

Selectmen's Meeting Minutes  
Monday, April 10, 2017

At the Selectmen's Meeting held on Monday, April 10, 2017 at 6:30 p.m. the following people were in attendance: John Tholl, Peter Corey, and Wendy Hersom.

The following members of the public were in attendance: Shawn White, Mollie White, Katelyn Robinson, Richard Harris, Sr., Richard Harris, Jr., Mell Brooks, Gerry Pons, Rick Wright, Thomas Ladd, Sam Chase, Edie Worcester, and Marsha Lombardi.

A Public Hearing was called to order at 6:32 p.m. by Chairperson Wendy Hersom to hear public comment on a Community Development Block Grant (CDBG) economic development project grant application proposal to the NH Community Development Finance Authority (CDFA). Katelyn Robinson from NCIC is here to introduce the project. The handouts available about all three public hearings were passed out to the people in attendance.

Community Development Block Grant funds are available to municipalities, on a competitive basis, for economic development, public facility and housing rehabilitation projects and planning grants that primarily benefit low and moderate income persons. Whitefield is eligible for up to \$500,000 a year for public facility/housing rehabilitation, up to \$500,000 a year for economic development projects, as well as up to \$500,000 a year in emergency funds. Planning grant funds are available for up to \$12,000 per year. Municipalities are eligible to apply for a Microenterprise Assistance grant without having it count against the town's cap for any other CDBG projects.

This is a proposed Economic Development application to the Community Development Finance Authority for up to \$500,000 in 2017 Community Development Block Grant funds. NCIC will receive up to \$4,000 for grant writing services. The Town will retain up to \$20,000 for administrative costs and to hire a grants administrator. The remaining funds, up to \$476,000 will be subgranted to the Morrison Hospital Association d/b/a Morrison Nursing (hereby The Morrison). The Morrison proposes to use the funds for working capital (including but not limited to paying staff, heat, lights, etc.—until operating at full capacity) in addition to marketing and a landscape architect for its new (under construction) sister campus. The sister campus is to be comprised of senior assisted living and "independent" living facilities. The Morrison will create a minimum of 25 additional jobs, of which at least 15 will be available for persons of low or moderate incomes.

If the Selectboard approves of NCIC writing the grant, the town would only have to pay if the application was approved.

This project conforms with Whitefield's proposed Housing and Community Development Plan's goal of promoting a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups and also promoted the health and safety of residents.

The Board of Selectmen asked for questions and/or comments from the public.

Rick Wright asked if this is a grant from the state? Katelyn Robinson replied that NH CDFA is a state organization and they receive their funding from HUD, a federal organization. Once it comes to the state it is state funds. Mr. Wright asked if any portion of this would need to be repaid? Wendy replied that

grants are not repaid. Dick Harris asked about the newscast today regarding the federal budget and CDBG projects not being funded. Katelyn explained that all of the CDBG funds are dependent on the federal budget. At this point CDFA is putting a hold on applications until the budget is approved. They spoke with CDFA today, and they encouraged them to still submit their application. They anticipate the funds will become available.

It was asked if the grant is not received, will the project still move forward? Mell Brooks, development project manager, stated that this is his fourth week on the job. His background is in assisted living, hospitals, etc. Anything impacts this job. It is a tight, tight budget. It won't stop us, we will still press on. We may have a \$25 million budget so we are very tight on what we have to spend on this project. Every penny we can get, we need. The project will continue to move forward.

Mr. Wright asked how much the Town has to pay? He was wondering about the \$4,000 application fee. The \$4,000 is part of the \$500,000 and if the grant is not approved we don't have to pay that. There is no cost to the Town for this grant.

Edie asked if this was the same grant we talked about a couple of weeks ago, and Wendy replied that it was. Chairperson Hersom asked if there were any additional questions or comments. There were none.

A motion was made by Peter Corey to close the public hearing on the project portion of the CDBG block grant hearing. The motion was seconded by John Tholl. All in favor 3-0. Motion passed. The first public clearing closed at 6:40 p.m.

A motion was made by Peter Corey to open the second public hearing for discussion of the proposed Housing & Community Development Plan. The motion was seconded by John Tholl. All in favor 3-0. Motion passed. The second public hearing was opened at 6:41 p.m. and Chairperson Hersom introduced the Housing & Community Development Plan Draft.

