

**Town of Boscawen  
Select Board  
MEETING MINUTES  
Thursday, May 12, 2022 at 6:00 PM**

In Attendance: Lorrie Carey, Paul Dickey, Matthew Burdick, Nicole Hoyt, Katie Phelps, Tim Kenney, Kellee Easler, Kearsten O'Brien, Kate Merrill, Dave Randlett, Ron Reed, Pam Watson, Karla Killian.

**Roll Call:** completed and guests introduced.

Chairwoman Carey opened the public meeting at 6:00 P.M.

Chairwoman Carey made corrections to the 05.05.22 draft minutes.

**Selectman Paul Dickey motioned to approve the Consent Agenda as amended. Seconded by Selectman Matthew Burdick. All in favor. None opposed.**

No public comment on the agenda.

**New Business:** Chairwoman Carey opened the discussion on the BCC Town Hall and Memorandum of Understanding (MOU). She asked BCC members to state their name and address for the record. Pastor Dave Randlett; resident of Laconia, Ron Reed; resident of Canterbury is the Historian and Assistant Treasurer of the Church, Pam Watson; resident of Boscawen is the Moderator for the church. Chairwoman Carey stated since the last discussion, staff have worked with Primex, their insurance company, to review the Town Hall and get feedback. Joint Loss Mitigation Chair Kearsten O'Brien, Joint Loss Mitigation Vice-Chair Kate Merrill, and Fire Chief Tim Kenney went to Town Hall on May 6<sup>th</sup> to meet with Primex. Primex issued initial informal findings including that the MOU needed to be updated and reviewed by Town legal counsel to provide direction on how to proceed with the current future concerns. The concerns include the access egress, the vermin issue, which will be mitigated on Saturday, the kitchen needs to be a commercial grade cook stove, and the fire alarm system needs to be independent of the church and monitored to provide timely notifications. For the heating, the boiler for the Church's heating system, located in the Town Hall space, should be brought up to code. Best practice would be to relocate it to the Church's space. The sprinkler system is largely assembled related to provide optimum life safety. The Town should consider installing a sprinkler system into the Town Hall and have the ability to prevent fire incident from spreading vertically to the church to lessen the Town's risk of exposure to occur. JLM Chair O'Brien said Primex hosted their annual Risk Summit training this past week and will get back to them with a formal document explaining the concerns. Chairwoman Carey said at Town Meeting the town did not vote to allow them to have an engineer go in and review Town Hall. She asked the BCC members to discuss their thoughts regarding the MOU. Mr. Reed asked for a copy of the Primex report once it is published. He also asked for the specific life safety issues posed. JLM Chair O'Brien said the access in the egress, having the jurisdiction, should that the space be adequate access and import the egress classification for the space. On the handicapped ramp, the door is not up to life safety standards. It has to be 36 in x 28 in. They also noticed the handrails were

unstable, so they need to be intact. The deterioration on the walls and steps entering the Town Hall space is also a safety issue. The kitchen is safety hazard from a life safety standpoint too because of the lack of a range hood. Mr. Reed noted that if it's not in use, it isn't an issue. The heating issue is that there is no fire separation in the boiler rooms. They stated town space should be brought up to code. JLM Chair O'Brien said they did not look at the Church because Primex doesn't insure that part of the building. Mr. Reed said the information provided is resourceful but feels it doesn't satisfy the answer of reopening Town Hall. He said every building needs to come up to some level of code which is why there's been 15 years of deferred maintenance. The BCC members focus is to get Town Hall reopened. Mr. Reed said in January there were only four issues and every meeting another issue arises. He thinks it all goes on the list of upgrading the Town Hall at some point when the Town is ready to fund. He thinks they can still reopen Town Hall now without upgrades. JLM Chair O'Brien told the board that Primex suggested that anybody using a Town owned space provide the town with their insurance. The Town should also have a field usage agreement and a facility usage agreement so there is an understanding of what they cover. Mr. Reed said that is stated in the MOU currently.

