

**Town of Webster
Office of Select Board
945 Battle Street
Webster, NH 03303
Final Minutes – August 1, 2016
Approved August 29, 2016**

Staff Present: Bruce Johnson, Michael Borek, Nanci Schofield, Wendy Pinkham, Phil Mitchell, Emmett Bean, Michele Derby and Leslie Palmer

Public Present: Sue Rauth, Janet Broker, Jon Pearson, Betsy Janeway, Sue Roman, Linda Clark, Sally Embley, Gordon Welch, Sally Becker, Greg Roberts, Sue Roberts and Tara Gunnigle

Chairman Johnson opened the meeting at 6:31 PM with a reminder that the August 15th Select Board meeting will be held at the Old Webster Meeting House.

Town Clerk Michele Derby met with the Select Board to discuss the appointment of ballot clerks and preparations for the upcoming September primary and November election. She also provided the Board with a schedule of Election training sessions for elected officials.

At 6:40 PM, Chairman Johnson requested to go into Non-Public Session under RSA 91-A:3 IIC, to discuss “matters which, if discussed in public, would affect adversely the reputation of any person...” Selectman Borek seconded the motion. Roll call was taken, Chairman Johnson – yes, Selectman Borek – yes, Selectwoman Schofield – yes.

A motion was made by Chairman Johnson to come out of Non-Public Session at 7:02 PM and Selectwoman Schofield seconded. All in favor the motion was approved.

A motion was made by Chairman Johnson to seal the Non-Public Session minutes and Selectman Borek seconded. Roll call was taken, Chairman Johnson – yes, Selectman Borek – yes, Selectwoman Schofield – yes.

The Board signed the following for Administrative Assistant Leslie Palmer:

- Selectwoman Schofield moved to accept the 07/05/2016 Select Board Non-Public sealed minutes as written. Chairman Johnson seconded the motion. All in favor, the motion was approved.
- Chairman Johnson moved to accept the 07/18/2016 Select Board minutes as written. Selectman Borek seconded the motion. All in favor, the motion was approved.
- Chairman Johnson moved to accept the 07/18/2016 Select Board Non-Public sealed minutes as written. Selectman Borek seconded the motion. All in favor, the motion was approved.
- Chairman Johnson moved to accept the 07/25/2016 Select Board Non-Public minutes as written. Selectwoman Schofield seconded the motion. All in favor, the motion was approved.
- Chairman Johnson moved to approve the use of impact fees to pay \$1,466.39 of the Transfer Station second quarter operational invoice. Selectwoman Schofield seconded the motion. All in favor, the motion was approved.
- Chairman Johnson moved to request the Trustees of Trust Funds issue a check in the amount of \$4,180, payable to Right Angle Engineering, PLLC, from the Bridge/Culvert Improvements Capital Reserve Fund to pay for engineering and permitting related to Bashan Hollow Rd. Selectman Borek seconded the motion. All in favor, the motion was approved.
- Chairman Johnson moved to request the Trustees of Trust Funds issue a check in the amount of \$4,575, payable to Right Angle Engineering, PLLC, from the Bridge/Culvert Improvements Capital Reserve Fund to pay for preliminary engineering and Right of Way Survey related to Clothespin Bridge. Selectman Borek seconded the motion. All in favor, the motion was approved.
- On behalf of Financial Administrator Wendy Pinkham, the Select Board signed the payroll and accounts payable manifests and the June bank reconciliation.

Interim Police Chief Phil Mitchell presented or advised the Board of the following:

- 43 calls for service in the last two weeks.
- One of the car radios is beyond repair. Interim Chief Mitchell is waiting for a quote; the cost is expected to

be about \$4,000. This radio was due to be replaced this year as it is the oldest radio.

- Interim Chief Mitchell and Officer Shapiro attended Taser recertification class at the Boscawen Police Department last week. The new Tasers are now in service.
- Interim Chief Mitchell and Officer Shapiro completed SPOTS training for the tablets last week at Chichester PD.
- Officers were called out four times in the last two weeks.
- Interim Chief Mitchell is working with the Old Home Day Committee for a parade permit for Old Home Day.

Fire Chief Emmett Bean presented or advised the Board of the following:

- 8 calls for service in the last two weeks.
- There was a good turnout for the Chicken BBQ on July 30th. The Fire Fighters Association has donated \$1,000 toward the Old Home Day Fireworks display.
- Fire Chief Bean expressed appreciation for Fire Department staff; recent meetings and trainings have gone well and morale is good.