The Housing and Community Development Plan is a re-adoption of the Housing & Community Development Plan which was last re-adopted in August of 2015. It includes the national and state CDBG objectives, as required. A Housing & Community Development Plan that is no more than three years old is a requirement for applying for CDBG funds. The goals of the plan reflect the goals in the Whitefield Master Plan.

The Board asked for questions or comments from the public. There were no questions or comments.

A motion was made by Peter Corey to close this portion of the public hearing. The motion was seconded by John Tholl. All in favor. 3-0. Motion passed. The second public hearing closed at 6:42 p.m.

A motion was made by Peter Corey to open the third public hearing regarding the Residential Anti-Displacement and Relocation Assistance Plan. The motion was seconded by John Tholl. All in favor 3-0. Motion passed. The third public hearing was opened at 6:43 p.m. Wendy Hersom introduced the Residential Anti-Displacement and Relocation Assistance Plan Draft.

The Residential Anti-Displacement and Relocation Assistance Plan is standard language which provides a procedure in cases where there is residential or business displacement due to a project using CDBG funds. It must be adopted for each CDBG project. For this project, no displacement or relocation plan is anticipated but the plan must be adopted in the unlikely event that displacement takes place.

The Board asked for questions or comments from the public. Katelyn said that this part of the hearing for any CDBG funds that are applied for. It is a formality we need to go through for all CDBG applications. Chairperson Hersom asked if there were any additional questions or comments. There were none.

John Tholl made a motion to close the public portion of this hearing. The motion was seconded by Peter Corey. All in favor. 3-0. Motion passed. The public hearing was closed at 6:45 p.m.

The Selectmen's Meeting opened at 6:45 p.m.

A motion was made by Peter Corey, seconded by John Tholl to approve the submittal of the CDBG application. All in favor. 3-0. Motion passed.

A motion was made by John Tholl to adopt the updated Housing & Community Development Plan. The motion was seconded by Peter Corey. All in favor. 3-0. Motion passed.

A motion was made by Peter Corey to adopt the Residential Anti-Displacement & Relocation Assistance Plan for the project. The motion was seconded by John Tholl. All in favor. 3-0. Motion passed.

A motion was made by Peter Corey to authorize Wendy Hersom, Board Chairperson, to submit the application and sign or execute any and all documents necessary to effectuate the potential CDBG contract. The motion was seconded by John Tholl. All in favor. 3-0. Motion passed.

A motion was made by Peter Corey to have NCIC write the CDBG grant on behalf of the town and to allow Wendy Hersom, Board Chairperson, to hire a consultant through a Request for Proposals process as the CDBG grant administrator if the application is approved and funded. The motion was seconded by John Tholl. All in favor. 3-0. Motion passed.

Dick Harris was here to discuss the water hook-up policy. Wendy said we have kind of held off on this until the election. The discussion is how long do they have to hook up? Dick believes it is a different scenario because he is on a master meter. Dick said once people move in or out you are on the system. How many units can hook on to the master meter? Dick said he pays by the master meter like everyone else. Wendy said just because you have a master meter it doesn't mean you can hook up as many units as you want. Dick said he pays \$1000 per unit hook-up fee for water and \$1000 hook-up fee for sewer. He said if he puts in four units he would pay \$8000 in hook-up fees where someone with four apartments in a building would only pay \$2000.

Dick said we are talking about costs to the town and costs to the system and what it costs to keep the water and sewer up. Peter said it is the current fee schedule. So what is the problem with accepting the \$5,000 that Dick submitted? Peter said hydrologically how much can the system accept in terms of hook-ups? It is not a simple math problem. It has to do with size of pipes, elevation, etc. We don't have a policy that currently prescribes how we deal with people who want to pay for advance hook-ups. If you are ready to hook-up now then fine. Dick said he is hooked up now. Dick is adding individual homes to the master meter. He can't do all the work until he knows he has the hook-up. He paid for it, so now he needs to do the engineering and work associated with hooking up. The Town needs to have a policy for how long those hook-ups are good for. Dick said why can't it be the same as the planning board—if you don't do it in three years, you get an extension or it expires.

Peter said we have some sample policies we have looked at, but have not decided on what we want to adopt for a policy. Dick Harris, Jr., asked why can't we accept it with a condition. Peter said he feels

within two weeks we can have a discussion and decision of what our policy will be. John has not read the policies. John said he has not been through them. Wendy said we will make a commitment to give you an answer at the next board meeting on April 24<sup>th</sup>.