The agreement forms need to be updated. The insurance binder would list both the Church and the Town as named insureds. Chairwoman Carey asked the BCC members if there are specific areas in the MOU that are a concern to the church. Mr. Reed felt that right now they don't need to update the MOU until they reopen Town Hall. The Church has two changes they would make to the MOU. One is the stairway being closed from the Church to Town Hall. They want it reopened because their insurance stated it would be covered. They had no time to enact it when it was closed off a few years ago. No one has been hurt or fallen down the stairs. Chief Kenney said existing historic buildings still need to be brought up to code if it is a town hall or public building with exceptions for churches. He said in 2010 they took some of the exemptions away. Chief Kenney said the issue with town hall opening is declaring its space and use. Until someone declares what it is used for, no rules can be established. Chief Kenney said they could open it for a certain amount of people but the minute they start having more people, it starts changing rules. The engineering report would have shown what could have been done and then they would have an idea for usage of the space. JLM Vice-Chair Merrill said Primex stated they can't tell the town what to do, they are just making suggestions. If they don't follow the suggestions, their rates will increase. Mr. Reed continued the discussion on limited occupancy. Chief Kenney said it is a possibility depending on how they want to set it up. There is a lot that would still need to be addressed before, such as the flooring and molding. Chief Kenney said it could be open, but the town has the liability that needs to be considered. Mr. Reed said it should be mitigated by the fact that everybody who uses it has to have their own insurance. JLM Chair O'Brien said anything that has to do with the building is the Town's responsibility, for example tripping over the floorboard. Town Clerk Nicole Hoyt asked if there are different rules for the Town Hall if it is owned by the Town versus owned by the church. Chief Kenney said there are different rules and exceptions allowed if owned by the church. Chairwoman Carey felt that they could have received clarity with the engineering report and instead they are having to research and piece together information. At this point, Primex will send out a written report. Chairwoman Carey suggested providing legal with all the information received thus far to figure out a field usage and facility usage agreement. Chief Kenney noted that the USDA put out a guidance report today on how to receive USDA money for different buildings. He suggested researching if the town could get a grant to cover an engineering study. Mr. Reed asked about receiving donations.

Chairwoman Carey said they don't know the rules on donations, but they could ask legal. Mr. Reed noted the second change they would make to the MOU would be for the Town to pay for half of the roofing. The Select Board will bring all the information to legal to review. Chairwoman Carey suggested meeting in June once they have more information.

Town Administrator Katie Phelps opened the discussion on the summer Select Board agenda. Chairwoman Carey spoke with past board member Mr. Ed Cherian, and he said they used to have work sessions every other week. The work sessions would be used for things that needed to get done and then on the other weeks they held regular meetings. PCD Director Kellee Easler is concerned with every other week because they may need to make motions. She is going to email the board moving forward but when she needs a motion, she isn't sure how it would work. It is hard for infrastructure money because they don't know when it will come. Town Clerk Hoyt said she needs motions signed immediately because she can't send out bills without having it reflected in minutes. Discussion ensued. It is very important that everything is documented in the minutes. All updates on projects will be discussed as they come. They discussed tasks coming up that will need to be addressed.

TA Phelps said if they do every other week, they could potentially have multiple presentations in one meeting which will be several hours long. Chairwoman Carey said if the board makes a decision that involves the business of the town, they are liable. She said in the same way they expect employees to show up to work for their departments every day, the employees expect the board to show up to their job every week. The law has allowed two members to act if a board member cannot attend. Selectman Dickey thinks it is the board's decision not the employee's decision. Town Clerk Hoyt said the board only wants to come in twice a month for a few hours, but the employees work 40+ hours every week and need to bring information and projects to them to act on. She said any Select Board member can miss a meeting if they need to. She doesn't think every other week will work for the town. Selectman Dickey said the town isn't used to change. Chairwoman Carey said Boscawen is twice the size of some surrounding towns. They have a lot more issues and projects that happen every day that need to be addressed. Chairwoman Carey believes that when the board members ran for office, they understood that the Select Board meets once a week. There is no benefit to the Town of Boscawen to having meetings every other week, the only benefit would be personal. FD Merrill, who is from Loudon, said that her hometown does every other week because their meetings are shorter. Selectman Burdick initially proposed the idea after hearing former Select Board member Ed Cherian's method that the town once used. He thought it would be a benefit for all including employees since they wouldn't have to attend every week. Chairwoman Carey said they did make a change by having department heads report on the first of every month unless they had an agenda item. They allow department heads to leave after they have presented which didn't occur when Mr. Cherian was a member. PCD Director Easler suggested checking the agenda with the Board prior to the meeting but if there is something they need to do, they can then come in, if not cancel. Selectman Burdick suggested taking off the three major holiday weeks in the summer; 4<sup>th</sup> of July, Labor Day, and Memorial Day for everyone. FD Merrill said with that suggestion meetings cancelled would be for June 2<sup>nd</sup>, July 7<sup>th</sup>, and September 8<sup>th</sup>. Chairwoman Carey noted that if something comes up that requires their attention, they will have a quorum.

