



**TOWN OF PITTSFIELD
BOARD OF SELECTMEN
TOWN HALL, 85 MAIN STREET
PITTSFIELD, NH 03263**

MEETING MINUTES OF TUESDAY, APRIL 12, 2016

CALL TO ORDER

Call to order at 6:00 P.M. by Larry Konopka, Chairman

MEMBERS PRESENT

Larry Konopka, Chairman
Gerard LeDuc, Vice-Chairman
Carole Richardson (Arrival at 6:40 P.M.)
Carl Anderson

MEMBERS ABSENT

None

OTHERS PRESENT

Cara Marston, Town Administrator
Delores Fritz, Recording Secretary

PUBLIC INPUT

Adam Gauthier: A couple of meetings ago, you advised of a School Forum meeting which has been now moved to May 19, 2016.

AGENDA ADDITIONS

Gerard: Aqueduct Purchase Committee

Larry: Board of Selectmen Meetings on April 26, 2016 and May 3rd
Deputy Building Inspector/Code Enforcement Officer
Appointment 7:30 P.M: Dr. Freeman.

NEW BUSINESS

ACTION ITEMS

1. Zoning Board of Adjustment Alternate Member Resignation (Selectboard Appointed)

Gerard: Motion to accept resignation of Albert Douglas as Alternate, Zoning Board of Adjustment. Carl: Second. Carried 3-0.

2. NH DRA Report of Appropriations Form MS-232

Cara: This is the final report of the appropriation of funds voted on at the Town Meeting.

Gerard: Motion to approve MS-232 as presented. Carl: Second. Carried 3-0.

3. Franklin Street Parking Lot Inquiry – Pittsfield Players

Larry: Has everyone reviewed the letter from Maye Hart, President of Pittsfield Players? I have some concerns on this. What about the Fayette Parking Lot. Cara: That is packaged with the sale of 1 Fayette building. With the Franklin Street one know when the activities at the playhouse are going on, maybe we could post something in the parking lot. Larry: Franklin Street would be closer. Cara: They have a vision of doing something with that block down the road, perhaps even a “Stage Door Café.” Carl: We could let them use it for the time being. Larry: The value is \$20K. Gerard: We could put a fence around it. Larry: We could let them use it on a trial basis. Carl: We could gift it, maybe someone would donate putting a fence around it. Larry: We could try it out, the question is the liability. There is one person renting a spot there but the other eleven are available.

Carl: Motion to approve allowing Pittsfield Players use of the Franklin Street Parking Lot and assume responsibility. Gerard: Second. Carried 3-0.

Cara: If we decide to give it to them, then we should hold a Public Hearing.

Larry: We can revisit it in a month.

Carl: On Franklin Street, the old Volpe appliance store would be an excellent place for the Food Pantry.

4. DVR Security Recording System

Cara: The bid for the DVR Security Recording System of \$2,260 has been accepted. The market cost of the equipment is \$6,300. No action is required on this at this time.

Gerard explained the need for the security system and why Town bid on it.

5. Realtor Broker fees for Sale of Town Property

Larry: We have two responses on what the Brokers fee/percentage would be: one is 4 ½ % (Paul Rogers) and the other is 5% (Donna Ward). Carl: What is the maximum the Town can keep on the sale of a property? Cara: It is built in at no cost to us (taxpayers.) Carl: We need to get the job done and allow Town to get what money it can for it.

Carl: Motion to utilize the services of both brokers with fees at 4 ½ to 5%. Gerard: Second. Carried 3-0.

6. Department Deputy Policy

Gerard: Motion to approve resignation of Larry Konopka as Deputy Building Inspector and Code Enforcement Officer.

Carl: Second. Carried 2-0. Larry Abstains.

