

Selectmen's Meeting Minutes

April 23, 2018

At the Selectmen's Meeting held on Monday, April 23, 2018 at 6:30 p.m. the following people were in attendance: Peter Corey, John Tholl, and Stanley Holz.

Alex Belenz of North Country Council and Carl D. Martland, Chair of the North Country Scenic Byways Council attended the meeting to hold a public hearing to gather comments on the Presidential Range Trail Scenic Byway. The NCSBC is proposing to designate the section of NH Route 116 from Whitefield to Jefferson as a section of this byway. This addition will complete a northern loop of the byway that will provide access to amenities in Whitefield and Jefferson and to outdoor recreation opportunities at Pondicherry National Wildlife Refuge. They are here to discuss some proposed changes. North Country Council is the regional planning commission for the North Country. They are providing an opportunity for the public to learn of this proposed change and give feedback.

NCSBC is a committee of the North Country Council. They have a representative from each of the towns. Dick Mallion is Whitefield's representative. Their purpose is to have management plans for the by-ways and to travel the by-ways and be sure they are safe and have nice views. They are developing materials to promote the by-ways. Most of the numbered NH routes are by-ways. The purpose of the network is to provide a linkage of the whole region to entice people to come visit for recreation and all the attractions of the region. We think it is an effective way to promote the towns and the region. They have 7 by-ways in the north country. Kancamagus Byway & White Mountain Trail & Connecticut River Byway are federally designated byways for their outstanding natural areas and cultural landscapes.

Woodlands Heritage Trail, River Heritage Trail, Presidential Range Trail (US 3 in Whitefield), Moose Path Trail, Mountain Road are the local by-ways. The signs with the old man of the mountain designates the by-ways. What makes a byway a byway? It provides access to scenic, recreational, cultural, natural and historic sites.

Benefits of Byways: promotes tourism throughout the region, promotes connections to outdoor recreation, cultural amenities, and historic attractions, and helps preserve and protect natural and cultural resources, e.g. by limiting off-site signage. North Country Council has developed a guide book called Northern Journeys.

A few years ago NCC and NCSBC were contacted by NH Department of Transportation to let them know they needed to come up with a Corridor Management Plan. The plans also recommend route changes aimed at reducing the overlap.

Changes proposed for the Presidential Range Trail:

Designation of NH Route 116 from Whitefield to Jefferson

Access to amenities in Whitefield and Jefferson

Access to cultural/historical attractions (King's Square, Mountain View Grand)

Access to outdoor recreation (Pondicherry National Wildlife Refuge)

Access to scenic vistas (Mountain View Grad, Pondicherry, and along NH 116)

Intrinsic values: scenic views, cultural, historic recreational and natural resources.

Implications for Towns:

Must designate a representative, which is Dick Mallion for Whitefield.

Does not commit town to dedicating any municipal resources towards byways

Signage restrictions:

No additional restrictions for on-premise signs (RSA 236:73)

No effect on existing off-site advertising devices (defined in RSA 236:70)

Per RSA 238:24, off site advertising devices shall not be erected on any primary highway system that has been designated as scenic and cultural byway.

Where to we go from here:

Will ask the Board to consider this presentation and any public comment. Decide at the next meeting to see if the Board supports this designation. NCC will submit an application to NHDOT and present the application at a hearing, which they will need a letter of support and copy of the meeting minutes for.

Rick Wright asked if there are restrictions on the trees along the scenic by-ways? State by-ways there are no restrictions. This designation does not affect the trees in anyway.

Marsha asked about ATV's going on the trails. Alex said it has nothing to do with ATV's.

Stanley said the designation will provide access to amenities, but we already have access. Alex said a road can be a scenic and cultural by-way if it provides access according to federal requirements, highlighting what is already there.

Peter asked, If the Mountain View wished to put up a sign on Route 116 would they be restricted from doing so? Alex aid that they would not be able to put up a new sign. Peter asked about an appeal process. The rules would be enforced by DOT and the byways council could make a recommendation on the basis of input from the Selectmen. They said they will follow-up with DOT. Peter said Whitefield has no zoning requirements on signage. Who would be the enforcement? They said DOT.

