

**MINUTES  
FRANCONIA BOARD OF SELECTMEN MEETING**

**Monday, June 29, 2015**

A meeting of the Franconia Board of Selectmen was held at 3:00 pm on Monday, June 29, 2015 at the Franconia Town Hall. Regular members in attendance were Bob Montagno, Bernie Costa, Sally Small and Herbie Bartlett.

Guests of the Board –

Also attending – Peter Grote, Dawn Steele, Mary Grote

<b>SELECTMEN'S TIME:</b>
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**BOS Minutes 06/29/2015:** Formal readings of the June 22, 2015 BOS meeting minutes were waived. The minutes of June 22, 2015 were not approved.

<b>FOR CONSIDERATION OF APPROVAL:</b>
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**Transaction List for 06/29/2015-** The Board reviewed and signed the transaction list for 06/29/2015.

**Building Permit (O'Neil M8/L1-24)** – The board reviewed the permit for Kevin & Dorothy O'Neil who want to take down an existing deck and putting on an enclosed porch. Allan Clark, our building inspector, reviewed and signed the permit. Lawton is doing the work.

**Letter to LRH** – The board reviewed and signed the letter regarding the paramedic program the hospital is discontinuing on October 1<sup>st</sup>. The board agreed to send the letter to our state representatives and to the towns that are also affected with this program being discontinued.

**Northern NE Telephone (Fairpoint)** – Abatements – In the continuing lawsuit with Fairpoint over the taxing the poles & wires they once again filed an abatement for 2014. Mitchell Municipal is representing us in this lawsuit. Gary Roberge, senior appraiser from Avitar, wrote the board stating why the Town should deny the abatement. The answer to the abatement request has to be sent by the first of July.

Bob moved to deny the 2014 abatement request for Fairpoint, Bernie seconded they voted all in favor and signed the letter. In the letter we are asking for more information regarding the poles and the name of the appraiser who had given Fairpoint their requested assessment. If Fairpoint sends the requested information we will re-review it. Jae Whitlaw is the attorney at Mitchell Municipal Group we are and other towns are using to handle the lawsuit with Fairpoint.

<b>APPOINTMENTS:</b>
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There were no scheduled appointments

<b>TO DISCUSS/REVIEW:</b>
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**Building Inspector** – The work that Allan puts in is unbelievable. A lot of work has been done on the Profile Club, Cannon Mountain View and Harvard Street. When someone applies does everyone pay the same fee? Sally said it depends. For a new house it costs \$50 to review the plans and \$100/inspection for the two mandatory inspections, anything over costs more. These are the fees we set up two years ago. Bob thinks the amount of effort that the inspector has to put in is a lot more for a larger house. Bob asked if there was a square footage fee for building permits. Sally explained that with the Building Permits there was a fee per square foot so that the larger the house the more they pay. Bob says the town provides services. Can we find more ways to bring in revenue for the town? Bob would like to bring Allan in to speak to the board in regards to this. What is the process for building permit? The building inspector reviews and approves all building permits before they come to board. Prior to using a building inspector, each permit had to have a licensed electrician and a plumber to for single family homes. The Fire Marshall was used for commercial. We have increased the square footage fee and the minimum set fee. So we have increased the fees over the years. In 2014 we included the building inspector in our line item. Allan is very thorough at what he does. CMV has a lot going on there so it is something we should think about. Cannon Mountain View will require a lot of work.

**Harvard Street** – In an email from Allan he stated that Mr. Keyes is a stockbroker from CT who hadn't been to visit his property for years and apologized for allowing the property to deteriorate. He would not like to be a neighbor to his property. He is going to have the barn demolished and fix the house and then put it on the market. He is showing good faith and will be coming up in July. His initial contact was with Sally and she recommended that he should call and talk to Allan directly which he has done.

**Old Home Day** - Bernie was waylaid in regards to Old Home Days. Tinker Stevenson , who is organizing the parade was hoping for more representation from the town for the parade. Fire Department and Police Department will be there along with three veterans. Hopefully the Mangold's and Ski Hearth Farm will take part in the parade as they are great at promoting it. Bernie hoped that the group with the Dow Clock would participate and she was going to contact them. Tinker hoped we could encourage more people to join the parade.

**Response to Summons-Donn Lathrop** - When Mr. Lathrop asked for final payment the clock was not running. He just wanted to get the clock running but agreed to let the town ask someone else (D'Avanza Clock Repair) to finish the job. D'Avanza had to return the bell hammer and actuator that Mr. Lathrop recommended the town purchase that was the wrong size, before the clock could run. Harriet included her notes in regards to the work in progress and the events that have happened. We are not counter-suing but will file the paperwork with the Vermont courts prior to the filing deadline

He can sue from Vermont. We should have all three board members sit down and discuss before we decide what to do. Bob said to present overwhelming evidence to take to court. All documents have to be presented to the courts and the other attorney or the person suing.

At the Town meeting we voted to pay \$10K towards repairing the clock. At the end of 2014 we had paid 2/3 of Mr. Lathrop's contract fee and all of his out of pocket expense so that the \$10K was paid out in the fiscal year as per the warrant article. Basically, if we lose this case the money will have to come from the donations. The town has paid all it will pay. Bernie wishes that it was in the minutes that we were going to pay for those parts. Sally pointed out that in contract that was signed by the Selectmen did discuss the out of pocket expense so we essentially did agree up front in regards to the parts that had to be replaced. The bottom line is that when he was asking us for his final payment the clock wasn't running, it took the efforts of D'Avanza Clock Repair to get the clock running and we still have to pay D'Avanza \$6,524.00 for finishing the job.

