

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

Webster Board of Selectmen's Meeting – November 30, 2009

7:00 P.M. Present: Chairman Thomas Mullins, Selectman Klumb and Selectman George Hashem.

The Board signed the payroll and check manifests.

Selectman Hashem made a motion to accept the Town of Hopkinton Selectmen's Minutes, which Webster's Board attended, of October 26, 2009 as written; seconded by Selectman Klumb and approved. Selectman Hashem made a motion to accept the Town of Hopkinton Selectmen's Minutes, which Webster's Board attended, of November 2, 2009 as written; seconded by Chairman Mullins and approved. Selectman Hashem made a motion to accept the minutes of the Selectmen's Minutes of 11/9/09 as written, this meeting began in the Town of Hopkinton; seconded by Selectman Klumb and approved. Selectman Hashem made a motion to accept the minutes of the non-public session of 11/9/09 as written; seconded by Selectman Klumb and approved. Selectman Hashem made a motion to accept the regular Selectmen's minutes of 11/16/09 as written; seconded by Chairman Mullins and approved.

The Board signed the following for Administrative Assistant Judith Jones:

- 2009 Equalization Municipal Assessment Data Sheet Certificate;
- An Abatement for Anthony and Molly Pellilo – Map 9-15;
- A vacation leave slip for Mrs. Jones;
- Two Intents to Cut: Gail and Shannon Skidmore – Map 7-32-2 and Gail Rix – Map 6-96. A Temporary Driveway Permit Application for Map 6-96 was given to Road Agent Emmett Bean for review;
- Purchase order #24 to Contoocook Artesian Well Co. in the amount of \$2,185 for an automatic backwashing sediment filter. These funds are to come for the Town Hall Capital Reserve Fund; and
- Chairman Mullins signed five Mutual Aid Agreements with the abutting Towns and returned same to Donald Gross for completion.

Financial Administrator Wendy Pinkham provided a current budget report through 11/30/09. She is working on obtaining quotes for Webster's auditing needs for future consideration as requested by Selectman Klumb. Plodzick and Sanderson will do this year's audit, which will include the audit needed because of the resignation of the Tax Collector at the end of the year.

Officer-in-Charge Don Gross advised that there had not been much activity in Town recently. However, he has been busy getting the official mutual aid documents signed. He advised that Rich LaValley would likely be active before Christmas, noting that back in March some officers were laid off and some were asked to resign. What that means now is that, because Mr. LaValley resigned versus simply not being called in. It is now necessary to have another background check, physical, certification renewed, etc. instead of being able to put him back to work immediately, advising that it is now costing the Town between \$500-\$600 dollars. State Police are available and were in Town recently covering a domestic dispute. Mr. Gross advised that he is working on getting a second full-time officer on board and working on the process for hiring another Chief, noting he was in hopes of simplifying the process. He is working with the Board regarding a contract for the new Chief, upgrading the job description and most importantly the job performance standards. The performance standards and goals set up using certain dates as to what the Chief is expected to do for the Town and is the means by which the employee stays hired or fired. He also advised that Mr. LaValley will be doing field training with Lieutenant Phil Mitchell soon and again noted that he should have his certification in place by Christmas. Mr. Gross then requested a non-public session with the Board regarding personnel issues.

7:23 P.M. Selectman Hashem made a motion to go into non-public session pursuant to RSA 91-A:3 II (a) to discuss personnel issues with Mr. Gross; seconded by Selectman Klumb. Roll call: Chairman Mullins – yes; Selectman Klumb – yes and Selectman Hashem – yes. Mrs. Jones was asked to attend.

7:50 P.M. Chairman Mullins reconvened the meeting. He advised that the Board reviewed progress with Mr. Gross and the Board voted to seal the minutes. However, he advised that substantial progress with policy development for the De-

partment was being made and noted that it looked quite certain that a full-time officer would be on board perhaps the first of the year with details to be worked out.

Sue Rauth and Sue Roman, representatives for the Currier & Ives Scenic Byway project, requested that the Board sign a letter of "Intent to Apply for National Scenic Byways Funding for the Currier and Ives Trail", which would pledge funds for promoting the byway, i.e. a kiosk system, signs, etc, prior to submission of a grant being requested for the project. Ms. Rauth advised that the project was to preserve and promote cultural and scenic aspects of the byway. It was explained that the representatives had some reservation about the project. The program that the Board is being asked to support is not binding at this point, but would move forward towards putting together a communication program, website, signs, etc. to promote the project at a suggested cost of \$500 from each of the four participating communities in the Byway corridor. Chairman Mullins did not see the benefit for Webster. Selectman Hashem inquired as to what constituted abutting property. Ms. Roman thought it was about a 2-mile radius. She noted that the Legislature had created the by-way, not this committee. She indicated that the letter of intent is needed now and that the Board would also need to sign any actual grant application, which is expected to be done in March. Selectman Klumb said that he would prefer to bring the issue before the Town Meeting as did Chairman Mullins. The final decision of the Board was to not sign the letter of intent.

