

**Town of Boscawen
Select Board
MEETING MINUTES
Thursday, September 7, 2023, at 6:00 PM**

In Attendance: Matt Burdick, Lorrie Carey, Bill Bevans, Katie Phelps, Kate Merrill, Kellee Easler, Nicole Hoyt, Gary Moore, Dean Hollins, Jason Killary & Tim Kenney

Guests: Leah Milano, Beverly Drouin, and Bill Heinz

Roll Call: completed and guests introduced.

Chairman Matt Burdick called the meeting to order at 6:00pm.

Consent Agenda Items:

- P&L, Balance Sheet, Check Manifest & Payroll (2 Weeks)
- Nonpublic/Public Minutes for Approval—08.24.2023
- Fund Balance Policy
- Report from Exec Councilor Cindy Warmington
- MVYBS Fall Ball Schedule

Selectwoman Lorrie Carey noted grammatical changes to the 08.24.23 public minutes.

Selectman Bill Bevans motioned to approve the Consent Agenda as amended. Seconded by Selectwoman Carey. All in favor. None opposed.

Scheduled Guests and Hearings: Town Administrator Katie Phelps presented Ms. Leah Milano's application for the Beautification Committee. Ms. Milano introduced herself to the Select Board and explained her interest. She moved to Boscawen about a year ago and has been interested in learning about the history of the town. Ms. Milano loves to garden and beautify things. Selectwoman Carey asked Ms. Milano where she sees opportunities for beautification in town. Ms. Milano noted there were a few areas that could use some color. She mentioned that the Route 4 church park has been opened up and suggested that it would be beneficial to focus on the historical sign on the Route 4 side as her Adopt-A-Spot. She noted the sign is currently not visible and holds historical value. Ms. Beverly Drouin, a member of the Beautification Committee, expressed her support for Ms. Leah Milano's application to join the committee. She was excited about Ms. Milano's interest in adopting the spot of the historical sign on the Route 4 side as a starter project. Ms. Drouin agreed that the sign was invisible to the community and could use some trimming and maintenance.

Chairman Burdick motioned to approve Ms. Leah Milano to become a member of the Beautification Committee. Seconded by Selectwoman Carey. All in favor. None opposed.

Chairman Burdick swore in Ms. Milano and appointed her as a member on the Beautification Committee.

Department Head Updates: Finance Director Kate Merrill presented two engagement letters from Vachon Clukay & Company PC, for audit services. One of the engagement letters was dated for the year ending December 31, 2023. The audit company will need a signed letter for each individual year for their records. The other engagement letter was for the 3-year contract. Chairman Burdick signed both contracts on behalf of the Select Board.

Planning and Community Development Director Kellee Easler presented a revised abatement for Land Use Change Tax (LUCT) for Map 183D, Lot 16, Sublot 1. Last week, PCD Director Easler suggested revising the abatement and posting the difference of \$250.

Chairman Burdick motioned to abate \$250 for River Edge Properties, LLC, 140 Peaceful Lane, Penacook, NH 03303 for property located at Map 183D, Lot 16, Sublot 1 due to a change in assessed value per recommendation from Avitar Associates of New England. Seconded by Selectwoman Carey. All in favor. None opposed.

Facilities Director Gary Moore gave an update on the Facilities Department. The parking lot was finished on Monday. They seal coated, crack filled, and line stripped the parking lot. Chairman Burdick mentioned he saw spots popping up in the parking lot from the crack sealing. FD Moore explained that the crew was using a hand unit when they started which was dripping out and solidified a puddle. The sealing company said they would fix it, but it never happened. FD Moore said when he receives the bill, he will call the company to confirm that they will fix the areas before paying the bill. Facilities Director Moore checked on the Homeland Security grant, but it was still waiting for the Governor's signature. He was reassured that it would pass. FD Moore noted the town does not need to spend all \$75,000 of the funds. The grant will match whatever the town spends. He mentioned if the town spent \$6,000 it would save them \$3,000 because they would receive a match. FD Moore noted the painting on the town Municipal Building will be scheduled for some time in the next 6 to 8 weeks. He had the cement poured for the bollard bases in the back of the Municipal Building. He said they are waiting on an electrician, but it should be finished in the next couple of weeks. The Facilities Department has completed a lot of maintenance projects such as painting the police department door. He mentioned he had trouble with the drainpipe in the police pit. It was an old cast iron pipe that was aging, and the threads of the caps were completely gone. FD Moore had to fix the issue with the water leaking out. No further discussion.

