



MEETING AGENDA

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

TUESDAY, JANUARY 5, 2016

5:30 p.m. - Call to Order

PUBLIC INPUT

AGENDA REVIEW

DEPARTMENT UPDATES

1. Peter Pszonowsky, Fire Chief
2. George Bachelder, Public Works Supt.
3. Jeffrey Cain, Police Chief

APPOINTMENTS

1. 6:00 p.m. - Bill Miskoe, appointment request regarding return of security deposit for unexecuted sale of tax map R44, lots 7&8
2. 6:15 p.m. - Jim Pritchard, appointment request regarding return of security deposit for unexecuted sale of tax map R44, lots 7&8

NEW BUSINESS

ACTION ITEMS

1. Sale of town property - tax map R44, lots 7&8 (unexecuted 11/7/2015 auction sale)
2. 2016 municipal budget, cemetery mower purchase (11/10/15 vote failed for lack of majority)

COMMITTEE REPORTS

INFORMATION ITEMS

1. 2016 Presidential Primary, Tuesday, February 9, 2016, 7 a.m. to 7 p.m.

OLD BUSINESS

1. WWTP - personnel issues
2. Sale of 175 Leavitt Road trailer to Griggs MHP - update
3. Basement concerns - update
4. Refund request - \$2,500.00 deposit of town auction unexecuted sale of map R44, lots 7&8, (TABLED from 12/30/2015 meeting)

APPLICATIONS and WARRANTS

CHECK MANIFESTS

1. Accounts Payable
2. Payroll

MINUTES

1. December 30, 2015 - Public Meeting Minutes
2. December 30, 2015 - Non-Public Meeting Minutes

NON-PUBLIC SESSION

1. *RSA 91-A:3, II. (b)* The hiring of any person as a public employee.

PUBLIC INPUT

Board of Selectmen Meeting Agenda - 1/5/2016

Page | 1



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

MEETING MINUTES OF TUESDAY, JANUARY 5, 2016

CALL TO ORDER

Call to order at 5:30 P.M. by Eric Nilsson, Chairman

MEMBERS PRESENT

Eric Nilsson (EN), Chairman, Albert Douglas (AD), Vice-Chairman, Gerard LeDuc (GL), Nicholas Hayes (NH), Larry Konopka (LK), Cara Marston (CM), Town Administrator and Delores Fritz, Recording Secretary.

MEMBERS ABSENT:

None.

Selectman Douglas left meeting at 6:28 P.M.

PUBLIC INPUT

Dan Schroth: I have been to the State House and got a Permit to allow me to display my sign about the Pumpkin Bill at the State House on Capital Street.

Fred Hast: The report about downstairs area, is that available for review. (CM provided him with a copy of the report.) The Department Heads are here tonight, are they getting paid? They get an hourly wage. (EN) Thank you for your concern and we will take it under advisement.

Close Public Input

AGENDA REVIEW

None.

NON-PUBLIC SESSION I

(GL) Motion to go into Non-Public Session per **RSA 91-A:3 II (b)** – The hiring of any person as a public employee. (AD) Second. Carried 5-0. Individual members of the Board were polled and all agreed.

Board went into Non-Public Session at 5:35 P.M.

Board returned to Public Session at 5:47 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 affect adversely the reputation of any person other than the members of the Board, or 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 (GL) and Seconded by (AD) to not publicly disclose and seal the Minutes because it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of the Board. Carried 5-0. Individual members of the Board were polled and all agreed.

NEW BUSINESS

ACTION ITEMS

DEPARTMENT UPDATES

3. Hiring of Police Officer

(AD) Motion to approve hiring Michael D. Clark as a Pittsfield Police Officer, Step III. (NH) Second. Carried 4-0. (LK) Abstain because “I was not a Board member during the initial hiring discussion process for this position.

Michael D. Clark was sworn in as a Pittsfield Police Officer by Erica Anthony, Town Clerk. (5:50 P.M.)

2. George Bachelder, Public Works Superintendent

George Bachelder was present.

George Bachelder: Things are not going too bad, with the snow/ice storm there are still some areas with ice under the snow. We have also been taking down some trees.

