

**Town of Auburn  
Board of Selectmen  
June 19, 2017**

**Selectmen Present:** James Headd & Dale Phillips

**Also Present:** Mike DiPietro, Michael and Linda Dross, Michael Rolfe, Paula Marzloff, Susan Goodhue, Russell Sullivan and Marion Miller, Residents; Melissa Proulx, Union Leader; and William Herman, Town Administrator

Mr. Headd called the public meeting to order at 7:00 p.m. and led the audience in the Pledge of Allegiance.

**Approval of Payroll for Week of June 12<sup>th</sup>, 2017**

The Board tabled this item until their next meeting.

**Approval of Accounts Payable for Week of June 19<sup>th</sup>, 2017**

***Mrs. Phillips moved to approve the Accounts Payable Manifest in the amount of \$237,309.66 for the week of June 19<sup>th</sup>, 2017; Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.***

**Consent Agenda – Week of June 19<sup>th</sup>, 2017**

Yield Tax Warrant:

- ❖ Chester Road (Tax Map #19, Lot #1) -- \$1,483.86
- ❖ Londonderry Turnpike (Tax Map #3, Lot #7) -- \$1,057.79
- ❖ Off Route 101 (Tax Map #13, Lot #1) - \$1,272.02

Abatement – Refund Request:

- ❖ Camper Vacated -- 593 Chester Road (Tax Map #5, Lot #65-Red 14) -- \$217.38
- ❖ Camper Vacated – 593 Chester Road (Tax Map #5, Lot #65 – GRE 06) -- \$123.00
- ❖ Camper Vacated – 593 Chester Road (Tax Map #5, Lot #65 – GRE 06) -- \$60.00
- ❖ Camper Registered – 593 Chester Road (Tax Map #5, Lot #65 – ORA-12) - \$70.00

Abatement Application:

- ❖ Denied – Northern New England Telephone Operations, LLC

Municipal Finance Application:

- ❖ Ford Motor Credit Company / Police Vehicles Lease-Purchase

Pistol/Revolver License:

- ❖ Five (5) Licenses

***Mrs. Phillips moved to approve the Consent Agenda as presented; Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.***

## **New Business**

### Reproduction of Trails Maps

Mrs. Phillips outlined the idea of producing a usable map of all the trails throughout Auburn now that the entrances have been clearly marked and identified through the efforts of Manchester Water Works. The idea being to potential produce a map that could be provided as a resource to people through the Town Hall, Safety Complex and the Griffin Free Public Library. Mr. Herman indicated he had contacted John O'Neil on this who indicated the current maps at MWW were not very good, but perhaps the Town could secure the data MWW has and work with Cartographics to produce such a map. The Board was supportive of this type of effort.

### Review of Tax Deeded Properties

Mr. Herman reported this issue was on the agenda at the Board's request. Referring to a list of properties obtained by Tax Collector Deeds the Board received in early May, he indicated they had initially focused on six lots for potential sale. Building Inspector Carrie Rouleau-Cote had reviewed the properties and provided the Board with zoning determinations on the six lots. He felt it was clear from this information the 5.286-acre parcel on Bunker Hill Road (Tax Map #8, Lot #8) that was created as part of the Nolls Farm subdivision did not have an acceptable building envelope anywhere on the parcel and should be retained as conservation land and not offered for sale. The Board was in agreement.

The Board reviewed two two-acre parcels at the beginning of Hills Road (Tax Map #12, Lots #16 and #16 – 1). The zoning determination indicated the lots are in conformance with dimensional requirements, but would need to file with the Department of Environmental Services for subdivision approval. Russell Sullivan believed these parcels were given to the Town as green space as part of the Hills Road subdivision, and that the Town merged them into one lot. Mr. Herman noted the lots were not given to the Town, but were taken by Tax Collector Deed in 1992, while the subdivision was approved in 1976. He also indicated the lots were never merged into one and remain as two separate lots of record. Michael Rolfe indicated they had performed test pit work on these lots at the time of the development, and the properties were too wet to be developed. He doubted conditions had changed on the properties in the intervening years. The Board agreed to look at the properties further, but were inclined to not offer them for sale.

