

**Town of Auburn
Board of Selectmen
May 16, 2016**

Selectmen Present: James Headd, Richard Eaton & Dale Phillips

Also Present: Edward Gannon, Fire Chief; Alan Villeneuve, Mike Dobmeier, Mike DiPietro, John Rolfe, Mike & Linda Dross, Dennis Vieira, Michael Rolfe, Paula Marzloff, Susan Goodhue, Susan Jenkins, Scott Norris, Russell Sullivan, and Tom Gonyea, Residents; William Herman, Town Administrator; Kathryn Lafond, Recording Secretary

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

Approval of Accounts Payable for Week of May 9th, 2016

Mr. Eaton moved to approve the Accounts Payable Manifest in the amount of \$745,719.11 for the week of May 9th, 2016; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.

Approval of Payroll for Week of May 16th, 2016

Mr. Eaton moved to approve the Payroll Manifest in the amount of \$41,850.96 for the week of May 16th, 2016; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.

Consent Agenda – Week of May 16th, 2016

Notice of Intent to Cut Wood or Timber

Raymond Road (Tax Map #10, Lot #3)

Property Tax Warrant/First Issue Tax Bill

Total Amount of Warrant - \$6,689,002.00

PILOT Warrant/First Issue Bill

Manchester Water Works - \$200,000.00

Supplemental Property Tax Warrant/First Issue Tax Bill

Total Amount of Warrant - \$2,612.00

Abatement – Refund Request

Town of Auburn, Raymond Road (Tax Map #11, Lot #34) - \$17.00

Town of Auburn, Raymond Road (Tax Map #11, Lot #35) - \$998.00

Town of Auburn, Raymond Road (Tax Map #11, Lot #38) - \$328.00

Richard & Marjorie Kiley, 495 Chester Road (Tax Map #5, Lot #58-3) - \$18.50

Richard & Jeannie Miville, 132 Rockingham Road (Tax Map #9, Lot #10) - \$18.50

Elderly and Disabled Tax Deferral

205 Rattlesnake Hill Road (Tax Map #15, Lot #16) - \$5,092

Correspondence

Matthew Connors, Voltage Realty, LLC

Memorandum of Understanding – Conditions of Employment

Susan Jenkins, Tax Collector

Permanent Application for Property Tax Exemption/Blind Exemption

Robin Cirnigliaro, 205 Rattlesnake Hill Road (Tax Map #15, Lot #16)

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

Public Hearings

Prohibition and Regulation of Fireworks Ordinance

Pursuant to the provisions in NH RSA 160-C:6 the Board of Selectmen held a public hearing for the purpose of receiving public comment concerning the adoption of a proposed “Prohibition and Regulation of Fireworks Ordinance”. Mr. Herman noted that the Board was represented with a draft ordinance two weeks ago. Mr. Eaton asked for clarification of Section 5: Permit Required. Chief Gannon explained that “Consumer

Fireworks” are permissible to be discharged, fireworks other than those will require a permit. Mr. Gannon added that the State Fire Marshall regulates the firework class type. Mr. Eaton referenced Section 4: #3 which indicates that no permissible fireworks shall be permitted on public property and asked how this would affect the town events. Chief Gannon indicated that the firework vendor would need to apply for a permit and once issued they are ok. Mr. Villeneuve asked if there was a record of bad incidents that have spurred this ordinance. Mrs. Phillips stated that she does not believe so, she believes this ordinance is just tool for the Police and Fire Departments to use to help aid them in enforcement if a public safety call is initiated. Mr. Villeneuve verified that firemen will respond to incidents. Chief Gannon indicated that should a resident put a call in, dispatch would tone for service like any other call. Chief Gannon added that if the fireworks are being discharged within the limits of the ordinance then everything is ok. Mr. Villeneuve asked if the Fire Department personnel will received training and noted that he imagined that they could encounter drunk and/or disorderly individuals, adding that the Police look authoritative when they respond in a cruiser and uniform. Chief Gannon responded that generally there is a joint response to calls from the Police and Fire Department but commented that the Fire Department personnel are trained well and deal with difficult, disorderly and drunk individuals often. Mr. Villeneuve stated to the Selectmen that he is concerned with taking away residents freedom, adding that there are enough regulations on the books. Mr. Gonyea commented that he understands the need for some sort of control because some people get out of control but the ordinance seems very restrictive with regards to days and times. A women from the audience asked if this ordinance was prompted by complaints, noting that her neighbor shoots of fireworks at any old time with in regard for her or her children. Mrs. Phillips did not believe that there were a lot of complaints but the ordinance allows for enforcement of the laws should there be a violation of them. Chief Gannon reiterated that the Fire Department will not be out patrolling, any response will be complaint driven. Mr. Vieira commented that complaints are usually generated when someone is going overboard. Discussion ensued regarding the proposed days and times in the ordinance. Mr. Villeneuve suggested that fireworks be permitted every day except between the hours of 10 p.m. to 11 a.m. Mr. DiPietro thought that a simple amendment to the time might accommodate most people’s concerns. The Board decided to table the matter at this time to reconsider that section of the ordinance. The public hearing will be continued to Monday, June 6th.

