

**Town of Auburn
Board of Selectmen
January 13, 2014**

Selectmen Present: Russell Sullivan, James Headd & Paul Raiche

Also Present: Michael Dross, Road Agent; Ken Robinson, Police Commissioner; Jim & Janice Fusco, Brad & Kim Sargent; Rick Eaton, Audrey Trickett, Scott & Karen Norris, Paula Marzloff, Linda Dross, John H. & Mary Ann Rolfe, Mickey Rolfe, Scott Rolfe, Jill Wheeler, Dennis Vieira, Tom Gonyea, Mike DiPietro, Frances McFarland and Jim Boisvert, Residents; William Herman, Town Administrator and Kathryn Skoglund, Recording Secretary

Mr. Sullivan called the meeting to order at 7:00 p.m.

Approval of Payroll for Week of December January 13th, 2014

Mr. Raiche moved to approve the Payroll Manifest in the amount of \$35,602.88 for the week of January 13th, 2014; Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.

Consent Agenda – Week of January 13th, 2014

Petition and Pole Licenses / Public Service of NH and Fairpoint Communications

Nine (9) Poles – Londonderry Turnpike
One (1) Pole – Londonderry Turnpike
One (1) Pole – Chester Road

Supplemental Tax Warrants / Land Use Change Tax

72 Winchester Way (Tax Map #2, Lot #9, Block #10) -- \$12,500
84 Winchester Way (Tax Map #2, Lot #9, Block #11) --\$12,500

Second Issue Invoice / Payment in Lieu of Taxes

FY 2013 – Manchester Water Works -- \$356,456.50

Application for Property Tax Credit / Veterans Credit

8 Preston Way (Tax Map #8, Lot #63, Block #9) -- \$12,500
84 Winchester Way (Tax Map #2, Lot #9, Block #11) -- \$12,500

Notice of Property Lien

13 Neal Avenue (Tax Map #18, Lot #36)
543 Bunker Hill Road (Tax Map #5, Lot #85-3)
38 Sun Valley Road (Tax Map #18, Lot #21)

Pistol / Revolver License

One (1) License

Mr. Headd moved to approve the Consent Agenda for the week of January 13th, 2014; Mr. Raiche seconded the motion; all were in favor, the motion passed unanimously.

Old Business

Proposed Update to Town Purchasing Policy

Mr. Raiche noted that he read through the policy and had no particular issues with it. Mr. Sullivan referenced Page 3 and questioned if the Town could exempted the Road Agent from the cited RSA 95:1. Mr. Herman commented that is how the Town currently operates and the Board of Selectmen set the subcontractor rates. Mr. Raiche suggested if there is a concern with legality the Towns attorney could look at it. Mr. Sullivan was in favor of that. Mr. Sullivan went on to reference Page 4, noting that the purchasing levels are agreeable and asked Road Agent Dross if materials such as salt and sand, etc would fall within the \$25,000 threshold. Mr. Dross stated that pavement would be above the threshold. Mr. Sullivan asked regarding salt. Mr. Dross stated that the Town gets State pricing and the State bids out. Mr. Dross asked if the Policy is adopted what should he do during winter storms, ice storms or other emergency weather event. Mr. Raiche commented that perhaps there could be an exception for emergency events. Mr. Herman stated that he does not believe that individual events as such would apply as the Town acquires sand from the already established excavation pit, State bid salt pricing, and this policy sets the rates for subcontractors. Mr. Headd commented that it does not seem like the town is giving Mr. Dross the authority to function and the town needs to do so and get off his back. Mr. Gonyea asked if there should not be any controls or guidelines. Mr. Headd stated that there are. Mr. Gonyea commented that he has not seen any to this point. Mr. Vieira asked what the problem was that the Town is trying to fix. Mr. Vieira went on that he thinks that things are being set up to push Mr. Dross out down the road. Mr. Vieira added that he sees a problem with Police Details, this started with Police Details. Mr. Robinson asked what Police Details have to do with this. Mr. Holly Rolfe stated that the Road Agent has a budget to stay within, what more controls do the town need. Mr. Sullivan noted that the proposed policy applies to all town departments. A brief conversation occurred between Mr. Sullivan and Mr. Dross regarding Mr. Dross's concerns with the policy. Mr. Sullivan commented that the policy could be fine tuned to accommodate the towns' needs.

Proposed Griffin Mill Bridge Warrant Articles

Mr. Herman noted to the Board that they each have a copy of the Planning Board minutes in which the Griffin Mill Bridge was discussed and the Budget Committee has meet but held off on taking an action and is looking for articles for both a permanent road and bridge repair. Mr. Raiche read the proposed Warrant Article for a proposed road aloud to those present.

To see if the Town will vote to raise and appropriate the sum of One hundred thousand dollars (\$100,000) to relocate of Griffin Mill Road through property fronting Manchester Road; to discontinue, subject to gates and bars, the existing Griffin Mill Road once the new road is in place, to maintain the existing Griffin Mill Bridge as a pedestrian bridge, and to authorize the Board of Selectmen to do all things necessary to carry out the purpose of this appropriation.