Fire Chief Tim Kenney gave an update on the Fire Department. Last week they responded to a small bedroom fire. Fortunately, no one was injured in the incident. The family was offered alternate accommodations, however, they declined. They had a large response from Concord, Webster, and Franklin. Chief Kenney said the fire was mostly handled by the residents and the fire department did the clean-up.

Public Works Director Dean Hollins gave an update on the Public Works department. Every two years, someone has to be certified for the gas pumps. PWD Hollins has been certified and received a call to inspect the pumps. Every year the gas pumps must be inspected and every 3 years, they conduct a leak test. During the leak test, they pressurize the tanks to ensure there are no leaks between the tank and the outer tank. PWD Hollins noted that they passed the inspection, and next year, they will have the state inspection by the Department of Environmental Services (DES). PWD Hollins mentioned they had issues with the scale at the Transfer Station on Tuesday. It is back in service, but they are waiting for verification to determine if it needs to be recalibrated before putting it back into use. PWD Hollins said it should be back up and running on Saturday. He noted anything that came in on Tuesday afternoon or Wednesday, was charged at \$7 for not being weighed on the scale. Selectwoman Carey inquired about the Public Works equipment. She was concerned that a lot of the equipment was breaking down. PWD Hollins noted some of their equipment is really old. Their roadside mower was purchased used in 1986. Their woodchipper was donated from Mr. Bill Cook in 1989. Selectwoman Carey asked for a list of Public Works equipment. PWD Hollins will send a list of equipment for review. Selectwoman Carey asked about the cost to replace all the equipment that was 35+ years old. PWD Hollins said the dump truck would cost close to \$250,000, the roadside mower new would cost over \$150,000 and the woodchipper would cost over \$100,000. He noted it wouldn't be worth it to buy the woodchipper or roadside mower new because they use that equipment for about a month out of the year. He suggested it would be more cost effective to spend \$50,000 on a used mower or woodchipper. Selectman Bevans suggested having a Capital Reserve Fund for Public Works equipment so if they find the right price for used equipment, they can purchase it. He noted PWD Hollins has always had to find parts for broken equipment which can be just as costly. Discussion ensued. Chairman Burdick suggested to contract for projects such as roadside mowing. PWD Hollins said they have looked into contracting and it would cost \$3,500 a week to rent a tractor. No further discussion.

Police Chief Jason Killary gave an update on the Police Department. They have some new officers on board who are getting used to their new assignments. Chief Killary said they are building a strong team and have scheduled training sessions for the new officers to help them get the necessary certifications. Chief Killary had an impromptu interview with an interested officer. The individual was certified and had a decade of experience. Chief Killary will bring him in next week for a formal interview and to discuss the position further. Chairman Burdick asked if the department was at full duty. Chief Killary said all officers were at full duty with no injuries. He noted one of their officers is planning a movie night for the kids in Boscawen. He noted it would be located at the field behind the Boscawen Police Department. Next month will be the 2nd Annual Police vs Fire softball game. Chief Killary mentioned that the Teenie Weenie food truck will be there.

PWD Hollins noted Public Works had an interview with an individual for the Transfer Station position. The individual was a great candidate with driving experience from Ross Express and Yellow Truck. He has his CDL license. PWD Hollins noted the individual was not excited about the Transfer Station position but wanted to get his foot in the door. He was interested in the DPW position. PWD Hollins told him there was a position coming up, but they would like to fill

the Transfer Station position first. The individual was willing to start at the Transfer Station and get his certifications. PWD Hollins said they will still have one more position to fill but Mark DeAngelis, who had retired, has come back part-time to cover until they fill the position.

Town Clerk Nicole Hoyt provided an update on the Town Clerk/Tax Collector Department. They received a few payments for dog civil forfeitures. There are still over 30 unregistered dogs. Town Clerk Hoyt said they are hoping most of them have moved out of Boscawen, but they won't have confirmation for another month.

The Ballot Law Commission met last week and narrowed down the voting machines to Voting Works and Dominion. Town Clerk Hoyt noted that the Dominion machine was an LHS product. Currently the town has the Accuvote machine which is also an LHS product. Town Clerk Hoyt said the Dominion machine screen is too small, per the standard for accessible equipment. The Voting Works machine can be enlarged to whatever size the voter in the box chooses. Town Clerk Hoyt mentioned that the Secretary of State's office was doing their 2nd year initiative for 'Vet the Vote'. The initiative encourages Veterans to help out at elections. They are having an event on September 19th to promote the Veteran initiative. Town Clerk Hoyt reached out to Ms. Dee Blake to put an insert in the Newsvine, but she has not heard back. She noted they will at least advertise it on the town website. On September 21st, Town Clerk Hoyt will be sworn in as Tax Collector Association President for the next year. The Board congratulated TC Hoyt on her accomplishment.