Special Events and Fire Watch Ordinance

Pursuant to NH RSA 153:5, V, 154:2, 154:18 and 155-A:3,V the Board of Selectmen held a public hearing for the purpose of receiving public comment concerning the adoption of a proposed “Special Events and Fire Watch Ordinance”. Mr. Eaton clarified that this ordinance would require establishments in town that are absent the required fire alarm or

sprinkler system and are anticipating an occupant capacity increase to schedule an on-site fire personnel for fire watch purposes. Chief Gannon confirmed that and explained that the fire personnel on duty would be responsible for maintaining the occupancy capacity, keeping exits clear and handle any life safety issues should they arise. Mr. Villeneuve noted that the Auburn Tavern site plan has a stipulation for fire watches, so how will this ordinance affect that. Chief Gannon indicated that there would be no change. Mr. Villeneuve asked if there was any other establishments in town besides the Auburn Tavern that this ordinance affects. Chief Gannon indicated that he did not believe so at this time. Mr. Villeneuve verified that the Auburn Tavern is affected because the building does not have sprinklers. Chief Gannon stated yes. Mr. Villeneuve added that the Auburn Tavern site plan was considered a change of use by the town which is why it is now required to have sprinklers if they would like to have a larger occupancy capacity. Mr. Herman confirmed that the Planning Board deemed the use a change of use.

Mr. Eaton moved to adopt the Special Events and Fire Watch Ordinance pursuant to NH RSA 153:5, V, 154:2, 154:18 and 155-A:3, V; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.

Acceptance of Wellesley Circle and a portion of Steam Mill Road as a Class V Road

Mrs. Phillips asked if the town is in receipt of road deeds. Ms. Lafond stated that the town's attorneys have reviewed the road deeds for Steam Mill Road, Wellesley Circle and Tanglewood Drive.

Mrs. Phillips moved to accept Wellsley Circle and a portion of Steam Mill Road as a Class V Town Road; Mr. Headd seconded the motion; Mr. Eaton abstained; the motion passed.

Acceptance of a portion of Tanglewood Drive as a Class V Road

Mrs. Phillips moved to accept Tanglewood Drive as a Class V Town Road; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.

New Business

Operational Review & Risk Analysis of Auburn Fire Department

The Board reviewed the proposal from Municipal Resources, Inc. Mr. Herman indicated that the Police Department review is underway and the timing seems good now to move forward with the review of the Fire Department. Chief Gannon agreed noting that the department is in a transitional period and he views the review as a path forward in providing coverage and services to the town. Mr. Herman stated that the town is in receipt

of proceeds from the sale of property that had been taken by tax deed and a portion of this unanticipated revenue could be used for this purpose.

Mr. Eaton moved to accept the proposal for the review of fire and rescue operations in the Town of Auburn as submitted by Municipal Resources, Inc., and to authorize the \$14,000 expenditure for this undertaking; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.

Regional Energy Purchasing Consortium – November 2016 to November 2019

Mr. Herman informed the Board that the consortium went back out to bid. The Board reviewed the energy proposal which would utilize energy from third party supply contracts in the spring, summer and fall and use small hydro supply for the winter.

Mrs. Phillips moved to accept the electricity rates proposed for the SNHPC Consortium for the period of November 2016 through November 2019 utilizing three separate third-party supply contracts and one intermittent hydro supply; and to authorize the Town Administrator to execute the documents necessary with the selected suppliers; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.

