

**TOWN OF WEBSTER**  
**Office of Selectmen**  
**945 Battle Street/Rte. 127**  
**Webster, NH 03303**

6:33 pm Selectmen's Meeting – December 26, 2012 – Regular Session (Wednesday)

Selectmen present: Chairman George Cummings, Selectman Bruce Johnson and Selectman Roy Fanjoy.

The Board signed the payroll and check manifests.

The Board signed the following for Administrative Assistant Judith Jones:

- Selectman Johnson made a motion to accept the Work Session Minutes of the Selectmen's Meeting held December 10, 2012 as written; seconded by Selectman Fanjoy and approved.
- Selectman Johnson made a motion to accept the Regular Minutes of the Selectmen's Meeting held December 10, 2012 as written; seconded by Selectman Fanjoy and approved.
- Selectman Fanjoy made a motion to accept non-public session #1 minutes of the Selectmen's Meeting held December 10, 2012; seconded by Selectman Johnson and approved.
- Selectman Fanjoy made a motion to accept non-public session #2 minutes of the Selectmen's Meeting held December 10, 2012; seconded by Selectman Johnson and approved. Chairman Cummings advised that these minutes will become public at a future date.
- Letter of Commitment to participate in the annual Household Hazardous Waste Clean-Up Project scheduled for Saturday, October 5, 2013 in Henniker.
- Vacation (replacement for misplaced documents) and sick leave slips for Mrs. Jones.

Selectman Johnson suggested a meeting on January 21, 2013 or February 4, 2013 whereby the Board would invite the Moderator, Supervisors of the Checklist, the Town Clerk and all election officials to discuss the upcoming public hearing, election and annual business meeting. Mrs. Jones will e-mail the Board the "Traditional Town Meeting March 2013" timetable as well as the recent notice of a Moderator's Workshop sponsored by the Local Government Center. The decision was to set a meeting for January 21<sup>st</sup> with Mrs. Jones to contact everyone via e-mail and phone and request an RSVP.

Financial Administrator Wendy Pinkham advised the Board that they did not encumber that portion of money to come from the regular Fire Department budget of \$870 to Candia Truck, noting that the remaining portion of the Purchase Order is to come from the Capital Reserve as previously voted. Selectman Johnson made a motion to encumber \$870 for the Fire Department for the additional funds necessary to pay Candia Trailers and Snow Equipment Company for the fabrication of the forestry truck platform for the 1997 Ford F350 forestry truck; seconded by Selectman Fanjoy and approved.

Mrs. Pinkham then deferred to Fire Chief Colin Colby as he had another commitment this evening.

Fire Chief Colby advised the Board of the following:

- There have been a few medical calls in the past two weeks.
- There was a residential fire in a partition called at 2:00 am; he arrived at 2:07 am and the fire truck at 2:11 am. During those four minutes between his arrival and that of the truck, the fire moved very rapidly across the ceiling, just like shown in the text books. It was knocked down with less than 400 gallons of water showing that the training the Department received really paid off.
- The narrow band for the radios is being worked on now at the station. The ambulance radio won't transmit and cannot be picked up by Fire Alarm. They are trying to put something together for the time being to have a working radio. A final cost for the narrow banding is not available right now, but Chief Colby advised that it will come out of the 2013 operating budget.
- Chief Colby advised that the article for the Grapevine written by Selectman Johnson to promote Fire Department Membership has been well received and he is hoping for new recruits for the Department as they are much needed.

BOS Initials:

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G. C. Cummings

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B. G. Johnson

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R. E. Fanjoy

The Board signed the following for Financial Administrator Mrs. Pinkham:

- Bank reconciliation for November.
- A second Supplemental Intent to Cut for Richard George – Map 4-41.

There was general discussion on potential closing the office due to the inclement weather conditions, remote access to the phone messages and computers by the staff, both of which are available.

The Board discussed the recent lost revenues from the State. Selectman Johnson had contacted Neal Cass, Hopkinton Town Administrator, regarding the Payment in Lieu of Taxes for flood control and will do so again.

Police Chief Dupuis advised the Board of the following:

- There were 36 calls for service in the last two weeks with the highlights read.
- Gas is now being purchased at Cumberland Farms in Boscawen as it is a better price.
- He changed the words in the Policy and Procedures in Section 108 (Fitness Procedure) from hired to certified, asking the Board to authorize the change in wording. This dealt with the January 1, 2001 date that the PT test was needed every 3-years, prior to that the officer was grandfathered. Selectman Fanjoy made a motion to accept Section 108 as amended in the Police Department's Policies and Procedures; seconded by Selectman Johnson and approved.
- January 12, 2013 there is a hearing set at the Police Standards and training to change the law, making it more difficult for towns. He plans to attend and testify if needed. Chairman Cummings noted that it must already be before the Legislature. Chief Dupuis advised that instead of the way the law reads now for certification, after the three years the certification is gone, they want to suspend it. He questioned the director as to where that leaves the Town regarding an employee with a suspended certification; does the Town have to keep a position open for him indefinitely?
- Chief Dupuis would like to have the remaining Policy and Procedures approved by the Board.