Peter asked if both towns have to agree with it, and Alex said yes they are meeting with Jefferson in a couple of weeks. There is an application to be completed and it will be submitted to the state scenic byways council who will make the ultimate decision if it is approved for a scenic by-way.

Stanley said it is basically a promotion for tourism. Carl said that there is no state funding for byways. There has been funding in the past. The big overlook by the hotel was funded by byways money. There could be funding for parking or scenic byways or historical markers, etc. We want to get some money for improvements along the byways.

Dick said he goes to the meetings, and he is chairman of the stewardship committee and gets people to help us support us in taking care of the byways. They want to improve the visibility of the program.

A motion was made by Stanley Holz to approve the April 9th and April 16th Selectmen's Meeting minutes. The motion was seconded by John Tholl. All in favor 3-0. Motion passed.

A motion was made by John Tholl to unseal the minutes of the April 9, 2018 non-public session. The motion was seconded by Stanley Holz. All in favor 3-0. Motion passed.

Edward Samson – Police Chief

Ed Samson, Police Chief, attended the meeting and said it has business as usual, but things are picking up. We are on track with staffing, Patrick Cunningham is conducting his FTO and will be ready to work once Ryan leaves the end of May. He will be ready to work

Ed said we are seeing drug activity with the methamphetamines, a lot of manufacturing of it in the area. We are working on things along those lines. Ed said there has been a bunch of talk about speed issues in town. We have not received direct complaints. He said with new officers coming on board we will see more speeding violations. We did add money in the budget this year for enforcement of speeding issues. We will be using that. Ed said if the selectmen are getting direct complaints and issues, please give Ed a head's up. He has not had any specific complaints.

Peter said we had a young couple who had come forward to serve on the Conservation Commission. They have decided to leave the community, and speeding was the #1 thing on their list. Ed said in reference to that specific complaint there has been no direct complaints about it.

Fred Ingerson – Water Department

Fred said he doesn't have too much. Fred said he will be getting his assistant back April 30th. Ethan just went to take his other water test. We will know how he did in 30 days. Fred is waiting on starting hydrant flushing, waiting for road bans to come off so they can start projects, like the Route 142 project. Fred will be present for that project.

In reference to Mr. Larkin on 24 Brown Street, he doesn't live there full-time and something froze up this winter and broke and flooded his basement and first floor until someone noticed it coming down the road. We shut the water off and he was quick to repair it and clean up things. The water usage was high.

Stanley went around with Fred to view the water system a couple of weeks ago. Contract #2 for the pump station is going to be advertised for bid in the next week.

Kelly Smith – Recreation Department

Kelly Smith, Recreation Director, wondered what the date was that was given to Mr. Rines to get his tools out of the building and finish up his work. Judy will check and speak with Mr. Rines re: same. Kelly asked Fred to turn the water on at the recreation building. Fred said that it needs a water meter and backflow preventer and Fred has some issues with downstairs in this building. We need to hire a plumber to come in and do the work. Kelly said if that is going to be a lengthy process, she will get a portable toilet for the baseball season. She was going to let them use the bathroom, but the water was not turned on. She will need the water turned on by the end of June.

Josh Welch – Sewer Treatment Plant attended the meeting.

Josh said that he put the filter on the pump station at Grandma's. John said they commented they haven't had any smells so far. The numbers are back down for the testing. Josh said we did get a letter from the state on the sewer usage and reporting. We just have to renew it every five years. Josh doesn't know if we have any industrial for permits for discharging, 10,000 gallons a day or more or pharmaceuticals. The Mountain View discharges 20,000 gallons a day. We have to have it in our

ordinance—it opens them up if they are becoming an issue they have to put in pre-treatment. They are liable if anything comes to the plant. Josh is going to call Alexis at the state and talk to them about the Morrison and the Summit whether they should be on it. The Morrison is 7,000 gallons a day, but it is more than domestic waste. Josh said other than that it is going smoothly. Wright-Pierce is still having Josh working doing the testing. Josh said Horizons was down there shooting some grades.

Peter Corey introduced Cabot Ronish who was recently hired as our Public Works Director. This is his first night. He is officially going to start one week from today, April 30th.

The board discussed the request from William Larkin at 24 Brown Street re: abating a portion of his sewer bill for the period 10/1/2017-03/31/2018. The Board thought it would be o.k. to abate on the sewer bill back to what his normal usage is. John Tholl made a motion to abate a portion of Mr. Larkin's recent sewer bill to what his normal usage would be. The motion was seconded by Stanley Holz. All in favor 3-0. Motion passed.