Gamil Azmy wanted to discuss the meeting regarding his property the Board attended in Warner, which straddles the Town Lines, and wanted to clarify misinformation and accusations regarding his family and farm that he believes were made in Warner as well as to clarify information written in previous Webster Selectmen's minutes. He advised that his property is not in any violation. Chairman Mullins said that there had been allegations of zoning violations, which Mr. Azmy denied. Chairman Mullins indicated that this meeting was not the proper forum for this discussion. Mr. Azmy said that the Board was trying to shut down his farm. Chairman Mullins felt Mr. Azmy was being presumptuous regarding the Board's intention. Mr. Azmy again referred to previous minutes as proof, again stating he is not violating any laws of the State, Federal or the right to farm in either town asking if the Board would accept his word without any paperwork. Selectman Hashem advised that at the joint meeting they discussed possible violation scenarios and the recourse available i.e. junk yard. Mr. Azmy again denied that he was in any violation. Chairman Mullins asked Mr. Azmy if he had apartments which had not been approved by the appropriate Zoning Board. Mr. Azmy stated that any present apartment was there before. Selectman Klumb inquired as to whether more than a year had lapsed since the area was used as an apartment. Chairman Mullins asked how many apartments Mr. Azmy had. He indicated two, and how many had been there previously. Again Mr. Azmy indicated two, saying one upstairs and one in the front. Chairman Mullins inquired if there were two in the back – no. When asked where the newly constructed stairs went, Mr. Azmy advised they were to exit outside for safety reasons. Chairman Hashem again stated that this was whole issue was a Zoning issue. Mr. Azmy requested that the Board, before gathering forces with Warner, contact the newspaper to clarify that they are not part of anything. He advised that his address is in Warner, but he resides in Webster. He feels he has been harassed through receipt of letters and because of response time for emergency services, again noting that he has letters of proof that he is not in any violation. He noted that he is only trying to survive. He offered to apply for a permit if needed for the recently constructed stairway. Chairman Mullins advised that any change in the use of the property would require going before the Zoning Board. Mr. Azmy again insisted that the use is the same as in years past, when he first purchased the property. Chairman Mullins indicated that the use, permitted or pre-existing, must be continuous. Should the use lapses for one year it is considered to have expired. Mr. Azmy indicated he had folks

that would state they were living there when he purchased the property and that he has only upgraded the facility, but insisted that he had not changed the use.

Road Agent Emmett Bean is working with two companies to receive quotes for sealing and overlay projects for the new budget. He advised that the rain has wreaked havoc with pot holes and the dirt roads. He also worked with Unitil over the weekend because of the weather.

8:18 P.M. Fire Chief Adam Pouliot requested a non-public session pursuant to RSA 91-A:3 II (a) regarding personnel issues, to include Colin Colby. Selectman Hashem made a motion to go into non-public session with Chief Pouliot and Mr.

Colby pursuant to RSA 91-A:3 II (a) to discuss personnel issues; seconded by Selectman Klumb. Roll call: Chairman Mullins – yes; Selectman Klumb – yes and Selectman Hashem – yes.

8:30 P.M. Chairman Mullins reconvened the meeting. He advised that the Board discussed personnel issues with Fire Chief Pouliot and the Board voted to seal the minutes.

Chief Pouliot presented the 2010 Fire Department budget. This is essentially the same as the 2009 proposed budget with a slight increase in fuel. New fuel agreements will be available in June. He has added \$1,000 to the proposed Capital Reserve Funds under Forest Fire Capital Reserve to reimburse the funds used for the forestry pump. These funds were reimbursed through a grant in August in the amount of \$968 which then went into the General Fund. He advised that Engine 2 is the next truck slated for replacement in 2012. He advised that he has not yet prepared the Emergency Management 2010 budget. He spoke with Chief Wright, the Mutual Aid Coordinator for the Compact, who advised that FCC is making some changes regarding band width, which will mean that some of the older pagers may not work after the year 2013. The plan is to replace pagers as funds become available. Chief Pouliot indicated that should new radios need purchasing or service be needed to reprogram radios, that in the past the compact has joined with about 20 Towns to receive a good price. Chairman Mullins inquired whether the Police Department would have an issue with their pagers. Mr. Gross did not think so as the equipment is current.

The Board will hold a public hearing pursuant to RSA 674:57 to adopt the FEMA flood maps with an adoption date of the maps to be effective April 19, 2010.

Selectman Hashem has prepared proposed changes to the Personnel Policy regarding vacation time, how accrued etc. Copies of the original policy and the proposed revisions were given to the Board for review. If the changes are adopted, Selectman Hashem advised that anyone who had an accrual of over the newly proposed 35-40 hours, depending on the hours worked in a week, of vacation leave at the end of the employee's anniversary date, that they would not lose any time as the current policy allows for the accrual of up to 30 days of vacation. However, should any employee go below the 30 days, they could never build their time back up. If adopted, new employees would lose any accrued vacation time over the allowed 35-40 hours at their annual anniversary date. The Board will consider adopting the changes at the next meeting.

Ellen Cilley asked for clarification on what a non-public session was. Chairman Mullins explained and she was provided with a copy of RSA 91-A:3 regarding non-public sessions.

8:52 P.M. Selectmen Klumb made a motion to adjourn; seconded by Selectman Hashem and approved.

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Thomas S. Mullins-Chairman  
BOS/jj

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David E. Klumb

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George K. Hashem