Road Agent Emmett Bean presented or advised the Board of the following:

- Sue Roberts recounted a recent incident in which she was almost hit by a car while flagging on Dustin Rd. She asked if a reminder could be put in the grapevine to residents to respect road construction signs. Interim Chief Mitchell indicated the Police will respond if the incident is reported.
- An Intent to Cut was brought forward; there is no driveway permit yet. Road Agent Bean will keep Administrative Assistant Palmer updated on the status of the project.
- Administrative Assistant Palmer provided the Select Board with information regarding the process of designating a road an Emergency Lane. A Public Hearing needs to be held; Chairman Johnson confirmed that repairs can be made and money expended on Emergency Lanes. Designating Chadwick Hill an Emergency Lane will be a goal next spring. Road Agent Bean will look into the cost associated with doing so.

ZBA Appointments:

ZBA Chairman Marty Bender met with the Board to discuss ZBA appointments. He noted that of the two current Alternates, Dee Blake is the senior member and has asked her if she would consider becoming a regular member. He will let Administrative Assistant Palmer know of her decision. Chairman Bender recommended Ron Leland for alternate membership. The Board concurred.

Board Action: Chairman Johnson moved to appoint Ron Leland as an Alternate to the ZBA. Selectwoman Schofield seconded the motion. All in favor, the motion was approved.

Scenic Road Discussion:

Chairman Johnson started the discussion on scenic roads by saying the purpose of this meeting is to determine what can be done to keep people happy, to reach consensus and to move forward in regards to road maintenance on scenic roads. He acknowledged the huge spectrum of definitions when it comes to how scenic roads should be maintained and expressed hope that people could meet in the middle on a solution. Selectwoman Schofield wanted to hear the opinions of residents in attendance and then an explanation of work done by Road Agent Bean. Selectman Borek indicated that he would like to start with the Road Agent. Road Agent Bean explained that he stopped his work on the scenic roads so as not to upset people further and described the ditching work done so far. He then indicated that he would like to hear from residents and he would fill-in with responses.

- Sue Rauth thanked Road Agent Bean for the maintenance work he performs and expressed appreciation for the opportunity to speak. She referred to the ditching on Gerrish Rd noting that it was really deep, deeper than previous ditching and felt it was more dangerous as a result. Roots are being damaged, rocks moved and the tall banks with no vegetation could create an erosion problem. She asked if there was another way to perform the needed maintenance that is less severe.

- Janet Broker referred to a stonewall that bounds her property on Gerrish Rd that she believed was pushed into the woods and is concerned that the boundary pins have been moved.
- Jon Pearson noted that there have been changes to Roads in Town that he doesn't agree with such as No Thru Trucking and speed limit reductions that have limited people's use of these roads. However, when changes are made for safety reasons, people don't want it. He acknowledged that roots grow into the road and grading and ditching will affect them, but if sand fills in ditches that aren't adequate, the roads will wash out and will look like Pond Hill Rd. It will cost more to add gravel as a result.
- Betsy Janeway also referred to the ditches on Gerrish Rd which she said are getting wider and wider. She noted that there are laws that protect stone walls and that these walls are part of our history.
- Susan Roman, speaking as the Vice-Chair of the Planning Board referred to statutes that need to be followed regarding stonewalls on scenic roads and is not open to compromise. Facts are needed; they will need to hear from Emmett as to the work done.
- Linda Clark, member of the Conservation Commission, remarked that it's nice to hear respect for nature but that safety needs to be taken into consideration as well.
- Sally Embley asked how the schedule for ditching is decided upon.
- Gordon Welch asked if there is a difference between a Town Road and a scenic road. Discussion followed as to the fact that there are no State guidelines for road maintenance.
- Sally Becker spoke about road work on Mutton Rd and recommended a policy be created to allow for homeowner contact before major work is done to a scenic road. She expressed concern for the old maple trees that line the road and noted that the road seems wider. Destruction of trees takes away from property values and she has personally paid for the removal of damaged trees in the past. She asked if the ditches will be filled and (money aside) if so, would it eliminate some maintenance costs in the future? She acknowledged that the Road Agent's employees do a fine job on road maintenance.
- Greg Roberts spoke to the necessity of ditches for water drainage along the scenic roads.

After listening to public input, Road Agent Bean responded to residents' concerns. First he addressed the issue of the stone walls on Gerrish Rd. He noted that stonewalls have been pushed back for years, referencing a car accident this past winter which damaged a stone wall. Earlier road agents rolled rocks off to the side of the road because they lacked the equipment to remove them. Road Agent Bean went out to Gerrish Rd in response to Janet Broker's complaint but could not find the missing portion of the wall that she was referring to. He will schedule a time to do a walkthrough with Ms. Broker. Chairman Johnson acknowledged that road equipment is bigger now and something could be hit accidentally. Road Agent Bean then discussed Mutton Rd, clarifying that the road is not wider but the ditches have been cleaned out. He expressed concern for expensive cars and equipment that is expensive to replace relative to road maintenance. Sue Roberts said that liability becomes an issue as there is no highway department. The Road Agent is appointed with the authority to do the "best of his ability" and the town's insurance won't cover him if he does not; he cannot compromise on public safety.

