in CFR to cover cost. Two advance payments in 2016 will help reduce lower cost (savings of \$9000). First payment on loan will be in 2017 and loan is for seven years – 2017 – 2023. Payments are less than what we would be putting in CRF

yearly. Selectmen Ballou and Ross-Raymond both stated they were first apprehensive about doing it this year – but after looking at the figures feel this is the right time to do it.

- Open Discussion to public in attendance.

Question of how this works – *it is a loan for seven years plus utilizing what is already in CRF.*

What is the new tanker made of. *Plastic*

Think this is the time to move on the purchase.

With no more comments – public hearing closed at 8:10 PM. Selectmen noted this is a warrant article for discussion at town meeting.

Other: All business that shall legally come before the Board

Non-Public Session: (as necessary)

Selectman Ballou made a motion to adjourn at 8:15 PM; Selectman Schmidl seconded. All voted in favor.

Respectfully submitted:

Kathie Downes, Administrative Assistant

Meeting Summary reviewed and accepted at the February 3rd, 2016 Meeting.

Selectmen, Town of Salisbury