

**FRANCONIA BOARD OF SELECTMEN
MEETING MINUTES
Monday, November 7, 2016**

A meeting of the Franconia Board of Selectmen was held at 3:00 pm on Monday, November 7, 2016 at the Franconia Town Hall. Regular members in attendance were Bernie Costa, Eric Meth, John Lachapelle, Sally Small and Herbie Bartlett.

Guests of the Board: Kim Cowles, Scott Leslie, Corey Rush, Allan Clark, Cornelia Lorentzen, Dawn Steele, and Phil Albanese.

Other Guests: Russ & Lydia Cumbee, Mary & Peter Grote, Dawn Steele, Tinalyn Caisse-Knox, Karen Foss, Ted Hoyle, Jim Alden, Allan Clark, Lynn Terres.

BOS Minutes for 10/31/2016: A formal reading of the October 31, 2016 minutes was waived and the minutes were approved as amended. John Lachapelle made the motion and Eric seconded.

FOR CONSIDERATION OF APPROVAL:

Transaction Lists - 11/10/16 - Approved and signed by the Board.

Building Permit - Plain Kate's (M13/L7) Restaurant Renovations - Approved with conditions.

2016 Equalization Paperwork - Signed by the Board to be returned to the DRA.

APPOINTMENTS:

3:00 - Kim Cowles - Closed Session

The Select Board entered into non public session according to NH RSA 91- A3, II (e) & (c) at 3:00 pm. The Select Board returned to public session at 3:15 pm.

At 3:15 pm the Board voted to come out of closed session and seal the minutes.

3:15 - Kim Cowles, Scott Leslie, & Corey Rush - The equipment has been painted and maintained. Corey has been doing maintenance and he and Kim have been working together on many of the building projects.

Leak in the Town Hall Office - Corey and Kim removed the window with the rotten sill that was leaking down into Sally's office space and boarded it up with plywood for a temporary fix. Kim asked if the Board wanted the window replaced or to block and make a solid wall. The Board will look at the window tomorrow while they are at the

town hall. We can add this item to whomever we choose for the other work at the hall.

Fence - Scott & Greg think there should be a fence between the transfer station and the highway garage where the boulders are now placed to prevent people from getting into the Transfer Station when it is closed. People have moved the boulders and have driven thru the jersey barriers to get into the station after hours. Scott will get an estimate for the fence after we speak with Greg. Scott said that Greg also thought that a motion detector camera would work for those trespassing after hours. Bernie would like to have Greg attend next week's meeting to discuss this.

3:45 - Dawn Steele - Properties & Recreation Position - Because of the labor laws that are changing on December 1st, we would like the Wages and Salary committee to look at the new Properties and Recreation director position and the implications of the new law. The Board is looking for recommendation of a salary range. We could possibly eliminate one budget by combining the Parks with Building and Grounds.

Bernie also asked the Wages and Salary committee to work on defining flex time, comp time and/or OT time. They would like to have the definitions and which positions are eligible to be included in our employee policy so we can comply with the law.

Dawn is working on the job descriptions and has spoken with Kim and Corey. She has to figure out who is doing what so the jobs don't overlap.

The Committee is working on the other jobs for the package and not just doing this piece meal. The committee will try to get it all set up before the end of the year since they have already started this project.

Plain Kate's Building Permit - Allan Clark discussed the building permit that he has approved with conditions. He has reviewed the final revised floor plan that was received last Wednesday. Getting the structural plan and floor plan to match has been a challenge...but it is done. It all takes time.

For commercial buildings Allan gets the State inspector to come review the electrical work. Commercial is different than residential. A place of assembly is high risk and there are a lot of requirements regarding the use of a sprinkler system. Prior to the State fire code changes on July 1st they would have needed a sprinkler system for the whole building if it was a dance hall, discotheque or a nightclub. A bar with live entertainment would not need a sprinkler system for over 100 occupants. Structural plans and a rough sketch of the floor plan were provided with the initial application. Allan asked for more complete plans. The Board, Allan and Rick Gaudette met on Sept 30th at Plain Kate's and were shown by Cornelia's representatives what renovations they planned to make. The original plans were done in 2015 but they were significantly different from the sketch and the structural plans. Doorways and pass ways had changed. Hidden items were found that had to be redone.