Mr. Sullivan then summarized the three other Warrant Article options. #1, Town replaces the bridge immediately without State Funding. #2, Town raises funds over five years and replaces the bridge without State funding. #3, Town raises funds and enroll in the NHDOT Municipal

Bridge Aid Program for the design and permitting work for the eventual replacement of the bridge and provides for a temporary driveway access.

Mrs. Fusco stated that the Board knows which article they want. Mr. Sullivan stated yes. Mr. Fusco asked where the figure in the warrant article for a road came from. Mr. Fusco continued that there has been no discussion from the town with them regarding acquiring their property, there will be legal costs as they will fight tooth and nail for their property.

The Planning Board suggestion of a 2 lane bridge was brought up. Mr. Sullivan stated that is not one of the proposed warrant articles on the table tonight.

Mr. Eaton asked what the engineering costs were so far for this matter. Mr. Herman and the Board were unsure. Mr. Sullivan asked Mr. Herman to throw an approximate figure out. Mr. Herman stated maybe \$10,000. Mr. Eaton asked if the cost to acquire land was included in the article for a new road. Mr. Herman stated yes. Mr. Fusco stated that he was not in favor of a road splitting up his property. Mrs. Fusco stated that the proposed \$100,000 for all costs associated with building a road is not realistic and suggested that a breakdown of costs be included in the warrant article. Mr. Sullivan commented that he believes the Towns engineers determined that figure with input from the Road Agent. Mr. Dross stated that he relayed that the town has materials on hand to complete a road, that was his extended of input.

Mr. Headd stated again as he did last week that he does not want to recommend any article so not to sway voters. Mr. Herman clarified that Mr. Headd is suggesting putting forth one or more articles but not recommending any one over another. It was noted that the Board can not recommend all; they would have to pick one. Mr. Herman thought they could however recommend none.

Mr. Gonyea commented that the bridge is a means of access as well as a landmark, the structure will deteriorate over time to the point where it will not be accessible by pedestrians. Mr. Raiche noted that the proposed warrant article includes maintaining the bridge as a pedestrian bridge. Mr. Gonyea noted that if the town is going to continue to have to maintain the bridge anyway why not just fix the bridge now as today's costs will be less expensive than tomorrows.

Mr. Boisvert asked how much of the Fuscos' property will be affected by building a road. Mrs. Fusco stated that between the 18 foot road and necessary drainage work on both sides, all 5 acres will be affected. Mr. Sullivan noted that there would be a 50 foot right of way from the middle of the 18 foot road. Mrs. Sargent agreed that if there will be ongoing costs to maintain the bridge on top of costs to maintain a road the town might as well just replace the bridge.

Mr. Raiche commented that he would entertain article #3, to get bridge aid, It seems silly to spend taxpayers' money if aid is available. Mr. Sullivan stated that he could have been persuaded to go with article #2, funding the replacement over 5 years. Mr. Herman clarified that funds would be appropriated over the 5 years and then construction would occur. Mr. Sullivan had misunderstood and stated that he would agree with going with article #3.

Mr. Fusco commented that the Town has spent more money on fire engines than they would on this bridge. Mrs. Fusco asked that the Board think about this from their perspective, they can't access their property, they can't build a garage as they had planned, they can't sell the other property as it is; if it was 20 homes rather than 2, the bridge would have been done already. Mr. Fusco added that the Griffin family has been in town 200 years, the house even served as Town Hall at one point.

Borrowing money to fund construction was brought up. Mr. Herman noted that it is too late to borrow funds for 2014. Mr. Eaton noted that years ago Griffin Mill bridge was accepted as a town road, the town has an \$800,000 road reconstruction budget. Mr. Eaton stated that he doesn't think the town should borrow money to replace the bridge but maybe they should bite the bullet and just do it out of the operating budget. Mr. Eaton commented that the town will spend the money anyway; if the project is put out to bid it may come in lower than Stantec's

estimated amount. Mr. Dross stated that the town can do the work cheaper than any bids received. Mr. Dross noted that they would still need to construct an access road for use while the bridge is being constructed. Mrs. Fusco stated that they are willing to forgo an access road and simply drive through the field. Mr. Fusco agreed. Mrs. Fusco asked the Board why use of the road reconstruction budget was not an option. Mr. Sullivan noted that as the State reimburses towns 80% for bridges that is approach the town typically takes. Mrs. Marzloff commented that the \$800,000 is already budgeted for; use of it would then negate the need for a warrant article that appropriates additional funds. Mrs. Marzloff asked Mr. Herman what the tax impact of the proposed warrant article for the bridge is. Mr. Herman verified that the tax impact would be \$.52. Mr. DiPietro suggested the Board speak with the Road Agent to discuss other pressing road work. Mr. Eaton commented that if the Road Agent can do the project cheaper, why the Board didn't have him draw up and estimate rather than Stantec. Mr. Dross stated that he can facilitate the work for less money but he is not an engineer, Stantec would still need to be involved. Mr. Gonyea commented that he agrees that the Board should consult with the Road Agent to see if there are other roads that need work. Mr. Dross commented that would be all roads but use of the Road Reconstruction budget is ultimately the decision of the Board of Selectmen, he has no issue with the bridge reconstruction. Mr. Eaton spoke with regards to Stantec's estimate and design. Mr. Headd commented that the State still inspects the bridge. Mr. Sullivan commented that the town would still need to construct the bridge to State specs. Mr. Herman clarified that if the town is not receiving money from the State for the project they actually do not need to construct to State specs. The Board agreed that they should anyway. Mr. Vieira stated that whatever the Board decides to do they should do it now as Mr. Gonyea said, costs only go up. Mr. Vieira added that he hates to see a house that the Fire Department can't get to. Mr. Sullivan commented that he generally likes to see bridges funded with State aid and hates to set precedence. Mr. Herman commented that the State took away the advance construction process, which has caused the dilemma in this instance. Mr. Herman noted that the advanced construction may be reimplemented.