Selectwoman Carey mentioned that on September 20th there will be a grand opening for a Veteran's Service Center where the former Sister of the Holy Cross center was located.

PCD Director Easler presented two Solar Exemptions for signatures and approval.

Chairman Burdick motioned to approve the Solar Exemption for Map 79, Lot 106 in the amount of \$16,000. Seconded by Selectman Bevans. All in favor. None opposed.

Chairman Burdick motioned to approve the Solar Exemption for Map 79, Lot 130 in the amount of \$9,600. Seconded by Selectwoman Carey. All in favor. None opposed.

PCD Director Easler gave an update on the Planning and Community Development department. The Planning Board met the other night and motioned to reduce the bond for Eagle Perch. It was approved at \$44,000. PCD Director Easler has to check with Underwood Engineers because it will be the first time they have done a road since they created the road policy with Underwood Engineers. PCD Director Easler will coordinate with Underwood and follow up with any updates. The Economic Development Committee began plans for their 1st Annual Pumpkin Ride & Walk along the rail trail. It will take place on the same day as the Police vs Fire softball game. PCD Director Easler said she will update the Board when she receives further information. PCD Director Easler noted that the Cease-and-Desist order for 171 North Main Street was sent to the court. Selectwoman Carey asked if they have heard from the Environmental Protection agency (EPA) regarding the air conditioners. PCD Director Easler said they have not heard from EPA,

but she spoke to a gentleman from the State who said they talked with EPA, and they should be looking into it. Selectman Bevans asked if the town received the bill from Merrimack County on the Cease-and-Desist. PCD Director Easler said they paid the bill. She noted the Police Department delivered the Cease-and-Desist to the homeowner and the County Sheriff delivered it to the mortgage company. PCD Director Easler mentioned the River Walk visioning session will be held on Saturday, September 9th, at 1:00PM. PCD Director Easler noted that the Code Enforcement vehicle does not have an updated registration. Town Clerk Hoyt said government plates are permanent and there are no renewals. FD Merrill noted the registration sticker said 2020. Town Clerk Hoyt said they need a different registration sticker for government vehicles. She will research further and provide an update next week.

Town Administrator Phelps presented the New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund Priority List. She noted that Sewer projects 3 and 4 were approved to move forward at this year's Town Meeting. A preapplication for SRF funds was submitted on behalf of the Town by Underwood Engineers. The priority list has been finalized following a public hearing. The Town of Boscawen ranked #6 and will be eligible for a low interest loan for the total project cost of \$6.5 million, with \$1,625,000 in principal forgiveness. Once the administrative work is completed, it will go to the Governor and Council for approval. Any eligible engineering or planning costs incurred prior to the loan being approved can be reimbursed once the loan is established. There will be no bond counsel, closing costs or prepayment penalties. The interest will accrue at 1% from the date of each disbursement for the project, until the scheduled completion date or substantial completion of the project. Loan repayment will begin one year from the scheduled completion or substantial completion date. Once the loan repayment begins, a fixed rate will be set at 2.8% for the term of the loan. TA Phelps mentioned that the rate cannot increase but it can decrease. Once the loan repayment period begins, the principal forgiveness will be taken off of the top of the loan. Underwood Engineers estimates that design work will begin in 2024 with an anticipated project start date in the spring of 2025. Underwood Engineers would like approval to begin Tasks 1 and 7 for design optimization and specialty services, which involves camera work and gathering information. TA Phelps presented the Board with a contract from Underwood Engineers for the project. It has been reviewed by Primex and legal counsel. The limitation of liability section has been updated to read that it 'shall not exceed their available insurance proceeds'. TA Phelps noted Underwood has \$5M in Professional Liability and \$2M in General Liability. TA Phelps asked the Board for their thoughts on the contract. Chairman Burdick asked what Primex and legal's feedback was. TA Phelps said they would prefer that there be no limitation of liability but that it is a local decision to make. The contract presented was a proposed middle ground from Underwood. TA Phelps said Underwood was not willing to change the indemnification clause further. Selectwoman Carey was in favor of the updated contract. She said it was a good middle ground because no business will want 100% liability. She felt that it made sense to share the liability. Selectman Bevans concurred. TA Phelps said the total budget for Tasks 1 and 7 would be \$53,500. She spoke with PWD Hollins and FD Merrill and they agreed to take the funds from the Sewer Users Fund and request reimbursement from SRF once it has been approved.