**Selectman Burdick motioned to approve the Select Board cancelling the following meetings: June 2<sup>nd</sup>, July 7<sup>th</sup>, and September 8<sup>th</sup>. Seconded by Selectman Dickey. All in favor. None opposed.**

**Department Head Updates:** Deputy PCD Director O'Brien said the fire station also received a Primex review. There are some things that need to be addressed especially because they're going to be paid on call which would mean employees of the town. If the board isn't looking to open town hall, they should direct Facilities Director Gary Moore to look into fixing issues at the fire station. Deputy PCD Director O'Brien said the hazards are the driveway in the winter becomes a huge ice block, the entry way in the door, the fire alarm system needs to be checked, monitored, and follow the time length of response. They also need to replace the incandescent lights in the basement. Deputy PCD Director O'Brien noted that they don't want the ice machine in the apparatus floor. They want it in the kitchen. Chief Kenney has been looking for grants with the help of Beverly Drouin. Deputy PCD Director O'Brien said in case Old Home Day is looking into having a Bounce House Primex will not cover it.

Deputy PCD Director O'Brien received clarification from counsel on the appointment applications. There was a question about whether employees can join boards and committees. There is nothing written that states employees can't, but they need to recuse themselves when certain matters involve them in their current position. Deputy PCD Director O'Brien talked with PCD Director Easler about offering the option to those boards and committees if they would like employees to join. The board agrees with the suggestion and if the committee or board chooses to, they need to update their rules and procedures. Deputy PCD Director O'Brien said they are going to start doing their 2023 calendar for boards and committees in June and have all of them listed out that way they can approve them ahead of time.

Deputy PCD Director O'Brien presented a Timber Warrant for Map 47, Lot 6.

**Chairwoman Carey motioned to approve Timber Warrant 21.0.49.11T in the amount of \$438.35 for Map 47, Lot 6. Seconded by Selectman Burdick. All in favor. None opposed.**

Deputy PCD Director O'Brien presented an Intent to Excavate for Map 47, Lot 6.

**Chairwoman Carey motioned to approve the Intent to Excavate for operation 22.0.49.4E for Map 47, Lot 6. Seconded by Selectman Dickey. All in favor. None opposed.**

Deputy PCD Director O'Brien asked FD Merrill if they received a final quote for benches. FD Merrill reached out to another company, but it would be more expensive than the other companies because they would have to outsource for installation, and they charge \$18 a letter for engraving. FD Merrill reached out to Laconia Monument again and they said for engraving for about 50 characters, it would be \$250 and \$200 for installation. Additionally, there would be the cost for a 3-foot or 4-foot bench which is between \$1,000 to \$1,650. Selectman Burdick suggested researching copper plaques than can be riveted to the bench. They need to ask their supplier about discounting for multiple benches. TA Phelps has wood grain naturals that were \$928 each. They would still need to put a plaque on it and install it. FD Merrill is getting quotes for park style benches without backings because they're cheaper. Deputy PCD Director O'Brien

would like to post the sponsor bench on their website and reach out to businesses. Deputy PCD Director O'Brien suggested benches with backs because people would prefer, and most people don't sit on benches that don't have one. They will just offer one style bench. They discussed different locations to put benches in case they have more than 6 sponsors. For a 3-foot bench with everything installed would be \$1,450 and a 4-foot would be \$1,650. FD Merrill suggested a goal of 10 sponsored benches. Discussion ensued on pricing and size. Selectman Dickey suggested calling Laconia Monument tomorrow and asking if they would give the 4-foot bench for \$1,450 if they bought 10 benches.

PCD Director Easler presented Underwood Engineers ESR 58 Amendment for Map 46, Lot 6.

