

**Town of Auburn  
Board of Selectmen  
June 8, 2015**

**Selectmen Present:** James Headd, Richard Eaton & Dale Phillips

**Also Present:** Scott Bussiere, All State Builders, Inc; Dan Tatem, Stantec Consulting; Dave Nye, Alex Eisman, Stacy Shula & Helen Hiltz, Parks and Recreation Commission; Erik & Jessica Wallin, Toni Bartlett, Timothy Cestrone, Amanda Poumakis, James & Beatrice Blute, Mike Dobmeier, Armand Miclette, David & Sue Jenkins, Paula Marzloff, Susan Goodhue, Mike & Linda Dross, Michael Rolfe, Audrey Trickett, Mike DiPietro, John & Mary Ann Rolfe, Scott & Karen Norris, Kim & Brad Sargent; Greg Santuccio and Tom Gonyea, Residents; Kevin Cashman & James Huard, Police Officers; William Herman, Town Administrator; Kathryn Lafond, Recording Secretary

Mr. Headd called the meeting to order at 7:00 p.m. and asked everyone to stand for the Pledge of Allegiance.

**Approval of Payroll for Week of May 18<sup>th</sup>, 2015**

*Mr. Eaton moved to approve the Payroll Manifest in the amount of \$45,326.07 for the week of May 18<sup>th</sup>, 2015; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.*

**Approval of Accounts Payable for Week of May 25<sup>th</sup>, 2015**

*Mr. Eaton moved to approve the Accounts Payable Manifest in the amount of \$193,130.91 for the week of May 25<sup>th</sup>, 2015; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.*

**Approval of Payroll for Week of June 1<sup>st</sup>, 2015**

*Mr. Eaton moved to approve the Payroll Manifest in the amount of \$43,209.17 for the week of June 1<sup>st</sup>, 2015; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.*

**Approval of Accounts Payable for Week of June 8<sup>th</sup>, 2015**

***Mr. Eaton moved to approve the Accounts Payable Manifest in the amount of \$549,006.46 for the week of June 8<sup>th</sup>, 2015; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

**Consent Agenda – Week of June 8<sup>th</sup>, 2015**

Correspondence

Marion Miller – Response to Two Letters

Kim Lufkin – Recognition of Services on Parks & Recreation Commission

Authority to Preform Work on Hawthorne Drive

Keith Martel / Sterling Homes

Abatement / Property Tax

Calef Lake Camping Area, LLC (Transient Site – Should not be assessed) - \$235.00

Payment Agreement

Leppert Development Co., Inc, 43 Leppert Way (Tax Map #1, Lot #17)

Representation to Town Auditors

Board of Selectmen Questionnaire for FY 2014 Audit

Right of Easement / New Hampshire Electric Cooperative

Power for Eddows Fields Parking Lot Project

***Mr. Eaton moved to approve the Consent Agenda for the week of June 8<sup>th</sup>, 2015; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

**Scott Bussiere, All State Builders, Inc. Hills Road Improvements**

Mr. Herman informed the Board that Mr. Bussiere last meet with the Board of Selectmen in 2012 concerning Hills Road extension, Mr. Bussiere is now ready

to proceed however three years later there is a new Board and costs and standards have changed. Mr. Herman commented Stantec has looked at the cost estimate again and revised the number accordingly. Mr. Tatem added that Mr. Bussiere contacted Stantec and from their they looked back through and revised the documents, they have provided Mr. Bussiere with a copy and have talked to the Town of Hooksett, NH who will attend the preconstruction meeting once scheduled. Mr. Bussiere indicated that he has a letter from July 2012 from the Board of Selectmen agreeing to an amount of approximately \$29,000. Mr. Herman believed that Mr. Bussiere is referencing an invoice he sent based on the discussions that occurred between Mr. Bussiere and the Board in 2012, the Board however never entered into a formal agreement and Mr. Bussiere never provided the discussed funds and completed the work. Mr. Herman noted that the extension is approved and not an issue. Mr. Bussiere stated that he feels they had an agreement. Mr. Eaton stated that was three years ago. Mr. Tatem commented that Stantec updated the cost estimate provided in 2012 and there is not a significant change, to meet the town's current standards they provided for a 2 ½ inch binder rather than the previous 2 inch and a 1 inch wearing course which appears to have been accidentally left out of the old estimate. Mr. Tatem mentioned these changes increase the estimate \$15,000. Mr. Eaton stated that Mr. Bussiere has to abide by today's standards just as everyone else. Mr. Headd indicated his agreement. Where the 1/3<sup>rd</sup> obligation of the estimated cost was discussed. Mr. Bussiere stated that he was not sure where that came from as he bought the subdivision which had already been approved. Mr. Bussiere added that every time he tries to complete this project the terms change, he feels the Boards word means nothing. Mr. Headd indicated that if Mr. Bussiere had completed the project in 2012 then the agreement would have stood. Mr. Tatem suggested that rather than using an arbitrary 1/3<sup>rd</sup>, the Board could have a traffic count done now for a week and then again one year after the construction is complete and then Mr. Bussiere would only owe the percentage that the traffic increase and the remainder of the bond would then be released to Mr. Bussiere. Mrs. Phillips clarified that surety would need to be provided. Mr. Eaton added that the bond would be in the full estimated amount. Mr. Bussiere stated that he would like to just have an amount to provide and be done with the project, he cannot afford to put up \$125,000. Mrs. Phillips stated that she does not think the Board is being unfair. Mr. Eaton suggested the Board could split the current estimate of \$124,000 in half and be done. The other Board members were agreeable with that. Mr. Bussiere stated that he is not sure that is feasible. Mr. Tatem suggested that it is not a bad idea to look through the Planning Boards approval process and determine where the 1/3<sup>rd</sup> obligation came from. The Board was agreeable to Mr. Tatem and Ms. Lafond researching that. Mr.