The Board reviewed three potential lots in the Sun Valley area including a lot of 3.056-acres (Tax Map #17, Lot #6), a lot of 1.033-acres (Tax Map 17, Lot #18) and a lot of 0.666-acres (Tax Map #17, Lot #84). The zoning determination for Tax Map #17, Lot #6 is that the lot conforms to dimensional requirements, but would need to complete a design for septic system with NHDES. The zoning determination for Tax Map #17, Lot #18 indicated the lot is non-conforming with current dimensional requirements as it was created prior to any town regulations. A buyer would need to complete a design for septic system with NHDES, in addition to meeting all other provisions of the Town's zoning ordinance. It was noted an abutting lot septic plan showed wetlands crossing the property boundary line. The third lot at 0.666-acres was also a non-conforming lot and would face similar issues. The Board wanted to review these properties further before offering for sale, possibly conducting a site walk.

The Board agreed to continue these discussions at their next meeting.

#### Proposal for Public Auction of Six Properties

Mr. Herman provided the Board with a proposal requested from James R. St. Jean Auctioneers for the sale of six-tax deed properties. The Board agreed to table this item until their next meeting.

#### Resignation of Cemetery Trustee

Mr. Headd reported the Board had received the following letter from Donald Marzloff: "Due to my extended absences from town for work and personal travel, I must resign my position of Cemetery Trustee."

***Mrs. Phillips moved to accept with regret the resignation of Donald Marzloff as Cemetery Trustee. Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.***

Mr. Headd requested input be requested from Cemetery Trustees Donald Dollard and Scott Norris concerning recommendations of individuals for appointment to this position.

#### Contribution Assurance Program for WC and Property & Liability Coverage

Mr. Headd reported the Town has been provided proposals from Primex for a three-year Contribution Assurance Program (CAP) for the Town's workers' compensation program and property & liability program. He indicated he felt these were good assurances for the Town that should be accepted. Mr. Herman noted the CAP offerings do not set the Town's future rates for these coverages, but guarantees the Town's rate will not increase more than the maximums set by the CAP. He noted the maximum rate increase for the workers' compensation program would be 8% per year, while it would be 9% per year for the property & liability program.

***Mrs. Phillips moved for the Town of Auburn to adopt the resolutions to enter into the Workers' Compensation Contribution Assurance Program for CY 2018 – CY2020 and the Property & Liability Contribution Assurance Program for CY2019 – CY 2021, and to further authorize the Chair of the Board of Selectmen to sign the original resolutions and Contribution Assurance Program Agreements as presented which extends the Town of Auburn's membership agreement with Primex. Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.***

#### Replacement of Deck Rails on Library

Mr. Herman reported during the FY 2017 budgeting process, the Library Trustees had provided a cost estimate to replace the deck rails on the existing front porch and ramp at the Griffin Free Public Library, and the Board had indicated they would be willing to cover the expense through the Town Building Fund. The Trustees had the work done last week for the quoted amount of \$3,250, and he was just verifying the Board still was agreeable to covering the expense through the Building Fund. Mrs. Phillips and Mr. Headd both indicated they had seen the completed work and thought it was a very good improvement to the Library. They also indicated they were agreeable to covering the expense from the Building Fund. Mr. Herman noted he would post the required public hearing for the Board's next meeting to complete this effort.

#### Surety for Reclamation of Boxwood Drive Project

Mr. Herman reported to the Board the Town had received full payment from the bank for the letter of credit surety for the reclamation of Boxwood Drive project. He indicated Town Counsel was also contacted by the attorney representing the developer, and he is hopeful that the Town might possibly be issued a replacement letter of credit in the full amount now required. If that were to happen, the Town would refund the amount just paid to the issuing bank. Town Counsel will be providing guidance to the Town moving forward.

### **Old Business**

#### Potential Site Walk of Eddows Recreational Fields

Mr. Headd noted the Parks & Recreation Commission and Board of Selectmen had been attempting to establish a site walk of the Eddows Field property. The site walk has been scheduled for Wednesday, June 28<sup>th</sup> at 10 AM. Mr. Headd indicated the date and time had been agreed to by all three Selectmen.