The following members of the Mount Washington Regional Airport Commission were in attendance: Jay McCusker, Lyn Tober, Jim Ash, Jay Ennis, and Sondra Brekke, Associate Member.

Peter said he wants to offer the opportunity if they wish to discuss this in a non-public session. Jay said he is just the spokesperson. The party involved, Wendy Roberts, said she is fine with public session.

Jay McCusker said he is the Dalton Commissioner for the Mt. Washington Regional Airport. He was asked to speak on behalf of the Commission. He would like to add the letter from the Commission, as well as the letter from the Board, and the initial letter from the Commission as an addendum to the record. Jay said the letter is in direct response to the letter from the Board of Selectmen. Jay asked permission to read the attached letter to the Selectboard (copy attached). Jay said this was an unanimous decision of the airport commissioners. Jay wanted to highlight some of the things the Board needs to be aware of based on grant assurances. Wendy is the key contact for the NH DOT block grant program, Northern Borders grant program, and the most important is the Town of Whitefield is the airport sponsor and it is imperative that we comply with the grant assurances. If we don't comply with these grant assurances, they can hold back on funds and that will come back on the Town of Whitefield. She is the point of contact and interface with DOT for compliance with their requirements. The airport due to past transgressions is out of compliance. They have been awarded a level of leniency to get into compliance because that office understands the effort and work Wendy has been doing to make that airport compliance. If we are found non-compliant, they will come up and force compliance. We don't want to take on the FAA and the DOT. Wendy is instrumental in getting these things done.

We have to follow all grant assurances so we are currently doing hanger inspections because there is a policy on non-aeronautical use of hangers. We could be considered non-compliant so that is why we are doing the inspections.

Jay said that we are here to ask for your reconsideration of Wendy's involvement. One of the things that is very concerning is the statement that the Selectmen want fresh and new ideas. There is only one remaining commissioner from two years ago and the fresh ideas are coming from Wendy or Wendy's involvement in those projects. The Board said they would leave it up to the Commission's discretion for her involvement, and the Commission would like her to be appointed as a Commissioner at Large.

Peter said first of all there is not one of us that does not recognize the positive improvements at the airport in the past couple of years. He is thrilled and the Board is thrilled we are finally going to have a real airport. We completely acknowledge all of the improvements in the past couple of years. We would like to come to an agreement that we can all live with. We all want to leave here happy. We have no intent to involve ourselves in the operation of the airport. No intent to take over the operations of the airport and do not want to dictate what is done at the airport. We had decided not to give Wendy the municipal authority for a voting commission member, but she could be involved like Sondra Brekke, an associate member. We did not say she couldn't be involved in the airport. Our problem was extending a formal municipal endorsement of Wendy. Peter said for him personally after the town meeting and he knew we were going to come to this point to ask for an appointment of Wendy to the Commission. Peter said that Wendy is very smart, very dedicated, but her prosecutorial type personality doesn't serve the Commission well or serve the community well. He was weighing in his mind is that the type of personality he wants on the commission. He was ok with giving that endorsement, but then he received an unsolicited phone call from outside the Commission, outside the stakeholders, and the individual said I would like to be more involved with the airport, and he know this person did not have any idea that we were about to receive the appointment request and the person said I would like to be involved with the Commission and would only want to be involved if it is more open, more transparent, and has a spirit of cooperation, and he just doesn't feel that is where it is at. Peter said Wendy is the central figure at the airport and sometimes she doesn't treat people well so that is an issue. Peter said someone here wanted the airport minutes and it would have been so easy to post the minutes and it really degraded to an unfortunate circumstance. He didn't want to extend a municipal endorsement to someone who at all times did not represent the type of leadership the community wants.