1. Peter Pszonowsky, Fire Chief

Peter Pszonowsky was present. He related that the department had 725 runs for 2015. The fire on Chestnut Street is under investigation. We have been doing some fire safety inspections in businesses and begun working on the FEMA Grant.

APPOINTMENTS

1. 6:00 P.M.: Bill Miskoe Request Re: Return of Security Deposit for Unexecuted Sale of Tax Map R44, Lots 7 & 8.

Bill Miskoe (61 Thompson Road) was present.

Mr. Miskoe: I am here tonight to request Board of Selectmen vote to return the \$2,500 deposit as part of a land sale that did not happen. (EN) Bill, the Board has not yet voted on this. We tabled it at the last Board meeting and will make a decision tonight.

(GL) Town still has to pay Auctioneer. Mr. Miskoe: It would be as if the sale did not occur and no one bid on it. (EN) We have the James R. St. Jean Auctioneers here tonight. Mr. Miskoe: The question is if no one bid on that particular sale and no sale occurred, would you expect a buyer's fee? James St. Jean: No.

Mr. Miskoe: So sell to the next highest bidder and collect from him. (NH) What services have you paid for? Mr. Miskoe: I spent over \$3,000 in legal and surveyor costs and am not seeking that. I am just asking for the \$2,500 and to not return it is a breach of contract. The Town is obligated to deliver deeds to the two lots. Give me my money back! Lots 7 and 8 were sold as one lot and after the auction, I heard about the problems with the boundary lines between the lots. At that time, I got a lawyer. I am not getting anything out of this except for the \$3,000 bill for the attorney and the surveyor.

(EN) noted Board would discuss and advise Mr. Miskoe accordingly.

Mr. Miskoe left meeting at 6:09 P.M.

DEPARTMENT HEADS UPDATES – Continued

2. Jeffrey Cain, Police Chief

Police Chief Cain was present.

Police Chief Cain: I want to thank the Board for making the hiring of Michael Clark happen tonight.

We have had “rave points” on the school program and everyone seems to be very happy with it. The Police Officers will be participating in a fundraiser (beards) with the Police Association but the monies collected will stay in Town. The Chargers are both out of service – one with a possible \$6,000 repair bill and the other Charger repairs are unknown though it is probably somehow in conjunction with the replacement battery. I will attempt to have it repaired in conjunction with that and hopefully covered under the Warranty.

2015 was a great year and there has been excellent communication between the departments.

APPOINTMENTS – Continued:

3. 6:15 P.M.: Jim Pritchard Re: Request for Return of Security Deposit for Unexecuted Sale of Tax Map R44, Lots 7 & 8

Jim Pritchard was present. Jim Pritchard related that he felt that research would have shown Mr. Miskoe what the Town was selling, the misunderstanding of the purchase was the result of Mr. Miskoe’s own “recklessness” and taxpayers will have to pay \$1,250 of Mr. Miskoe’s obligation to the auctioneer. He noted the Absolute Auction of properties advertisement noted, “*All information herein is believed but not warranted to be correct. All interested parties are advised to do their own due diligence relative to the buildability/non-buildability of any lot and all matters they deem relevant.*” He noted that the tax maps referenced, Deed history including Deed reference, abutters on Blake Pond, range lines and his comments at the auction show “clearly that his bids were a fraud.” There is no question about the two lots and I do not see what the problem is. Tax Maps are famous for not be correct. I do not think the Town should be giving him his deposit back.

Selectman Douglas left meeting at 6:28 P.M.

NON-PUBLIC SESSION II

(GL) Motion to go into Non-Public Session per **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. (NH) Second. Carried 4-0. Individual members of the Board were polled and all agreed.

Board went into Non-Public Session at 6:29 P.M.

Board returned to Public Session at 6:56 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 affect adversely the reputation of any person other than the members of the Board, or 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 (GL) and Seconded by (NH) to not publicly disclose and seal the Minutes because it is determined that divulgence of the information likely render the proposed action ineffective. Carried 4-0. Individual members of the Board were polled and all agreed.

NEW BUSINESS

ACTION ITEMS

1. Sale of Town Property: Tax Map R44, Lots 7 & 8 (Unexecuted November 7, 2015 Auction Sale.

Selectman Konopka asked Jim Pritchard if he would like for Mr. Konopka to recuse himself. Mr. Pritchard did not feel this was necessary.