#### Update on Special Election

Mr. Herman reported to the Board that since their last meeting, the Governor and Executive Council had set a Special Election for State Representative for Auburn,

Chester and Sandown, and that the June 12<sup>th</sup> – 16<sup>th</sup> filing period resulted in three Republican candidates and one each for Democrat and Libertarian. As a result, a Republican Primary election will be held on August 8<sup>th</sup> and the general election will be held on September 26<sup>th</sup>. He noted that Mr. Headd is one of the three Republican candidates and will not be able to serve as a Selectman at the election itself, so Mrs. Phillips and Mr. Eaton will need to handle that responsibility.

#### Supplemental Highway Block Grant Funds

Mrs. Phillips reported she was pleased to see Mr. Herman's report on the passage of SB 38, which would bring Auburn approximately \$144,000 in additional Highway Block Grant funding before the end of this year. And Mr. Headd noted the additional funding the bill provides to the Municipal Bridge Aid program will help move the Griffin Mill Bridge project up from its current State FY 2021 schedule.

#### HB 463 – Perfluorinated Chemicals (PFOA)

Mr. Herman reported that House and Senate Conference Committee members working on HB 463 that would have required the state to consider tougher standards for acceptable limits of perfluorinated chemicals like PFOA in drinking water has failed to reach agreement on the specifics of the bill. He noted this was the issue David Allwine of Stantec was discussing with the Board at their June 5<sup>th</sup> meeting. Mr. Herman noted New Hampshire currently adheres to the federal EPA's current standard of 70 parts per trillion. As he understood it, HB 463 would direct the NH Department of Environmental Services to implement a rulemaking process and within 120 days establish more stringent standards, possibly as low as 20 parts per trillion. He thought NHDES still had rulemaking authority if they needed to work in this area, but potential changes would not be coming in 120 days. For now, Auburn will need to meet the current standards as Mr. Allwine discussed previously with the Board.

#### Old Candia Road Culvert Hazard Mitigation Grant Project

Road Agent Mike Dross reported they completed the work on the Old Candia Road Culvert project last week. He noted the last item is the installation of guardrails, which would be occurring on June 20<sup>th</sup>. Mr. Herman noted FEMA and the NH Emergency Management Bureau will be out to perform their field inspection of the project on July 5<sup>th</sup>, and then the Town has until July 31<sup>st</sup> to complete and send it various reports and financial documentation for reimbursement. He noted he and Adele Frisella would handle that effort.

Mr. Dross noted FEMA has spent a lot of money in Auburn in the past 10 years through disaster declarations and hazard mitigation grant approvals. He credited Mr. Herman with the success in this area and estimated the Town has received slightly more than a million dollars in federal funds as a result.

## APU Unfair Labor Practice Complaint to PELRB

Mr. Herman reported to the Board the NH Public Employee Labor Relations Board (PELRB) earlier today had issued its decision in the unfair labor complaint filed by the Auburn Police Union last fall. He noted the Board unanimously voted to dismiss the complaint and ruled in favor of the Town. He reported the complaint had been filed in October 2016, and the basis for the complaint was a decision by the Police Commission to hire a third-party investigator to handle a complaint brought by the Road Agent for issues surrounding the landfill criminal investigation. The Union had contended the hiring of a third-party investigator was not in conformance with operating procedure for the police department, was a change in employment conditions, and was a mandatory subject of bargaining. The Town's position was the handling of internal investigations was an exclusive managerial prerogative and is not a mandatory subject of bargaining. The Union and the Town agreed to waive a formal hearing on the issue and have the matter decided by written briefs after jointly submitting an agreed statement of facts. The briefs were filed in February 2017.

Mr. Headd noted this was the second unfair labor practice complaint that had been filed by the Auburn Police Union in the past four years, and in both instances the PELRB has ruled in favor of the Town.

## **Other Business**

### Next Meeting

Mr. Headd noted the Board's regular meeting schedule would have the next meeting on Monday, July 3<sup>rd</sup>. He recommended due to the Fourth of July holiday, the Board schedule its next meeting for Monday, July 10<sup>th</sup>. Mrs. Phillips agreed.

## **Minutes**

### June 5<sup>th</sup>, 2017 Public Meetings

***Mrs. Phillips moved to approve the minutes of the June 5<sup>th</sup>, 2017 public meeting. Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.***

## **Adjourn**

***Mrs. Headd moved to adjourn; Mrs. Phillips seconded the motion; all were in favor, the meeting ended at 7:31 p.m.***