Larry: The reason why I am doing this is because the Town Policy:

Policy Prohibiting Select Board Members from Serving as Department Deputies

The Board of Selectmen finds that the position of Selectman bears a special relationship with the various departments of the Town, one being subordinate to and potentially interfering with the other, and with inconsistent loyalties or responsibilities. Therefore, it is the policy of

*the Board that its Members shall not serve as deputies or employees in any Town department, regardless of whether such Board Member receives remuneration.
This policy was adopted on July 8, 2014.*

Larry: I did some research on this and talked to LGC who assured me it was a good policy to have but suggested a change noting, “unless there was an emergency, then Board of Selectman member can serve.” We can rescind policy or note that any Board member can step up.

Carl: Motion to rescind Policy Prohibiting Select Board Members from Serving as Department Deputies.” Gerard: Second. Carried 3-0.

7. Assessing Letter – Annual Campground Letter, NH RSA 75:3

Cara: Assessor needs to show when someone has a building on another person’s land that the owner has been notified. This is for the taxation of any decks and sheds that are built on the land of another; deck or stairs to a camper in a campground.

Carl: Motion to approve letter of notice of intent to tax buildings on land of another. Gerard: Second. Carried 3-0.

8. Board of Selectmen Meeting on April 26, 2016

Larry: The Public Forum on May 3rd will not be held at the school. I would like to have a regular meeting on April 26th.

Carl: Motion to approve Board of Selectman holding regular meeting on April 26, 2016 to interview candidates for the Board of Selectman position. Gerard: Second. Carried 3-0.

9. May 2016 Board of Selectmen Meetings

Larry: There are five weeks in May and I would suggest taking off May 10th (which is the Elementary School Concert.)

Carl: Motion to approve Board of Selectmen not meeting on May 10th. Gerard: Second. Carried 3-0.

INFORMATION ITEMS

1. Board of Selectmen May 3, 2016 Meeting

Larry: This will not be at the school. We will have it here.

Board decided the Public Forum would be held at the Town Hall. The meeting will be advertised, refreshments will be served and public can discuss what issues they would like. Regular meeting will be from 6:00 P.M. to 7:00 P.M. and Public Forum will be from 7:00 P.M. to 8:30 P.M.

2. Wetlands Agricultural Permit Application – 424 Tilton Hill Road

Cara: This is just an information item. These come in and there is a place for Board input. I did not know if Board wanted to provide any comments. Board indicated no questions.

PUBLIC INPUT

Paul Rogers: I am wondering about the two properties that I provided a bid on.

Larry: We have no decisions yet.

Adam Gauthier: Franklin Street Parking Lot – could we put a sign up No Basketball?

Larry: We could find out.

Paul Nickerson: We already have a sign there.

Larry: That was from when we were considering use of a towing company.

OLD BUSINESS

1. WWTP – Personnel Issues (nothing to update)

2. Sale of 175 Leavitt Road Trailer to Griggs MHP (pending on deed preparation)

3. Franklin Street Parking Lot – Tow Company Monitoring

4. Sale of Town Property

- a. Tax Map R12, Lot 10 (pending on deed preparation)
- b. Tax Map R44, Lots 7 & 8 – Public Hearings April 5 & 19, 2016
- c. Tax Map R48, Lot 6 – Public Hearings on April 5 & 19, 2016

5. Police Cruiser Repairs

- a. 2010 Charger: Starter Cleaned & Unseized (Possibly to Auction)

Cara: The 2010 Charger, we can strip it and get it ready for auction, drop off on May 5th and auction is May 14th at the White Farm State Auction. Larry: I hear that is a good place to sell.

Carl: Motion to approve stripping the 2010 Charger and getting it ready for auction. Gerard: Second. Carried 3-0.

- b. 2012 Charger: At Mariano Dealership (Faulty Sensors/Mariano Unable to Diagnose)

They have diagnosed the problem at an estimated cost of \$325. Chief Cain has given them the go ahead to repair it.

6. Town Hall Basement

Larry: We do not yet have a written report from Alba Architects.

7. Meeting Audio Files on Town Website

Waiting for Clayton on this and it will be on the Agenda next week.