The Board of Selectmen agreed to fund the replacement of the Griffin Mill Bridge out of the 2014 Road Reconstruction budget line.

Mr. Boisvert asked if State aid became available would they be able to apply. Mr. Herman noted that this project would not qualify at that point.

Parks & Recreation Winter Carnival – January 25th

- The Board reviewed a letter of invitation from the Parks and Recreation Commission to the 2nd annual Winter Carnival being held at the new skating rink on January 25th from 1:00 to 4:00 p.m.

NHDOT Bridge Inspections

- The Board reviewed the biennial bridge inspection report. It was noted that the Griffin Mill Bridge is the only bridge in town that is red listed. Mr. Herman informed the Board that he has available the detailed reports with inspection history if the Board members are interested in reviewing those.

New Business

Status of FY2014 Budget

- The Board reviewed a budget comparison between the Board of Selectmen approved budget and the Budget Committee approved budget. Mr. Herman noted that the major differences are a result of the Budget Committee not recommending any of the proposed warrant articles except the Fire Department Pumper truck.

Hawthorne Drive Road Acceptance

- Ms. Skoglund informed the Board that the Planning Board has recommended that the Board of Selectmen accept Hawthorne Drive, however the Town is not yet in receipt of the formal signed road deed, a revised Letter of Credit allowing the town, if necessary, to utilize the surety for any necessary maintenance items and to complete the outstanding work items, and an written agreement from the developer that outstanding work items will be completed by May 1, 2014, if not the town can call the surety to complete the work. The Board agreed to not accept the road until those items are received.

NH Emergency Notification System Authorization

Mr. Herman informed the Board that the NH-ENS alert system allows for the capability of rapidly notifying residents of emergencies in the community via voice, text messaging and emails. Mr. Herman added that it is suggested that the Fire Chief and Police Chief be designated as the Authorized Officials who have direct access to the system.

Mr. Raiche moved to authorize the Fire Chief and Police Chief as designated officials for the New Hampshire Emergency Notification System; Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.

Mr. Sullivan signed the Authorized User Form.

Mr. Eaton referenced the Road Reconstruction break down from the Boards last meeting and asked Mr. Dross what work was done on each road. Mr. Dross responded road by road to Mr. Eatons inquiry. Mrs. Marzloff stated that she was under the impression that the Road Reconstruction budget was for full reconstructions; it seems that it is being used for summer road maintenance. Mr. Dross commented that towards the end of the construction season he spends remaining funds on other road maintenance needs. Mrs. Marzloff stated that she would rather not spend the money to patch; the purpose of the funds was long term fixes. Mr. Headd agreed with Mrs. Marzloff regarding the intent of the funds. Mr. Mickey Rolfe referenced a road that was overlayed out of the Road Reconstruction budget and noted that it needed overlay. Mrs. Marzloff stated that should have been funded out of summer road maintenance then. Mr. Headd noted that the town can shift funds left or right, regardless the work needs to get done. Mr. Sullivan suggested sitting down with the Road Agent in the spring and working out a game plan for use of the funds. The other Board member were agreeable with that.

Mr. Herman reminded the Board of the upcoming Zoning Board of Adjustments hearing on January 28th.

Minutes

January 6th 2014 Public Meeting

- Mrs. Trickett noted that on Page 4 she, not Mr. Headd, commented that the Parks and Recreation Commission were not in favor of organizations fundraising at town events. The Board agreed that was correct.

Mr. Raiche moved to approve the minutes of the January 6th, 2014 public meeting as amended; Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.

Non-Public Session

Mr. Raiche moved to enter into non-public session pursuant to RSA 91-A 3, II (a) Compensation of Public Employees; Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.

Meeting in Non-Public Session with the Selectmen were Police Commissioner, Ken Robinson, Town Administrator Herman and Secretary Skoglund.

Mr. Raiche moved to exit Non-Public Session; Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.

Mr. Raiche moved to seal the minutes to the Non-Public Session; Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.

Mr. Raiche moved to ratify the collective bargaining agreement between the Town of Auburn and the Auburn Police Union, NEBPA Local #216 for the period of April 1, 2014 through March 31, 2016; Mr. Headd seconded the motion; all in favor, the motion passed unanimously.

- ***Mr. Headd moved to adjourn; Mr. Raiche seconded the motion; all were in favor, the public meeting ended at 8:23 p.m.***