(EN) Mr. Pritchard, the Town would like to sell you the land (Tax Map R44, Lots 7 & 8 for \$15,000 plus \$1,500 buyers fee a total of \$16,500 with the clause added "No Further Litigation." Mr. Pritchard: I have no problem with that.

(EN) Motion to approve the sale of Tax Map R44, Lots 7 & 8 to Mary H. Pritchard Trustee for \$16,500 with the clause added "No Further Litigation."

(NH) Second. Carried 3-0. (LK) Abstain.

The Purchase & Sale Agreement was executed and signed by James Pritchard on behalf of the Mary E. Pritchard Trustee.

MINUTES

1. December 30, 2015 – Public Meeting Minutes

(NH) Motion to table approval of the December 30, 2015 Public Meeting Minutes.

(LK) Second. Carried 4-0.

2. December 30, 2015 – Non-Public Meeting Minutes

(GL) Motion to approve Non-Public Meeting Minutes of December 30, 2015.

(NH) Second. Carried 4-0.

NEW BUSINESS – Action Items - Continued

2. 2016 Municipal Budget – Cemetery Mower Purchase (11/10/15 Vote failed for lack of majority.)

(NH) Motion to not approve purchase of cemetery mower. (EN) Second. Vote: 2-2 (GL) & (LK). Motion dies.

(EN) Since we do not have a full Board, this will be on the next Agenda.

COMMITTEE REPORTS

Economic Development Committee: (NH) The Grant which was applied for was not approved. EDC will re-apply for next round.

INFORMATION ITEMS

1. 2016 Presidential Primary: Tuesday, February 9, 2016 7:00 A.M. to 7:00 P.M.

Board agreed to put together a schedule for Board members attendance and when votes are counted.

OLD BUSINESS

1. WWTP – Personnel Issues Pending
2. Sale of 175 Leavitt Road Trailer to Griggs MHP Pending
3. Basement Concerns – Update Pending

4. Refund Request: \$2,500 Deposit of Town Auction Unexecuted Sale of Tax Map R44, Lots 7 & 8 (Tabled from 12/30/15 Meeting.)

(GL) Motion to approve refund of \$2,500 deposit to Bill Miskoe for Town Auction unexecuted sale of Tax Map R44, Lots 7 & 8. Refund will indicate “No Further Litigation.” (NH) Second. Carried 3-0. (LK) Abstain.

APPLICATIONS and WARRANTS

None.

CHECK MANIFESTS

1. Accounts Payable

(GL) Motion to approve Accounts Payable Check Manifests.
(LK) Second. Carried 3-0. (NH) Abstain.

2. (GL) Motion to approve Payroll and Direct Deposit.
(EN) Second. Carried 3-0. (NH) Abstain.

NEW BUSINESS – Action Items - Continued

3. Tax Map R43, Lot 11

(EN) Motion to approve Town Administrator Cara Marston to execute and sign documents regarding Tax Map R43, Lot 11 auction sale. (NH) Second. Carried 3-0. (LK) Abstain.

PUBLIC INPUT

Adam Gauthier: What is happening with the new Town parking lot?

(EN) The signs are up and it should be ready to start taking off. Adam Gauthier: Town will plow it? (EN) Yes.

Fred Hast: Any other auction people do not get their deposits back – only in Pittsfield. \$600 is a lot of money.

Bill Elkins: One Cram Avenue is maxed out as far as rent is charged. It would be hard to rent a space with that rental.

Close Public Input

ADJOURNMENT

(NH) Motion to adjourn. (LK) Second. Carried 4-0.

Meeting adjourned at 7:22 P.M.

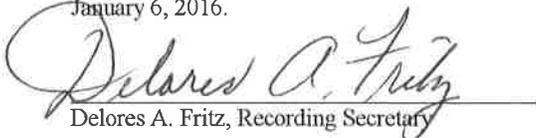
Approved: January 19, 2016


Eric Nilsson, Chairman

2-2-16
Date

No Attachments
Olympus: 1:08:46

I hereby certify that these Minutes were recorded by me on January 5, 2016, transcribed and publicly posted on January 6, 2016.


Delores A. Fritz, Recording Secretary