8. Town Owned Tax Deeded Properties

- a. Franklin Street Parking Lot Tabled for now
- b. 85 Catamount Road

Larry: We have two appraisals – one at \$49K and one at \$35K. How about \$44,900? We should ask for \$44,900. Gerard: We have to get rid of the property. Paul Rogers: Comparing the property to other sales, I would not go more than \$42K.

Carl: Motion to approve Paul Rogers listing 85 Catamount Road for \$44,900. Gerard: Second. Carried 4-0.

Selectman Richardson arrived at meeting (6:40 P.M.) and was seated on the Board. She was brought up-to-date on the matter on the floor.

Gerard: Motion to approve Cara Marston, Town Administrator sign documents for listing 85 Catamount Road. Carl: Second. Carried 3-0. Larry Abstains.

1 Fayette Street

Carl: What about the sale of 1 Fayette Street? Cara: It appears there is no deal because the buyer wanted clear title. The Purchase and Sale Agreement referenced it "As Is/ Where Is with No Covenants". Larry: I would like to have an appraisal on this building.

Paul Rogers: I am suggesting Donna Ward handle that property because she has had the contract for two years. She would be the best candidate for this. She has had several showings on it. Larry: We can have Donna give us the appraisal on it and then put it on the market.

Jesse Pacheco: The building has a lot of problems.

Larry: We have Public Input at the beginning, in the middle and at the end of the meeting – please hold your comments till one of those times.

c. 11 Watson Street

Larry: It was appraised at \$120K/\$40K per dwelling unit. Cara: There is an offer for \$60K and \$66-67K "as is" condition with two units. (Paul will try to get something in writing to this effect from the proposed buyer.) Carl: How much can we recover? Cara: It starts at \$50K. The former owner has requested that we sell the property for as much as we can to have some proceeds to him.

Larry: John Pacheco has made an offer for use as a two family. Would you require owner sign-off on it? John Pacheco: I would prefer that. Larry: Paul is working on it.

d. Upper City Road – Vacant Land Warren Avenue – Vacant Land

Larry: Also add Warren Avenue – abutters can bid on it. Jesse Pacheco: I have looked at the site on Upper City Road and there is the possibility of building on that land. Carl: If the abutters knew they could build on it, they might be more interested in the property. Letters will be sent to abutters first.

9. Street Light Removal at Route 28 & Leavitt Road (Pending Insurance and LED Option)
Nothing to update this week

10. Sale of Town Owned Property Policy

Cara: Planning Board has submitted this policy today and it will be on the agenda next week.

11. Aqueduct Purchase Committee

Gerard: The next meeting of the Aqueduct Purchase Committee will be on April 18th at 7:00 P.M.

APPLICATIONS and WARRANTS

None this week

CHECK MANIFESTS

1. Accounts Payable

Gerard: Motion to approve Accounts Payable Check Manifest.

Carl: Second. Carried 3-0. Carole Abstains.

2. Payroll

Gerard: Motion to approve Payroll and Direct Deposit.

Carl: Second. Carried 3-0. Carole Abstains.

MINUTES

1. March 29, 2016 – Public Session Minutes

Gerard: Motion to approve March 29, 2016 Public Session Minutes.

Carl: Second. Carried 4-0.

Carole: These are the amended Minutes. Larry: Yes

2. March 29, 2016 – Non-Public Minutes

Gerard: Motion to approve March 29, 2016 – Non-Public Minutes.

Carl: Second. Carried 4-0.

3. April 5, 2016 – Public Session Minutes

4. April 5, 2016 – Non-Public Session Minutes

Carl: Motion to table April 5, 2016 Public Session and Non-Public Session Minutes. Carole: Second. Carried 4-0.

PUBLIC INPUT

Clayton Wood: You should hold off doing anything about Upper City Road until the policy is in place.

The street lights on Route 28 & Leavitt Road are both useless. Signals provide more light. The Board should be curtailing the Minutes, I listened and there is a lot missing.