After reviewing the revised floor plan Allan outlined in a letter the conditions that had to be met prior to the signing of the permit. Item #4 asked for a signed statement that the building would not be used for a dance hall, discotheque or a nightclub. If the use were to change the fire code using a sprinkler system would be retroactive. If it was a nightclub the premises would have to have a sprinkler system but since it is a restaurant and a bar with live entertainment on the weekends the Building Inspector and Fire Chief did not feel the sprinkler system was needed.

Allan stated that the fire alarm system that is currently installed and the renovations that have taking place have are first class. The electrical and plumbing have all been upgraded and are state of the art. Everything Cornelia has done has been done well. Assembly permit is issued by the fire department just before being occupied. Tables and chairs have to be in. Allan's occupancy review is done without the luxury of having furniture in place. The Assembly permit review has to take place with all the furniture. No exits can be blocked when it is all ready to be open. Everything has been addressed by Allan and is in the one letter with conditions that will be attached to the building permit.

What we need from Cornelia is the statement stating it will not be a nightclub, etc. She will have to identify the electrician and plumber and HVAC as addressed in items 4, 6, 8, 9 of the letter and pay the remaining \$450 dollars so she can pick up her building permit. We will give her a day or two to comply. Allan Clark and the Board will sign the permit but will hold it until she provides this information.

There was a question asked about the ADA part. There was an issue with the sketch of proposed handicap bathroom and it appeared there was not enough distance between the fixtures. In the recent building plan the bathroom had been moved to a total different part of the building and is now a non issue.

One additional condition prior to approval will be for Cornelia to provided Allan with the type of finishes they plan to use on the walls prior to installation.

4:30 - Cornelia Lorentzen - The board informed Cornelia that they had signed her permit with the conditions outlined in Building Inspector's letter.

Cornelia read a statement to the Board and discussed her desire to have more office space on the 3rd floor - She knew the staircase had to be brought up to code but had figured out how to do that. Allan said he would not comment where facts and plans were not present.

She also questioned the Assembly permit and Allan explained the Assembly permit could not be issued until an occupancy certificate was issued. The Fire Chief will not be looking at construction.

Cornelia was still looking for information. The Board requested she submit questions to Sally so we can get the information that she needs. Allan Clark always responds.

Fox Hill Lane - Allan Clark stated that he had a call Friday morning at 6:30am with someone screaming my toilet is over flowing. Sunday at 4pm he received another call from owner of the mobile home who was aggravated. He went to her property and wasn't sure if the septic system was in failure. What roll does he have if a system is in failure? There is a 500 gallon steel tank but there was no evidence of effluent coming out of the tank. The toilet is plugged and the bath is too so it overflowed the toilet went down the vent and under the trailer. Allan could not testify that the system was in failure but he believes it may need to be pumped.

Allan Clark and Herbie Bartlett went to the home this past summer. There did not appear to be any effluent on the ground. Allan recommended that Earl Collins, the park manager who was present, needed to back fill the hole. Herbie will call Earl Collins and have him go and look at the septic scenario. Herbie did mention that the tenant of the property came into the town offices to report that she was having issues with her septic backing up. She was asked if there was any sign of sewerage on the ground and she said no. We recommended that she call Earl Collins.

COMMITTEE REPORTS:

Conservation Commission (FCC) - No report.

CIP Committee (CIP) - Axle on the tractor has had a temporary repair. Trevor and Scott has quotes for a new tractor. Trevor Presby can get one cheaper than listed on CIP without a trade. The rear end housing has been eaten away by the salt. It has been sealed with a permatex that has stopped the leaking. To repair it will cost \$7K in labor for both axles. It is not going to leak with what he is going to do with it this winter. We will have to watch the oil. It was recommended to be traded in 2018.