**Selectman Dickey motioned to authorize PCD Director Easler to sign the Underwood ESR 58 Amendment for Map 46, Lot 6. Seconded by Selectman Burdick. All in favor. None opposed.**

PCD Director Easler said Mr. Scott Maltzie on the Energy Committee has resigned due to conflicting work meetings. She said there was a thought that if someone resigns, they need to get board approval first. There was an issue of having a quorum at the meeting. She viewed it as the person resigned, it went into effect immediately. They still had five members but only three attended the meeting which PCD Director Easler felt was sufficient for a quorum. She wanted to clarify for the future because they had a non-meeting because the committee members felt there was no quorum. The rules and procedures don't specify what a quorum is for the Energy Committee. They still met but made no decisions. Chairwoman Carey suggested reducing the number necessary for the committee to meet so they don't need as high a number to meet the quorum. The board decided that unless there is a legal reason not to, a simple majority will be a quorum. They will reduce the total of the committee. PCD Director Easler said the committee discussed a possible charging station for electric vehicles. There are grants for charging stations but there are certain types they need to look into. The Energy Committee would like to be involved in the audit that Gary Moore will be conducting.

PCD Director Easler said they replaced the top on the Cannon Plotter/Printer a few years ago. They can't get parts for the bottom anymore. They previously discussed donating it to CNHRPC because they are getting the new one in this summer. It still works but it's very old. PCD Director Easler ordered the new one and it is coming in July.

**Selectman Dickey motioned to transfer \$26,911.66 in the ARPA fund to the General Operating Account to reimburse for expenditures previously approved; to install security cameras. Seconded by Selectman Burdick. All in favor. None opposed.**

Deputy PCD Director O'Brien asked if they need to authorize TA Phelps to sign. Chairwoman Carey said moving forward, it would be the Board's expectation that TA Phelps signs anything ARPA related regarding contracts unless they state otherwise.

**Selectman Burdick motioned to authorize TA Phelps to sign all contracts related to ARPA unless stated otherwise. Seconded by Selectman Dickey. All in favor. None opposed.**

Chief Kenney resubmitted his ARPA request to replace all 24 radios the fire department currently has upon request of the Board. He received three quotes in which two were for the exact same radio and chargers. The other company had a compatible radio for Motorola. Chief Kenney said most of the firefighters want to keep the Kenwood radios which are less expensive. The least expensive quote for 24 radios and 3 bank chargers is \$56,743.93. FD Merrill noted that there is currently \$102,469.83 left in ARPA money. They would have \$45,725.10 left after the purchase. Chairwoman Carey asked if they put together a CIP to predict when equipment needs to be replaced. There is already a need to replace fire engines. They do it every year. There is also an equipment line in the budget that they mainly use for their SCBA's which cost approximately \$8,000 a piece. It is their largest expense. There are two more-line items, one is CIP for the fire station which is currently \$30,000. The second line item was to buy another skid unit that goes in the back of the pickup truck. Chairwoman Carey asked if the town is putting in money every year towards those items and what's the plan in terms of the expenditure of those line items. Chief Kenney said every year they did not put money in. The estimated time to replace their engine two truck would be 2029. Discussion ensued. Selectman Dickey asked what they would do with the old radios. Chief Kenney said they would have spare radios or could see if there is a market to sell them. Chief Kenney said it is more beneficial to replace all of them because they will all be assigned to where they're supposed to be. The new radios should last 18 to 20 years.

**Selectman Dickey motioned to approve the ARPA funding request for 24 portable radios for the fire department at a total request of \$56,743.93. Seconded by Selectman Burdick. All in favor. None opposed.**