Adam Gauthier: The WWTP - any comments about that.

Cara: No. However, I am going to a meeting with the DES to review the draft Administrative Order and then can provide an update.

NON-PUBLIC SESSION I

Carole: Motion to go into Non-Public Session per **RSA 91-A:3 II (d)** – Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community; **RSA 91-A:3 II (e)** – Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the Town or any subdivision thereof, or against any member thereof because of his membership in such body, until the claim or litigation has been fully adjudicated or otherwise settled.

Carl: Second. Carried 4-0. Individual members of the Board were polled and all agreed.

Board went into Non-Public Session at 7:08 P.M.

Board returned to Public Session at 7:35 P.M.

NOTE: RSA 91-A (III) – Minutes of proceeding in non-public session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decision reached in non-public session shall be publicly disclosed within seventy-two (72) hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would render the proposed action ineffective. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

Shall the Minutes be publicly disclosed? No.

Motion made by Carole and Seconded by Larry to not publicly disclose the Minutes because it is determined that divulgence of the information likely would render the proposed action ineffective. Carried 4-0. Individual members of the Board were polled and all agreed.

OTHER BUSINESS

1. 24 Broadway

Cara: Property has been fully redeemed by former owner.

Gerard: Motion to grant Deed to former owner 24 Broadway.

Carl: Second. Carried 4-0.

2. Police Coverage in Barnstead

Cara: The PD will be doing four patrols in Barnstead this week at the detail rates; the hours worked for special details do not factor into the overtime hours calculations.

PUBLIC INPUT

Adam Gauthier: What about the Union negotiations? Cara: We are looking now for the original signed Teamsters Contract.

Break: 7:40 P.M. Resume: 7:46 P.M.

NON-PUBLIC SESSION II

Gerard: Motion to go into Non-Public Session per **RSA 91-A:3 II (a)** – The dismissal, promotion or compensation of any public employee or the disciplining of such employee or the investigation of any charges against him unless the employee affected: (1) Has a right to a meeting, and (2) Requests that the meeting be open, in which case the request shall be granted.

Carl: Second. Carried 4-0.

Individual members of the Board were polled and all agreed.

Board went into Non-Public Session at 7:46 P.M.

Board returned to Public Session at 8:10 P.M.

NOTE: RSA 91-A (III) – Minutes of proceeding in non-public session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decision reached in non-public session shall be publicly disclosed within seventy-two (72) hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would render the proposed action ineffective. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

Shall the Minutes be publicly disclosed? No.

Motion made by Gerard and Seconded by Larry to not publicly disclose the minutes because it is determined that divulgence of the information likely would render the proposed action ineffective. Carried 4-0. Individual members of the Board were polled and all agreed.

APPOINTMENT (8:10 P.M.)

Dr. John Freeman, Pittsfield School District

Dr. John Freeman: The reason I requested attending tonight is because of some misinformation about the school. We did not have a public forum at our last meeting in March and the meeting on May 19, 2016 will be a regular meeting.

I am currently doing some research on tuitioning high school students out of town and the costs related to this. You will find that the costs are not what they seem from State and Town. He explained some of the programs that are in place and the interest by other towns and states.

Carl: Since there is room in the school and have the idea of entertaining student attendance by students from other states/towns, why not go to our neighbors. Having kids sent to Pittsfield from international arena is not doing us any good. The perception about our schools from neighboring towns is not good.

Larry: I would like to see more meetings with the School Board, maybe quarterly. I would like to see the schools kept here. Dr. Freeman: Communication is a good idea.

PUBLIC INPUT

Clayton Wood: That meeting on May 19th – you should try to get the word out about that. The school addresses more of the process than the results.

Emergency Deputy Building Inspector/Code Enforcement

Carl: Motion to appoint Selectman Konopka to act as Deputy Building Inspector/Code Enforcement Officer in emergency situations.

Carole: Second. Carried 3-0. Larry Abstains.

Jim Pritchard: Emergency Building Inspector, is that required by statute?