Longmeadow Church Request – Waiver of Building Permit Fee

The Board reviewed a request from the Longmeadow Congregational Church to waive the fees for the building permit for their proposed renovations that include relocating the existing kitchen.

Mr. Eaton moved to waive the building permit fees for the Longmeadow Congregational Church renovations as requested; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.

Library Roof Request for Proposals

Mr. Herman informed the Board that the re-roofing of the Library roof has gone to bid, bids will be accepted until Friday, June 10th at 2:00 p.m.

Seal & Stripe Town Hall Parking Lot

Mr. Herman indicated that the Town Hall Parking Lot is 11 years old and has never been sealed. The Board suggested a price be sought. Mr. Dross indicated that he could have a price for the next meeting.

Old Business

Robie Cemetery Gravestones

Mr. Headd indicated that concerns regarding the gravestone/gravesite were brought up at the last meeting. Mr. Herman indicated that the town spoke with the Director and Assistant Director of the Charitable Trusts Unit of the NH Department of Justice and were advised that the headstones by law need to return to the burial ground. Cemetery Trustee Scott Norris indicated that he believes that there is agreement by all to have the stones moved back to the proper location. Mr. Herman noted that Mr. Dross is willing to do the work and the cemetery itself is the responsibility of the descendants to the family buried there. Mr. Eaton would find out the right of way and let Mr. Dross know the location so that the stones can be moved back without disturbing the area.

Sale of Former Fire Station Property

Mr. Dobmeier asked regarding the sale of the former Fire/Police station, noting that the Parks and Recreation personnel do all of their work out of the building and at least 8 or 9 other entities use the building for storage. Mr. Dobmeier acknowledged that the building needs work but felt that the building is functional and the location is good. Mrs. Phillips stated that the building is costly to heat and provide electricity, it incurs a lot of vandalism but she understands that the town needs to assess what is stored in the building and what the needs are of the town departments. Mrs. Phillips commented that not much can be done with the lot but she would like to see that property adding to the tax base rather than being used as a dumping ground. Mr. Eaton suggested that the building itself be torn down and a Morton/metal building be erected with areas for the town entities storage needs. Mr. Dobmeier commented that he would be in favor of that. Mrs. Marzloff suggested that the Board of Selectmen amend the submission to the Capital Improvements Plan. Mr. Villeneuve noted that the school will be getting rid of portables which could possibly be used by the town. Mr. Herman informed the Board that the town has received two or three inquiries regarding the sale of the property. Mr. Eaton indicated this support not to sell but to look into another option for storage for the town on the lot. Mrs. Phillips would like to know how much the town could sell the property for and how much it would cost for a storage facility on the lot to compare options. Mr. Headd agreed that the town is growing and there is and will be a need for storage, he too would like to see some prices.

The Board reviewed an email from ASAP Landscape regarding some lawn maintenance suggestions. The Board agreed they would like price estimates before moving forward with any of the suggestions.

Minutes

April 18, 2016 Public Meeting

Mr. Eaton moved to approve the minutes of the April 18th, 2016 public meeting; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.

April 18, 2016 Non-Public Meetings (x2)

Mr. Eaton moved to approve the minutes of the April 18th, 2016 non-public meetings Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.

May 2, 2016 Public Meeting

Mr. Eaton moved to approve the minutes of the May 2nd, 2016 public meeting; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.

Non-Public Session

Mrs. Phillips moved to enter into non-public session pursuant to RSA 91-A 3, II (a) Compensation of Public Employee; Mr. Eaton seconded the motion; A roll call vote was taken; Mr. Headd – yes, Mrs. Phillips – yes, Mr. Eaton – yes. The motion passed.

Meeting in Non-Public Session with the Selectmen was Sue Jenkins, Tax Collector; Town Administrator Herman and Secretary Lafond.

Mrs. Phillips moved to exit non-public session; Mr. Eaton seconded the motion; A roll call vote was taken; Mr. Headd – yes, Mrs. Phillips – yes, Mr. Eaton - yes. The motion passed.

Mrs. Phillips moved to seal the minutes of the non-public sessions; Mr. Headd seconded the motion; all were in favor, the motion passed unanimously.

Mr. Eaton moved to adjourn; Mrs. Phillips seconded the motion; all were in favor, the public meeting ended at 8:27 p.m.