Chairman Johnson asked if there are other options and listened to suggestions.

- Sue Roman noted that if a policy is created to address maintenance on scenic roads that there is still a statute that needs to be followed.
- Jon Pearson felt that the discussion tonight should not have taken place and that the Select Board is wrong; all he is hearing is "the legalities of 'maybe' the wall was moved", etc. and that the Select Board should have looked into the facts before having a meeting. Chairman Johnson replied that he did go out to look at the road work, and that Ms. Roberts and Road Agent Bean requested that this meeting be held to have a discussion with the Select Board present. Chairman Johnson continued by saying that "we are here tonight to find a solution", not to point fingers at the Select Board and the Road Agent.
- Gordon Welch suggested that before the Road Agent performs maintenance on scenic roads, that the Town videos the road to put on a DVD so the landowners can see if walls were moved or trees removed, for example. The town would act as the referee.
- Sally Becker suggested creating a policy which would require a public hearing through either the Planning Board or the Conservation Commission which would allow for public comment before work is done on scenic roads. Road Agent Bean confirmed that ditching takes place every four years.
- Tara Gunnigle remarked that although the deeper ditches are scary, they are necessary. Putting rocks or gravel in the ditches as suggested earlier in the meeting won't work because sand needs to be dug out as

needed. She asked how many roads are scenic roads. Mutton Rd, Gerrish Rd and Bashan Hollow Rd are the three scenic roads in Town.

- Chairman Johnson asked if there are alternative ways to maintain the scenic roads. Road Agent Bean responded that he could clear back to the stone walls with a gradual slope and have the ditch cleaned out so that it could be mowed. He asked to have 300ft of scenic road to show residents to show what it would look like. Discussion followed regarding the creation of a video; someone could be appointed to do it. Discussion of having cameras in the equipment also ensued. Road Agent Bean spoke with Tim Allen, the Road Agent in Allentown, who remarked that public safety is the biggest thing when considering road maintenance.
- Sue Roman advised that people need to have reasonable expectations; an education process regarding scenic roads needs to take place and safety and liability need to be taken into consideration. The creation of a policy through the Planning Board can be put on the agenda for consideration.

Selectman Borek reviewed several options. Before maintenance is performed on scenic roads, a quick meeting (hearing) with the Planning Board could take place at which the Road Agent could discuss the work to be performed and why he is recommending it. The public could attend to give input. A video in advance of the work and a video of the completed work could be done. This process may be too burdensome, but the Town needs to explore scenic road issues. It should be determined whether or not the Planning Board wants to hold a hearing and write a policy that everyone agrees with. Another option could be that the proposed scenic road work be brought before the Select Board first. It seems that ditching, not grading is at issue. Selectman Borek made the point that the Board wants to be proactive not reactive to these issues and a quick meeting to discuss scenic road maintenance should take place, it could be just a more informational meeting. All parties need to work toward the middle.

Impact Fees:

Discussion continued as to potential uses for impact fee money related to the Town Hall building. Treasurer Mary Smith clarified that out of the approximately \$3,000 available, only \$625 needs to be used before year end. Administrative Assistant Palmer will continue the discussion with TDS relative to the purchase of phones with a focus on the Town Hall.

At 8:45 PM, Chairman Johnson requested to go into Non-Public Session under RSA 91-A:3 IIb, to discuss “the hiring of any person as a public employee.” Selectman Borek seconded the motion. Roll call was taken, Chairman Johnson – yes, Selectman Borek – yes, Selectwoman Schofield – yes.

A motion was made by Selectman Borek to come out of Non-Public Session at 9:30 PM and Selectwoman Schofield seconded. All in favor the motion was approved.

Action Items:

- Mike will update the Personnel Policy
- Bruce will email Janet Broker Wednesday morning to set up a time to meet with Emmett and himself.
- Emmett will look into the costs associated with work needed on Chadwick Hill
- Leslie will prepare ZBA appointment letters
- Leslie will contact TDS about phone purchase, with a focus on Town Hall only

At 9:30 PM, Selectwoman Schofield made a motion to adjourn; seconded by Selectman Borek and approved.

Respectfully Submitted, Leslie M. Palmer