Larry: In an emergency situation, the Board of Selectmen can act as Building Department Inspector/Code Enforcement Officer. We have rescinded the policy covering this.

Jim Pritchard: What statute is that?

Larry: I do not know the statute number.

Jim Pritchard: I could not find any statute pertaining to anyone acting as building inspector if we do not have one. What is the authority? What is the statute? What happens if the building inspector line is zeroed out? Larry noted that he did not know the statute number but would find out. If the line is zeroed out then it would be up to the BOS.

Jim Pritchard: You cannot if it says zero but can if it says \$1. I am curious as to what the enabling statute is that you are referring to.

Adam Gauthier: The details that PD will be doing in Barnstead, will they be using the Pittsfield cruisers.

Cara: Yes, the detail rate includes the use of the cruiser. Pittsfield patrols will remain the same. There may be occasions when we will have to say no.

ADJOURNMENT

Carl: Motion to adjourn.

Carole: Second. Carried 4-0.

Meeting adjourned at 8:48 P.M.

Approved:


Lawrence Konopka, Chairman

5/3/16
Date

Attachments: (0)

Olympus: 1:49:33



MEETING AGENDA

TOWN OF PITTSFIELD
BOARD OF SELECTMEN
TOWN OFFICE, 85 MAIN STREET
PITTSFIELD, NEW HAMPSHIRE 03263

TUESDAY, APRIL 12, 2016

6:00 p.m. - Call to Order

PUBLIC INPUT

AGENDA REVIEW

NEW BUSINESS

ACTION ITEMS

1. Zoning Board of Adjustment alternate member resignation (was Selectboard appointed)
2. NH DRA Report of Appropriations form MS-232
3. Franklin Street parking lot inquiry – Pittsfield Players
4. DVR security recording system
5. Realtor broker fees for sale of town property
6. Department deputy policy
7. Assessing letter – annual 'campground' letter, NH RSA 75:3

COMMITTEE REPORTS

INFORMATION ITEMS

1. Board of Selectmen May 3, 2016 meeting
2. Wetlands Agricultural Permit Application – 424 Tilton Hill Road

PUBLIC INPUT

OLD BUSINESS

1. WWTP – personnel issues (update)
2. Sale of 175 Leavitt Road trailer to Griggs MHP – update (pending on deed preparation)
3. Franklin Street parking lot – tow company monitoring (3/15/16)
4. Sale of town property
 - a. Tax map R12, lot 10 – (pending on deed preparation)
 - b. Tax map R44, lots 7&8 – public hearings on 4/5/16 and 4/19/16
 - c. Tax map R48, lot 6 – public hearings on 4/5/16 and 4/19/16
5. Police cruiser repairs (3/22/16)
 - a. 2010 Charger – starter cleaned & unseized (possibly to auction)
 - b. 2012 Charger – at Mariano dealership (faulty sensors? Mariano unable to diagnose)
6. Town hall basement (4/5/16)
7. Meeting audio files on town website (4/5/16)
8. Town owned tax-deeded properties (4/5/16)
 - a. Franklin Street parking lot
 - b. 11 Watson Street
 - c. 85 Catamount Road
 - d. Upper City Road vacant land (R18-6)
9. Street light removal at Route 28 & Leavitt Road (4/5/16) (pending insurance & LED option)
10. Sale of town owned property policy (4/5/16)

APPLICATIONS and WARRANTS

CHECK MANIFESTS

1. Accounts Payable
2. Payroll

MINUTES

1. March 29, 2016 - Public Meeting Minutes
2. March 29, 2016 - Non-Public Minutes
3. April 5, 2016 - Public Meeting Minutes
4. April 5, 2016 - Non-Public Minutes

NON-PUBLIC SESSION(S)

1. RSA 91-A:3, II(d) - Consideration of the acquisition, sale, or lease of real or personal property
2. RSA 91-A:3, II(e) - Consideration or negotiation of pending claims or litigation

PUBLIC INPUT