Town Clerk Hoyt said assessing worked hard this week to get the tax warrant out. Starting tomorrow they will begin to collect \$4,250,364. The online goes immediately and by Monday morning they should have several payments. . Town Clerk Hoyt mentioned perambulation which is town lines and perambulation of boundaries. It is when a Select Board member meets with a Select Board member from a neighboring town, and they walk the boundary lines. By statute this is to happen every 7 years. Chairwoman Carey walked the Canterbury line last year. The Franklin line was done in 2004 and they were supposed to do Concord last year. The Salisbury line was done in 2007 and Webster was done in 2011 but they don't have signed documents showing that. It would be a good time to set them up for the summertime and fall. Town Clerk Hoyt said the perambulation is RSA 5, the lines between the towns in this state shall be perambulated and the marks and bounds renewed once in every seven years forever by the selectmen of the towns or by such persons as they shall in writing a point for that purpose. If someone from the Conservation Committee wanted to do it, they could if the Select Board designated them. Town Clerk Hoyt said they would need to contact the Select Board of Franklin or city council to schedule a day to meet. The board needs to decide if they want Town Administrator to be in charge or if they will contact neighboring towns. Chairwoman Carey previously contacted the town of Canterbury. Their designee was a surveyor and they each took pictures, worked on the verbiage, and put together a report. The report is registered with the Secretary of State. Town Clerk Hoyt asked if a surveyor could do it in place of a board member. Chairwoman Carey said in Canterbury's case, the person was a retired surveyor, and it was volunteer. Selectman Burdick will do the Franklin line and Selectman Dickey will let them know which neighboring line he can do.

TA Phelps requested permission to sign the Generator Grant Assurances on behalf of the Board.

**Selectman Burdick motioned to authorize TA Phelps to sign the Generator Grant Assurances on behalf of the Board. Seconded by Selectman Dickey. All in favor. None opposed.**

TA Phelps said OHD Member Kim Kenney had requested to use the tables at the Town Hall for the town wide yard sale on May 21<sup>st</sup>.

**Selectman Burdick motioned to approve the OHD Committee using the tables from the Town Hall for the Yard Sale. Seconded by Selectman Dickey. All in favor. None opposed.**

TA Phelps presented an Old Home Day contract for Joe the Storyteller for Old Home Day. Everything is in order and she requested permission to sign on behalf of the Board.

**Selectman Burdick motioned to approve the OHD Contract for Joe the Storyteller and authorize TA Phelps to sign on behalf of the Board. Seconded by Chairwoman Carey. All in favor. None opposed.**

TA Phelps stated that a resident had requested to use the parking lot area of the old police station for the town wide yard sale with approval from the Board.

**Selectman Dickey motioned to approve a resident to use the old Police Department parking lot during the Yard Sale. Seconded by Selectman Burdick. All in favor. None opposed.**

TA Phelps said she received a call from someone concerned that there is no handicap parking at the Town Park. TA Phelps spoke with PWD Dean Hollins and he is going to order handicap signs to put by the Snack Shack so people have a place to park for handicap accessibility.

TA Phelps shared that Bruce Crawford's celebration of life is scheduled for June 11<sup>th</sup> at the Elks Club in Franklin, from 12pm to 3pm.

The ARPA Locality Application for Penacook Rescue has gone to Governor and Counsel for approval in the amount of \$49,096. Chief Kenney may use the remaining balance and is looking into uses for the funds.

**Chairwoman Carey motioned to approve Chief Kenney expending \$940 on equipment. Seconded by Selectman Dickey. All in favor. None opposed.**

TA Phelps reported that Commercial Street is closed to vehicle and pedestrian traffic by the Mill building. Please do not travel through this area.

**Ex-Officio Committee Updates:** TA Phelps said the Energy Committee had a presentation from Robert Hayden at Standard Power. She said the Energy Committee is going to review an MOU and make a recommendation to the Board next month.

Economic Development Committee did not meet because they didn't have a quorum. Deputy PCD Director O'Brien said Ross Cunningham from Merrimack County will be coming to EDC to talk about different energy projects. They also want to approach the potential question of a pilot. The meeting will be June 6<sup>th</sup>.

**Old Business:** PCD Director Easler discussed selling Town Hall to the Church. There were previous discussions multiple times with BCC, but they do not want to buy it. Discussion ensued. They discussed finding businesses interested in buying the building if the church doesn't want to. The board requested a list of properties to review. PCD Director Easler asked about paying for the exterminator. They don't know the cost yet. FD Moore will be going down on Saturday. They cleaned all the food in there. It can come out of the Town Hall budget. Chairwoman Carey said they will ask legal questions regarding their concerns.

**Next Meeting:** Thursday, May 12, 2022 at 6:00 PM.

**Selectman Dickey motioned to adjourn. Seconded by Selectman Burdick. All in favor. None Opposed.**

*Respectfully submitted by Hannah Gardner*