Selectman Johnson inquired about the flashing school lights timing, asking Chief Dupuis by what authority they were set and inquired if they could be flashing all day. Chief Dupuis said that it was in the State Statute, though he was uncertain if the time was set in the Statute. Selectman Johnson serves on the School Safety Committee and they were discussing the possibility of having them on all day as it is a school in a high speed zone. Chief Dupuis will research the issue and report at the next meeting.

Treasurer Mary Smith was not in attendance. However, earlier in the day she had signed the Forest Fire Bill for the Town of Hopkinton that occurred on Mutton Road on November 25<sup>th</sup>.

David Collins, Member of the Joint Loss Management Committee, reported items of concern raised by the Committee as he felt that the Committee should not rely on the Secretary to relate these items to the Selectmen. He wanted to make the Board aware of their concerns about the entrance way to the Town Hall Offices because of the hazards of possible trips and falls, especially related to the needs of the handicap. Chairman Cummings advised that there is a similar issue with the Dining door as well, indicating that cement pads had been discussed but there were concerns about frost heaves. Ramps have also been discussed but present possible problems as well. The doorbell at the handicap entrance door to the Town Hall and the Library is currently not working, though there is a sign to "ring the bell" for entrance, and is not compliant with the ADA regulations. Selectman Johnson volunteered to research solutions to replace the bell. There was discussion on possible solutions to the two entrances to the Town Hall with no decisions made.

Mr. Collins acknowledged how helpful it was to have the Road Agent on the Fire Department, complimenting him on the sanding of the driveway during the recent fire as the driveway was steep and there was a lot of water dumped causing icy conditions.

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The Board discussed the dues for Central NH Regional Planning Commission that had been discussed at a previous meeting. Chairman Cummings noted that the Town had been members for years, but not in the recent past, and have had a “free ride” over the last few years. He reiterated how helpful they were in the past with the first Master Plan, as well as with the recent revision of the 2012 Hazard Mitigation Plan. Chairman Cummings at this time noted that the final approval from FEMA has been received for the Hazard Mitigation Plan. Mrs. Jones advised that copies will be made available when she receives the discs with the final versions from Stephanie Alexander from CNHRPC. Chairman Cummings again stated that he feels that the CNHRPC is a joint effort and that Webster should participate and pay their fair share. He plans to propose the dues in the 2013 and if approved, that they be paid from the 2013 budget. Selectman Johnson agreed, noting that membership will help the Planning Board with their responsibilities for the revisions of the Master Plan, Capital Improvements Plan, Zoning Ordinances, etc. He and Chairman Cummings noted that CNHRPC cannot bind the Town to anything and that it would be up to the voters of the Town to vote on changes. Selectman Fanjoy then addressed Resident Terry Cox, who attended this meeting, to advise her that he read the e-mail information he received, noting that some of it he could agree with and some he could not. He conversed with Ken Eyring and asked a question, to which he received a reply. He felt that some of the information received was more pertinent to the governance of the cities versus the rural areas. He continued by saying that he agrees with rejoining CNHRPC and that the Town still has a say. Chairman Cummings agreed that those areas with larger populations are more likely to have a greater impact on their neighbors. He then referred to a copy of a letter received from the Town of Windham whereby they asked their attorney for advice regarding some of the concerns raised by Mr. Eyring and he felt that should we ask our attorney, the response would be similar.

Mrs. Cox indicated that she appreciated the Board's points of view, agreeing that CNHRPC has a lot of expertise. She stated that her major caveat was that any contract that Webster enters into might lead to HUD, Federal and some State regulations that do not fit our Town, perhaps even being unconstitutional. She felt that there was no mechanism to stop that from happening. Chairman Cummings noted that New Hampshire is not a “home rule” State, but only has those powers given by the State, citing several examples. He reiterated that the voters of the Town do have a say at Town Meeting.

Selectman Johnson inquired if the Board needed to vote on the CNHRPC dues. Chairman Cummings advised that it is in the 2013 budget and will be up to the voters of the Town. Mrs. Pinkham reminded the Board that the line item that the due is to be taken from needs to be increased to cover the dues as currently it has been decreased. This will be discussed at the next budget meeting.

As there were no submissions of names for the piano in the dining area, and after discussion by the Board, the decision was to request that Custodian Brenda Silver dispose of it as she sees fit.