Bussiere didn't think there was anything notated. Ms. Lafond presented a letter from 2006 in which the Planning Board recommended Mr. Bussiere provide an amount of \$53,795. Mr. Eaton stated that figure is close to the 50% of the \$124,000. Mr. Bussiere departed the meeting.

***Mrs. Phillips moved to accept the amount of \$62,000.00 (50% of \$124,000) from Mr. Scott Bussiere for the approved improvements on Hills Road; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.***

#### **Rick Burnham – Conservation Commission Applicant**

The Board reviewed Mr. Burnham's application. Mr. Herman indicated that the Conservation Commission is recommending his appointment.

***Mrs. Eaton moved to appoint Mr. Rick Burnham as Alternate member of the Conservation Commission, Term to expire March 2016; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

#### **Cottage Avenue Residents – Water Main Replacement**

Mr. Herman explained that this winter the town provided the residents of Cottage Avenue some assistance in restoring water to their properties and made a commitment to help with a permanent solution. Mr. Herman continued that a Board is willing to pay for the work to replace the existing waterline to meet Manchester Water Works specifications and then recoup the projects expenses over time through a Betterment Assessment against the properties on the road. Mr. Herman added that two property owners on Cottage Avenue have private wells and one property is on the Paradise Lane water main, leaving 7 households affected. Mr. Herman noted that the majority of households need to be in favor of this approach for it to take place. Mrs. Wallin indicated that she lives at 17 Cottage Avenue and she and her husband are in favor. Mr. James Blute, 9 Cottage Avenue is also in favor. Mr. Cestrone of 5 Cottage Avenue indicated his concern with the cost. Mr. Herman stated that the amounts in the letter that was sent out to the residents of Cottage Avenue was based on the quote provided by Manchester Water Waters, Mr. Herman thinks it can be done for less money. Mr. Herman added that the Road Agent has suggested that Cottage Avenue is a town road and in need of repairs anyway so perhaps the road work should be paid out of the town's budget. Ms. Bartlett, 18 Cottage Avenue indicated that she did not understand the pay back schedule and asked if she sells in a couple

years will she need to pay back the amount in full then. Mr. Eaton stated that a Betterment Assessment is a lien against the property that would be repaid over time through the property tax payments, it is not a loan to the property owner so the lien will remain with the property. Mr. Eaton suggested that the town get a list of contractors from Manchester Water Works and put together a sketch/plan to quote from. Mr. Dross suggested Stantec provide a quote for the town to do the work. The Cottage Avenue residents expressed support of Mr. Dross and his sub-contractors doing the work. Mr. Headd asked if there was enough support to move forward with this. There was support from 5 households present. Mr. Herman indicated that there is a public hearing process. The Board was in agreement to proceed.

## **Old Business**

### Dartmouth Drive Gate Funding

Mr. Herman informed the Board that Mr. Dross obtained a quote from AQ Fence Company for a 6' chain link fence with a 14' double wide gate in the amount of \$4,190. Mr. Dross stated that he would suggest a single wide gate rather than double wide. Mr. Eaton suggested the gate drop down into the pavement. Mr. Dross will call for an updated quote. Mr. Herman stated that he can come up with a source for funding by next Monday.

Mr. Dross commented that he also had AQ Fence Company provide a quote for the fence at Town Hall and they provided two options, one to install new posts and one to install all new fence. Mr. Dross informed the Board that the company thought the fence was in pretty good shape, the posts are rotted. Mr. Eaton agreed that the fence looked in good shape and suggested it be sealed to get more life out of it. The Board agreed to replace the Town Hall fence posts per the quote in the amount of \$2,475 provided by AQ Fence Company, to be funded from the Building Fund.