Chairman Burdick motioned to approve the Underwood Engineers contract for Sewer Projects 3 & 4 and to also approve moving forward with Tasks 1 and 7. Further, to authorize Town Administrator Katie Phelps to sign the contract on behalf of the Select Board. Seconded by Selectwoman Carey. All in favor. None opposed.

Selectwoman Carey opened public comment at 6:48 PM.

55 Tremont St—Resident of Boscawen, Mr. Bill Heinz, brought up his concern with streetlights. On the corner of Martin Ave and Jackson St the streetlights have been out for a few months. Mr. Heinz mentioned he does not like sodium vapor lighting because it is not as efficient as LED lighting. He suggested changing one of the lights to LED and getting rid of the other light to save money if no one is concerned about it. He also suggested getting rid of both lights but felt his neighbors should have a say in the matter. Mr. Heinz asked for a list of streetlighting in town. Selectwoman Carey noted they have conducted an energy audit where they audited all the streetlights and turned some off to save money. She suggested the town should conduct another audit to see how well they are performing. Mr. Heinz felt that the rates for LED lighting were comparable to what the town was paying now. He noted the town would pay a flat fee for the light, dependent on the wattage, and the energy charge. Discussion ensued. TA Phelps suggested that it would be a good topic for the Energy Committee to discuss. Chairman Burdick mentioned they had previously discussed switching to LEDs for lighting, but it was costly. Selectwoman Carey said her understanding was there would be an additional cost for the fixtures. PWD Hollins agreed that there may be a cost associated with switching over to LED lights. Mr. Heinz will research the additional costs further.

PWD Hollins explained the process for how streetlights are fixed. Unitil sends a service worker out at night to fix the streetlights once they receive a call. PWD Hollins said taxpayers usually call him or the town office and then they call Unitil. He clarified that Public Works doesn't fix the lighting, the utility company does. Police Chief Killary suggested including an insert on the town website, so residents are aware of how to report an outage.

Selectman Bevans suggested holding Select Board meetings every other week, similar to the summer schedule. Selectwoman Carey noted Budget season was coming up. Selectman Bevans recommended doing a work session in between weeks. Selectwoman Carey said the schedule works in the summer because it isn't budget season, and they didn't have any big projects to review. No further discussion.

Town Clerk Hoyt asked if there were any upcoming deadlines to be aware of for the budget. Selectwoman Carey noted the Chairman was in charge of putting together the Select Board's portion of the report, so they also need deadlines from the departments. Chairman Burdick said to think about dates this week and discuss deadlines at the next meeting.

TA Phelps noted that there will be a Wage Schedule presentation and discussion at the next Select Board meeting on September 14th.

Selectwoman Carey closed public comment at 6:59 PM.

Non-Public Sessions:

Chairman Burdick motioned to enter a nonpublic session at 7:00 PM under RSA 91-A:3 II (l). Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

Chairman Burdick motioned to close the nonpublic session at 7:05pm under RSA 91-A:3 II (l). Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

Selectwoman Carey motioned to request that the Town Administrator follow up with legal and other communities on the issue at hand. Seconded by Chairman Burdick. Roll Call Vote. All in favor. None opposed.

Selectwoman Carey motioned to seal the nonpublic session under RSA 91-A:3 II (l) as it would affect adversely the reputation of any person other than a member of the board. Seconded by Chairman Burdick. Roll Call Vote. All in favor. None opposed.

Chairman Burdick motioned to enter a nonpublic session at 7:05 PM under RSA 91-A:3 II (c). Seconded by Selectman Bevans. Roll Call Vote. All in favor. None opposed.

Selectwoman Carey motioned to close the nonpublic session at 7:49 PM under RSA 91-A:3 II (c). Seconded by Selectman Bevans. Roll Call Vote. All in favor. None opposed.

The public session reconvened at 7:49 PM.

Selectman Bevans motioned to seal the nonpublic session under RSA 91-A:3 II (c) as it would affect adversely the reputation of any person other than a member of the board. Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

Next Meeting: Thursday, September 14, 2023, at 6:00 PM.

Selectman Bevans motioned to adjourn at 7:50PM. Seconded by Selectwoman Carey. All in favor. None Opposed.

Respectfully submitted by Hannah Gardner