Peter said he felt the Commission could keep Wendy doing everything she was doing but the Commission could be the ones to address the public. They are all here tonight, and Peter is willing to reconsider his position. Peter said he has an analogy from his long career in the military. He can think of two very senior individuals, who could handle most situations and issues and those were the people who you gave things to get it solved. Both of those individuals had difficult personalities at times. They often times created friction, and eventually it caught up with them. They were great at what they do, but there is another piece we don't like. They both left the military and got great jobs in the private sector where they can apply their skills and don't have to interact too much on the outside. If I need a prosecutor, I would hire Wendy in a minute because I think she is very good at that. Peter said that is not the only call he has had. The calls received have been from outside the Town of Whitefield. He appreciates the fact that they are all here, and he appreciates what Wendy has accomplished. That airport is in the best position it has been in the 26 years he has lived in Whitefield. He wants to continue.

Jay McCusker said the reason is largely due to Wendy, regardless of her opinion or her demeanor and how she handles herself. Jay said all the commissioners dedicate their personal time to that airport because we follow her leadership and she dedicates to getting stuff done. She is instrumental in getting this done.

Wendy said she would like to know how many people have thanked us for Wendy's involvement in the airport. She just recently assisted someone who is buying property in the area who is a pilot, and thanked her for friendliness.

Wendy said she has an issue with a non-public session without notifying her, and discussing her, and Peter taking random phone calls about her. She realizes she makes people unhappy who have sued the airport. She holds him accountable. She is not going to make everyone happy and if we want to talk about personalities she has seen Peter be rude in the past. Peter was explaining his thought process. Peter said the individual is not someone you are attempting to take to court. She doesn't know who it is. Peter said in deciding how we were going to discuss the airport appointments, he Peter said he remembers how she did the airport appointments back in the spring of 2016, and those were all done in a non-public session. Peter said we didn't invite those people to come in and we said things that were less than flattering. Peter said he did look in "Knowing the Territory" and he looked up the portion on when matters discussing an individual are done, and it said that the individual doesn't have the right to attend so what the book doesn't speak to is board appointments and Peter reached out to NHMA and has discovered the process we followed two weeks ago should have been in public session. It should have started in a public session, we should have allowed her to be part of the process, and he apologizes for that. He was going by what we did a couple of years ago on the airport commission appointments.

John Tholl said basically the first meeting he went to at the airport was before he was appointed a commissioner, and he listened to the conversations going on and he suddenly realized without Wendy he felt the airport would fall apart because of everything she has done and if she was to leave some other members would go with her and tasks would fall on the other members still there. John is not capable of doing those tasks, and he does not have the expertise to do the tasks. John knows a little bit about airplanes and he has a great concern about making the airport viable and he knew he was not capable of doing the things Wendy has been doing. He was afraid something would happen and they wouldn't benefit.

Jay Ennis started participating last July because he wanted to see good things. He has pretty much been to every one of the meetings and started taking on roles he felt that would be helpful. He said he feels it would be a mistake to have a single personality in the airport, and we are getting together a group of people who have rules better to delegate the members. We are hoping for people to look to the Commission as a body, and when you have complaints he hoped we would feel fully confident and refer that issue to us. We feel confident that we can build a body that is fully functional to Jay changing lights on the runway, Jim Ash maintaining things, and Tim O'Neil, who is doing water samples. We are all getting involved. Wendy has been an important part of that.

Stanley said he has lived here long enough to see the airport going through different cycles. Stanley is new to this job so he can't say anything from the history of being a selectman. The airport is prospering and we want to continue to see it do well. Our goals are the same: we want the airport to continue to do well. Stanley spoke with Dave Presby after the last meeting, and he was very strongly in favor of Wendy's role in the airport. Dave thought it was a mistake not to keep Wendy there and Stanley would agree with that. No one could replace her at this point. Stanley said there is apparently some sort of a public relations problem. It is not intentional, and she can rub people the wrong way. The web site is very well done and professionally done. No question Wendy has turned the airport around. Is there someone who can handle the public relations? Wendy said she spent 2 ½ hours accommodating the Civil Air Patrol on Sunday afternoon.

Wendy asked If the Board is getting complaints, why isn't the Commission hearing that? Wendy said she was reporting regularly on what was going on at the airport and not one time was she told people were

complaining about things going on at the airport. If there is an issue, we can't address it if we don't know about it.

Stanley said we have a selectman on the EDC and a selectman on the Planning Board and on the Airport Commission and Stanley feels they need to do reports on what is going on at those meetings. Wendy said she always did that. Stanley said he is going to make sure that the representatives to those committees report back to the Board so they all know what is going on. They are there to provide information to the Board and to the committees they serve on.