Selectman Johnson advised that the Energy Committee has proposed a Warrant Article, which he then read. “To see if the Town will vote to raise and appropriate up to \$3,000 for the installation of solar lights on the Town Hall and Veteran's Memorial flagpoles.” He advised that all materials and installation was included in this amount. There was discussion on how the article would get on the warrant, which the Board can approve. There was further discussion on how long it would take to recoup the expense, with Selectman Johnson saying that Marty Bender thought it would be about three years and Mr. Bender will be ready to discuss the article at Town Meeting. The Energy Committee also discussed the salt shed lights and the outdoor lighting at the Town Hall and the possible use of LED lights, halogens, timers or sensors to help cut costs. Chief Dupuis has been looking into LED motion sensor lights and provided what information he had. The Committee is also working on the wood pellet stove heating system for the Town Hall as well as issues surrounding the loss of heat in the truck bay area at the Safety Building, which they had checked in several areas. The temperature read 54° to 55°. The Committee found several holes near the bay doors causing issues, which also provided easy access for the mice, which need to be addressed. It was noted that Chief Colby was not in favor of having the bays at a lower temperature due to the loss of heat when the doors are opened, causing a huge draft. Mr. Collins indicated that the heating system at the PSB is a very efficient system. Chairman Cummings questioned the temperature of the heat in the ceiling area. There are fans pushing down the heat. The Energy Committee will continue to work on a solution.

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Mrs. Jones advised the Board that she had applied a Land Use Change Tax to a parcel that had been surveyed in November. This survey changed the acreage from 10 acres to 8.779 acres, thereby making the parcel ineligible for Current Use. Mrs. Jones contacted the Department of Revenue to discuss the issue and was told that when such an event occurs, though not a law, it is not unusual for the town to not apply the Land Use Change Tax. Deed research indicated that the land was 10 acres dating back to September 28, 1942. The lot has already been released from Current Use through the Merrimack County Registry of Deeds and the parcel will now be taxed at the regular value. Based on the research and recommendation of DRA, Selectman Fanjoy made a motion to abate the Land Use Change Tax of \$6,398; seconded by Selectman Johnson and approved. Copies of the abatement were signed by the Board.

The Board considered a request for an abatement of the penalty applied to a property for the non-filing of the "Inventory of Taxable Property" due to special circumstances. After discussion, Selectman Fanjoy made a motion to abate the \$38 penalty for this property; seconded by Selectman Johnson and approved.

Selectman Johnson read an e-mail received by Town Clerk Michele Derby regarding the advertising insert being considered to be sent out with the auto registration renewals. Based on this information, he discouraged participation, to which the Board agreed. He will also respond to Grappone to decline the offer. The Board thanked him for his time spent on this project.

Chairman Cummings discussed dooamage per RSA 74:12, which showed no revision since 1879. This allows dooamage to be applied to 4 times the value, but it is not clear whether it was applied to the full property value or only that portion not previously reported on the Inventory of Taxable Property (dooamage cannot be applied if inventories are not used). He was in favor of only taxing the portion not previously reported. He also felt that failure to report changes was the same as cheating your neighbors. After a lengthy discussion, Selectman Johnson volunteered to contact the Local Government Center for an interpretation of the Statute as to how to apply the dooamage.

The Board discussed the recent Special Exception approved in West Wind Village as they received a complaint via e-mail that the owner was not adhering to the setback criteria from the road as was approved by the Zoning Board of Adjustment. Chairman Cummings advised that the foundation and frost walls were in place He wants to review the application and the maps on file before taking any action. Selectman Fanjoy would like to participate in this process. Mrs. Jones will pull all the information for review by Board members.

The Board again noted the acceptance letter received from FEMA for the Webster Hazard Mitigation Plan 2012. Stephanie Alexander from CNHRPC will send a disc when it is prepared so that copies can be made for the Office and Emergency Management Director. Copies of the disc can be made for the public if desired. It is expected that a Hazard Mitigation Committee will be formed in the spring to continue review and documentation of incidents and improvements during the next five years. Mr. Collins volunteered to serve on this committee when formed.

The Board voted the 2012 Encumbrances as follows:

419503-650 Cemetery Supplies/Repairs	\$1,000.00
422006-630 Fire Dept. – Maint./Equipment	\$ 870.00
458901-610 Agriculture Commission	\$ 500.00
Total:	\$2,370.00

8:27 pm Selectman Fanjoy made a motion to go into non-public session pursuant to RSA 91-A:3 II (a) regarding personnel issues with Police Chief Dupuis; seconded by Selectman Johnson. Roll call: Selectman Fanjoy – yes; Selectman Johnson – yes; and Chairman Cummings – yes. Mrs. Jones was not requested to attend.

BOS Initials:

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G. C. Cummings      B. G. Johnson      R. E. Fanjoy