Energy Committee (FEC) - Karen stated that they put out the RFP with 7 invitations to bid. They have gotten three replies. They will be reviewed on Wednesday. They are all different.

Northern Pass - Bernie hasn't heard from anyone in regards to this, not even the Forest Society. The RFP requested for Northern Pass was not accepted by the states MA, CT or RI. Northern Pass has no one to purchase the electricity.

Planning Board - MTAG - Community Meeting on November 15th at 7pm.

Wages & Benefits - No report.

Audit Committee - No report.

TO DISCUSS & REVIEW

Recreation Agreement - tabled.

Conservation Commission Vacancies - Post on website.

Recreation Committee Vacancy - Bernie thinks Frank Pinter, Eric's choice, would be a good candidate for the position. With a two to one vote the Board agreed on Frank Pinter. Sally will inform Frank and Kim Cowles of the decision.

Plantation Road - The crew got in the river and got the trees out. It was an intensive job this summer. Hopefully it will work. John had talked to Larry Plate and he felt they did a great job.

Church Street Hole - Bernie called Lancaster and spoke to John Hilliard. He said he was coming out the same day to fix and it didn't get done. He went on vacation and an email came in, in regards to the concern. A lot of people see it. It's not a big deal to put a grate in there. Ground is not frozen yet.

Election Day - The polls are open from 8am to 7pm. John will be here from 8-11:30am, Bernie will be here from 11:30am to 3:15pm, Eric will be here at 3:15pm until closing.

Cemetery Trustees - There was a discrepancy in regards to last week's minutes. We typically post draft minutes on Friday before the Board approves them. There was consternation that we were accusing the Trustees of work that hadn't been done. Moving forward we will not post minutes until they are approved. Anyone who wants the minutes prior to Monday can request a draft copy be emailed to them.

Annual Meeting NHMA - in Manchester - at present no one is planning on going.

Transactions - John Lachapelle questioned the cemetery invoice from Barbara Holt requesting reimbursement for Susan Simpson for a clothing allowance and use of her personal cell phone and reimbursement for use of her personal car. Sally explained that the cemetery bills come out of the existing budget. Previously the cell phone Jeff Phillips used covered two departments.

On Call - what is the logic for putting them on call with no snow removal asked John Lachapelle? Bernie read the policy from the 9/29/14 on call policy John had given her then Sally provided a copy of the amended policy dated 10/27/14 that stated on call was from November 1st through March 1st. The Board will discuss this with Scott next week.

Items to revisit - Bernie updated the list.

Tree Cutting - Eversource is having a meeting on November 22nd at 7pm here at the hall to discuss cutting on scenic roads. They cut the scenic roads every four years. They have stated that this is not part of the Northern Pass. They have a list of trees that are diseased or need to be cut away from wires, etc. They need home owner approval. Everyone is invited to come to the meeting to be informed of the process.

PUBLIC INPUT

Peter Grote - Thanked the Board for hosting the Batchelder group. The Auditors complimented Sally and Carol for being super organized and making the process

smooth. Sally informed the board that the process went smoothly and that the auditor was very easy to work with.

Jim Alden - He had spoken with Karen Foss and they were both concerned with comp time. Comp time is not okay. For non- exempt employees you pay the OT. Pre-arranged agreement must be done prior to doing comp time. With the change compensate non-monetarily. There are laws in affect to protect the employer. Break requirements are per NH and Federal Law.

Tinalyn Caisse-Knox - Thinks we should have something that is voice activated to take the minutes. It would make life easier and take less time. We will have to review some options. The acoustics in the main hall are terrible and most programs wouldn't work well according to Peter Grote who had tried to record a meeting.

Russ Cumbee stated that in the court room they use a stenographer and record everything that is said. We need to be brought into the 21st Century.

The Board adjourned at 5:20 pm.

Respectfully submitted, Herbie Bartlett, Executive Secretary