### Town Hall Rear Door Replacement

The Board reviewed a quote from Pidela Corporation to replace the rear door of the Town Hall. Mr. Herman noted that the door will meet ADA requirements and was planned for funding from the Building Fund.

***Mr. Eaton moved to accept the quote from Pidela Corporation in the amount of \$3,828 for the replacement of the rear Town Hall door and to***

***fund as such from the Building Fund; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

### **Town Website Update**

Mr. Herman informed the Board that the new website is on track to go online Friday, he and Ms. Lafond have a final meeting with Virtual Town and School tomorrow.

### **New Business**

#### Website Community Link Request

The Board reviewed a request to include [www.nhflyngmisfits.org](http://www.nhflyngmisfits.org) on the Community Links page on the town's website. Ms. Lafond that she briefly looked at the proposed website link and she saw nothing inappropriate. Ms. Lafond added that the town has granted requests from other local groups, organizations and businesses. The Board was fine with adding the proposed link on the Community Links page on the Town of Auburn website.

#### Donald Drive/Sawyer Estates – Surety & Escrow Release

Ms. Lafond informed the Board that the Town has held for two years a maintenance surety for Donald Drive. Stantec, along with Denise Royce, Mike Dross and the developer conducted a site walk and 4 items were identified that needed to be completed prior to release of the surety. Ms. Lafond continued that Maverick Development had completed these items, Stantec has recommended the release of the remaining surety and the Planning Board has as well. Ms. Lafond stated that Stantec has submitted their final bill for their work so the remaining escrow may also be released.

***Mr. Eaton moved to release the surety in the amount of \$\$2,299.41 and escrow in the amount of \$48.29 for the Donald Drive/Sawyer Estates project; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

#### Parks and Recreation Commission Resignation & Appointments

***Mr. Eaton moved to accept the resignation of Kim Lufkin of the Parks and Recreation Commission; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

Mr. Headd noted that the Board has address a letter to Mr. Lufkin recognizing his years of service. Mr. Headd also noted that Alex Eisman will step up as Vice Chairman of the Parks and Recreation Commission.

***Mrs. Phillips moved to appoint Mr. Zack Eaton as Alternate Member of the Parks and Recreation Commission, Term to expire 2018 and Mrs. Stacey Shula as Alternate Member of the Parks and Recreation Commission, Term to expire 2016; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.***

***Mrs. Phillips moved to elevate Ms. Margie McEvoy from an alternate to a member of the Parks and Recreation Commission, Term to expire 2018; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.***

#### Duck Race Steering Committee Resignations

Mr. Headd noted that Mrs. Lisa Canavan and Mrs. Helen Hiltz have resigned from the Duck Race Steering Committee. Mr. Headd thanked them both for their time and effort. Mr. Headd added that the Parks and Recreation Commission and the Auburn Historical Association has decided to not work in concert together for the duck race event day

#### Auburn Day Funding Request

Mr. Herman explained that the initial intent was that that day's events would be a blend of the Historical Association Duck Race activities and what had been the Parks and Recreation Memorial Day event. The Parks and Recreation Commission had suggested contributing approximately \$5,000 towards the day, he also heard \$10,000 suggested by members of the Duck Race Steering Committee who are also on the Budget Committee. Mr. Headd indicated that the Parks and Recreation Commission have voted to expend the approximate \$5,000 only. Mr. Herman asked where the other monies budget for Family Events will go. Mr. Nye confirmed that the Parks and Recreation Commission will fund \$5,000, the other funds in their budget will be spent on the summer concert series which consists of three outdoor concerts and the movie night in

conjunction with the Police and Fire Departments and they are discussing having an outing/BBQ for the seniors in August. Mr. Nye thought the \$5,000 was adequate support without stopping their own events. Mr. Herman suggested that whatever amount the Board decides to fund they should provide the funds directly to the Auburn Historical Association to spend as needed. Mr. Miclette commented that the Parks and Recreation Commission tried to work with the Auburn Historical Association but they wouldn't have us, he thinks that they should spend their own money. Mr. Headd stated that as Selectmen's Representative on the Parks and Recreation Commission he would support expending \$5,000 of the Family Events budget line to the Auburn Historical Association Auburn Day event. Mr. Eaton commented that the Auburn Historical Association did not need town funding last year. Mr. Herman stated that the Historical Association is not asking for the funding, they will be happy with whatever support the Board decided to give. Mrs. Jenkins agreed and stated that this event is for the people by the people, they did try to collaborate with the Parks and Recreation Commission however their goals are different as the Parks and Recreation Commission is funded by the town budget. Mrs. Jenkins continued that the Historical Association is trying to grow the event and brand the event, it is their big fundraising event, but it is open for all non-profits to participate in. Mr. Eaton state that he would be in favor of expending the \$5,000 from the Family Events budget, he would like to see accounting of the funds for future reference. Mrs. Jenkins stated that this funding will probably be unique to this year, it likely won't come up again next year. Mrs. Hiltz explained that the \$5,000 funding this year is a good faith gesture since the Parks and Recreation Commission initially intended to have a roll in the day's events. Mrs. Hiltz added that the Parks and Recreation Commission has received a lot of input that residents were upset that they did not have their annual Memorial Day event so they anticipate holding some sort of event next year.