Sally will be willing to go to the court hearing with Bernie. Paying up to the \$10K was an end of the year bookkeeping matter. Sally has been paying the bills for this project and will make the copies for the court hearing. We will have Eric look at these documents before submitting. We will have to notice a special meeting to discuss our plans. Sally will ask Eric when that will work.

**Technology Committee** – Bob has asked the other two members to contact him and he has not heard anything yet.

**Generator** – Sally has not heard back.

**ZBA-** Vladimir Petrovich is not interested in joining. We can look through the checklist for names of people to ask to join the board. We have not heard from Joan Hartford as of yet.

**Safe Routes to School** – Bernie had been looking on the Grafton County website to find out how you file a small claim. At Grafton County you have to e-file and register. She wanted to ask the other board members about this before proceeding. It will cost \$145 to file for suing Holden Engineering. If they have to serve Holden then the police can serve them. Eventually a court date is set. We will be required to do mediation over \$5K. If you come to an agreement you don't have to go to court. You can go to Superior Court if you want to. Bob said Holden did not fulfill their professional responsibilities. We would like to break even. By Holden not doing what they were supposed to do and they assured us they would do it we lost safe routes to school funding. Mediation costs money usually and mediation means you have to give something up.

**Departments** – We are waiting for Eric to come back to reinstate the monthly department head meetings and to schedule budget meetings. The July meeting will be scheduled for July 13<sup>th</sup>. Rather than look at all the budgets in one meeting the board wants to meet individually with the department heads so Sally will schedule those meetings and check with Kim as to whether or not she can meet at all in July given her schedule with the Summer Recreation program.

Bob feels that we should meet with all departments at their work site twice a year. We should know what they are doing. We want them to know we are interested. We could go to each department before our regular meetings.

We should go next door to check the library for the repairs made. It was better but still leaks. Scott & Jeff felt that they should have gutters up there. Bob will copy Bernie on the email he sent to Scott & Jeff.

**Retirement** - Bernie and Sally got together and discussed about her retirement and the how to replace her. The question of hiring a Town Manager was brought up. Sally felt that having a Town Manager was a layer Franconia didn't need. In previous years the Administrative Assistant was the liaison between the selectmen and the Department heads. In reality they all come to Sally for advice prior to meeting with the selectmen.

Sally's role as administrative assistant has had changes over the years depending on the Board of Selectmen. What is practical and what would we like? Bernie after listening to people there may have been a turf war that had taken place back in the day. Sally may have made a decision that a board member questioned whether should have been their responsibility. So if something like that happened we can see how it happened. Which responsibilities should the Administrator be handling? We need to define Sally's responsibilities. Bob's sense is that back in the day there may have been some issues. There still may be and may always be. We should define it. It costs a lot for a town manager. You will not pay a town manager what you pay Sally. It would be different if you were in a city with lots of projects and more employees. We need to set some time aside to discuss this whole transition. We will have more conversation in regards to this when Eric is here. It has to be in the budget. Sally can give examples of what she usually takes care of as her responsibilities. The Departments ask Sally the easy day to day stuff that is integral to what they are doing.

**Building & Grounds** – Jeff had a discussion with his summer cemetery part-time help and feels that they are now have a better working arrangement. His assistant knows he has to turn in his time sheet and work when he is supposed to.

**Members of the Trust Fund** – Bob would like to meet with the Trustees to see how much we have earned, what are the percentages and what the balances were when we first started and what they are now? The market is all over the place. Sally will schedule a meeting with the trustees in late July.

**Closed Session** – We went into closed session at 4:15pm.

The board came out of closed session at 4:24 and voted to seal the minutes.

<b>ITEMS TO REVISIT</b>
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Overtime Policy for HW/BG - 03/30/2015 **(To discuss in the Fall with the Road Agent)**

Mittersill Roads Winter Policy – 04/06/15 **(To discuss in the Fall with the Road Agent)**

Road Safety Report - 03/30/2015, 4/13/15

Safe Routes to School - 03/30/2015, 4/13/15, 5/4/15, 05/11/15, 6/1/15, 6/8/15, 6/15/15, 6/22/15, 6/29/15

Dow Clock – 04/06/15, 4/13/15, 5/4/15, 6/1/15, 6/8/15, 6/15/15, 6/22/15, 6/29/15

Technology Committee – 04/06/15, 4/13/15, 5/4/15, 6/1/15, 6/8/15, 6/29/15

Zoning Ordinance Vote - 04/13/15, 5/4/15, 6/1/15

Harvard Street House - 4/13/15, 4/27/15, 5/4/15, 5/11/15, 5/18/15, 6/1/15, 6/8/15, 6/22/15, 6/29/15  
Honor Roll Sign at Town Hall - 4/13/15, 5/4/15, 6/1/15, 6/8/15  
Evergreen Apts - 4/13/15, 4/27/15, 5/4/15, 5/11/15, 6/1/15, 6/8/15, 6/22/15, 6/29/15  
Follow up on Sidewalks/Business area - 4/27/2015, 5/11/15, 6/1/15, 6/8/15, 6/22/15  
Telephone/Internet at PSB - 4/27/2015  
Fire Ponds & Cisterns - 5/4/2015, 6/1/15  
Hiring of Relatives 5/11/15, 6/1/15  
Fire Dept Generator to School 5/11/15, 6/1/15/ 6/8/15, 6/22/15, 6/29/15  
Delinquent Taxes 5/18/15, 6/1/15, 6/8/15  
Performance Reviews 5/18/15, 6/1/15  
Vehicle Issue 6/8/15  
Kim's insurance 6/8/15, 6/15/15, 6/22/15  
Members of Trustees of the Trust Fund 7/2/15

Bob made a motion to adjourn the meeting, and Bernie seconded the motion with all voting in favor. Meeting adjourned at 4:36pm.

Respectfully submitted,  
Herbie Bartlett  
Executive Secretary