The commission members said they have never been told there are any phone calls with complaints. Peter said if the individuals conveying the complaints feel they are dealt with in the spirit they are given then they are coming forward. Jim Ash said if the person cannot identify himself why would any credibility be given to the complaint.

The selectmen's representative is a conduit between the Board and the Commission. The complaints have to be followed through. Wendy is the Secretary/Treasurer, and the IMA allows for one person to serve both offices. Wendy said the minutes are posted on-line, and it wasn't done before because we didn't have a functional web site to do that. Jay said a quick rebuttal to Stan, he made a comment the airport has a public relations problem. If we don't know about it, how do we fix it? Jay said they have had bi-monthly meetings for two years and we want to try to get back to monthly meetings. They are meetings two times a month and nobody is there. They only show up if we talk about the National Guard and they recently have had the engineering firms in to meetings.

Jay said the Airport Commission is the most above-board group he has dealt with. The people complaining don't come to the meetings. Come on over on a Wednesday and come see what this group is doing on the Selectmen's behalf. This is a great group who puts in a lot of time. He disagrees on the public relations issue. Stanley said we are discussing different conceptions. Wendy said for two years she was reporting regularly on what went on at the airport. She said she never heard anything from the WEDC or the planning board. She was regularly reporting. She said that is not accurate that there is public relations problem. Wendy said when this group stepped in, we stepped into a PR nightmare. We had horrible relationships with the State FAA. Wendy said we just went through our engineering selection and we had six firms come and a number of consultants said the DOT person loves you. She is really struggling with the PR thing. She is hearing how helpful she is and how helpful the airport is. She bends over backwards to help people. She has taken people from the airport to Mountain View. She doesn't understand why she has a prosecutorial thing at the airport.

Jay said looking forward he would like to have strong communications and the Board would like that too. John is our conduit and we want this to work. Jay Ennis said if you don't have positive PR you might as well not have PR. It is a wake up call and if we have any sort of issue with the airport, please bring it to us so we can do something about it.

Peter said we generally appreciate this dialogue and we hope to keep this dialogue open. He will encourage the individual who reached out to him to express their concerns directly to the Commission.

Stanley Holz made a motion to reconsider the appointment of Wendy Roberts as a Commissioner-at-Large to the Mount Washington Regional Airport Commission. John Tholl seconded the motion. All in favor 3-0. Motion passed.

John Tholl made a motion to approve the appointment of Wendy Roberts as a Commissioner at Large to the Mt. Washington Regional Airport. The motion was seconded by Stanley Holz. All in favor 3-0.

The Board voted unanimously to table the discussion on the Procurement Policy and the Water/Sewer Rates.

We still need people to volunteer to serve on the Conversation Commission. We were looking at May 21st as a date to have the person from the N.H. Association of Conservation Commissions come up, but a couple of the people who are interested cannot make it that day so we may need to schedule for June.

A motion was made by Stanley Holz to enter in to non-public session at 8:10 p.m. pursuant to RSA 91-A:3, II(b) the hiring of any person as a public employee. The motion was seconded by John Tholl. Roll call to enter non-public session: Corey-Yes; Tholl-Yes; Holz-Yes.

The Board adjourned from non-public session at 8:27 p.m.

A motion was made by John Tholl to enter in to non-public session at 8:30 p.m. pursuant to RSA 91-A:3, II(e) consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled. The motion was seconded by Stanley Holz. Roll call to enter into non-public session: Corey-Yes; Tholl-Yes; Holz-Yes.

The Board adjourned from non-public session at 8:45 p.m.

John Ross, Fire Chief, arrived back at the meeting after a fire call. He discussed with the Board vehicles cutting through their parking lot to get to the town building. They put up their temporary barricade again. The Board suggested that John work with Cabot once he comes on board to see if they can find a fencing company in the area who can help us erect some type of temporary fencing that can be removed during the winter months. The Board approved a new member for the Whitefield Fire-Rescue. John said he has had a health officer complaint of some campers on View Street.

Peter said for a Planning Board update: We have three properties in town where we have people who are squatting on their property. They are all living in trailers without permits from the Town. The Planning Board will be sending out letters to site the violation.

The meeting adjourned at 9:00 p.m.