Mr. Miclette informed the Board that there are some real problems with the lawn maintenance company. Mr. Miclette added that they are not providing services per the awarded contract and communicating with them is very difficult. A discussion of areas where work has not been completed or is lacked ensued. Mr. Eaton suggested that the Board, Armand, Bill, etc. have a sit down with the company owner and see if this can work or not. Mr. Michael Rolfe asked about the company's references. Mr. Eaton stated that they were good. The Board agreed to schedule a meeting with the company.

#### NHDES Well Testing



Mr. Herman informed the Board that NHDES has reached out to property owners in two areas whose wells may be vulnerable to gasoline contamination. NHDES is offering to take well samples and provide results and treatment at no cost. Mr. Herman explained that the town properties (Town Hall, Safety Complex, etc.) are included.

#### Sale of Building Inspector Vehicle

The Board reviewed one bid from Chicago Motors in the amount of \$707. Mr. Herman stated that this was the only bid received.

***Mrs. Phillips moved to award the bid for one 2006 Ford Crown Victoria to Chicago Motors, Inc. for \$707.00; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.***

#### Derry Dispatch Services Contract 2015-2020

The Board reviewed the presented contract. Mr. Herman explained that Fire Chief Phillips tried with little success to reduce the cost. Mr. Eaton pointed out that if the Town of Derry hires another dispatcher there will be an additional fee of .25 of 50% of the new hire expense. Mr. Herman suggested that the current budget cuts happening in Derry that is unlikely however there is a provision in the contract for Auburn to terminate the contract for a prorated fee with proper notice.

***Mr. Eaton moved to enter into and sign the Contract for Emergency Dispatch Services between the Town of Derry and the Town of Auburn; Mr. Headd seconded the motion; Mrs. Phillips abstained; the motion passed.***

Mr. Herman informed the Board that they have been invited to be judges in the apple pie baking contest that the Auburn Day event.

#### **Minutes**

##### May 11<sup>th</sup>, 2015 Public Meeting

***Mr. Eaton moved to approve the minutes of the May 11<sup>th</sup>, 2015 Public meeting; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

##### May 11<sup>th</sup>, 2015 Non-Public Meeting (4)

***Mr. Eaton moved to approve the minutes of the May 11<sup>th</sup>, 2015 Non-Public meetings; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

April 13<sup>th</sup>, 2015 Non-Public Meeting (x2)

***Mr. Eaton moved to approve the minutes of the April 13<sup>th</sup>, 2015 Public meetings; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

May 18<sup>th</sup>, 2015 Public Meeting

***Mr. Eaton moved to approve the minutes of the May 18<sup>th</sup>, 2015 Public meeting; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

#### **Non-Public Session**

***Mr. Eaton moved to enter into non-public session at 8:27 p.m. pursuant to RSA 91-A 3, II (c) Reputation of individuals other than a Board Member and RSA 91-A 3, II (a) Personnel; Mrs. Phillips seconded the motion; A roll call vote was taken; Mr. Headd – yes, Mr. Eaton – yes, Mrs. Phillips– yes. The motion passed.***

Meeting in Non-Public Session with the Selectmen was Town Administrator Herman and Secretary Lafond.

Secretary Lafond stepped out of the meeting at 8:43 p.m. and returned to the meeting at 8:55 p.m.

***Mr. Eaton moved to exit Non-Public Session at 8:57 p.m.; Mrs. Phillips seconded the motion; A roll call vote was taken; Mr. Headd – yes, Mr. Eaton – yes, Mrs. Phillips – yes. The motion passed.***

***Mr. Eaton moved to seal the Non-Public meeting minutes of the meeting; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

***Mr. Eaton moved to take by tax deed Map 11, Lot 34, Map 11, Lot 35 and Map 11, Lot 38; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

***Mr. Eaton moved to authorize the following step increase;  
Building Inspector – Grade 10, Step 16 to Grade 10, Step 17  
Finance Director – Grade 10, Step 16 to Grade 10, Step 17  
Land Use Administrator – Grade 7, Step 8 to Grade 7, Step 9***

***Executive Assistant – Grade 7, Step 8 to Grade 7, Step 9***

***Tax Collector – Grade 8, Step 4 to Grade 8, Step 5***

***Town Clerk – Grade 12, Step 4 to Grade 12, Step 5***

***Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

***Mrs. Phillips moved to adjourn; Mr. Eaton seconded the motion; all were in favor, the public meeting ended at 9:01 P.M.***