Luke Wotton attended the meeting because there is a court case pending, and he is going to generalize not so much as the Town but with the police officers, Luke said he feels he is being treated as a second-class citizen for defending his title. Luke said when he talks to the police officer, they treat him like he is the one in the wrong. Luke said he has the matching deed, which lines up with the tax maps in the town. Luke has had a land surveyor survey it down to the centimeter. He does have a criminal trespass order through the sheriff office, not through the local police because they are a joke. Luke said it is actually criminal trespassing, and it is going to be a very hairy summer if the police department is going to be wishy-washy. Luke said he got a land surveyor who is accurate. Luke said now he is bringing his neighbor to court over it. He still crosses the boundary all the time. Luke said he is ready to defend his property. Wendy said we don't know what you are talking about. Luke said that Len Harden is his neighbor, and he is trying to take Luke's deeded land. Luke said due to the tax maps and deed Len Harden is trying to take his land. Luke said it is a very straight line from the pins. Len Harden is trying to readjust the line so it is his. Wendy said this is a civil land dispute. Luke said it is criminal now, it is criminal trespassing. Wendy told Luke that neither the sheriff nor the local police department are authorized to enforce civil cases.

Luke said he has had all the deeds match up and the land is distinguished and Len Harden is trying to claim it by adverse possession. Wendy said Luke is entitled to his opinion, but if it is a court case then there is an issue. Wendy said that our police officers are not trained for land disputes. Wendy said the land is not going anywhere. Luke said he has a criminal trespass order. Wendy said we can't do anything about that. The Police Department does not get involved in civil issues. If the property line is in dispute, we cannot do anything. Luke said it doesn't matter because he has the criminal trespass order. Luke said it is the Sheriff's position that it can be enforced. Wendy said if the Sheriff thinks they can enforce it, then contact the Sheriff. John Tholl, who works part-time for Sheriff's Department, said that is not going to happen as long as the line is in dispute you can't get a criminal conviction. John said until it is settled in court you can have as many criminal trespass orders as you want. He has to prove the person violated the law. Until it is settled by the court, we can't do anything. Wendy said there is a challenge to that—Luke said he is trying to do adverse possession. Wendy said if there is a dispute, in the other person's land your claim may not be right. You have a letter telling him to stay off your property. Until the boundary is determined by the court, that letter doesn't mean lot. He is trying to get the land because he is mowing it. Wendy said the Town does not make a determination in a civil land dispute. Luke said things are going to get hairy if the police do not take care of it this summer. Wendy suggested he deal with it in the courts. Luke said if blood is shed this summer, then it is on the town's hands.

John Ross, Jr. attended the meeting. He said he met with the billing company for the ambulance billing and they suggested if the town would be available to accept credit card payments it would be done through them and they would charge the 3% fee. The Board is fine with this.

John said that we have a lot of uncollected money, and the billing company also suggested whether we want to go to collections they have a company who will do it, 20% they may be able to collect. They will take a portion of what they recover.

Jerry Pons said things beyond 6 months or a year go after that. 80 cents on a dollar is better than no cents on a dollar. Currently, the billing company sends out three letters and the fourth letter says it will go to collections, but we have no avenue to go after the collections. John did not have a figure on the percentage they charge for the collections. One question that has come up is are we going after local townspeople for money owed to us? Dick Harris asked how is it different from water/sewer bills? Jerry said once they get phone calls, they may consider start paying. John said he knows there is a certain percentage of people who can't pay, but it is not appropriate for the Town to subsidize \$100,000 to offset the costs to run the service.

Peter suggested why don't we try it for 6 months—John said he is not sure 6 months is long enough. It is the collection company making the phone calls. The further the town and fire department can get away from the actual collections, the better. Edie suggested offering a discount if they can pay a percentage of it. Wendy said if we can give it a try. It is a substantial amount of money. How far back would we want to go—Wendy said statute of limitation is three years.

Another thing they came up with is a no transport rate if we get called to a residence and we don't transport the patient, they can bill \$117 for that. The Board felt absolutely we should do that. John asked about accidents. Wendy felt for accidents it may not be appropriate. Wendy feels we should do it for direct calls for assistance and not for accidents when someone else calls for the service.

John Ross said they can bill for a car accident with these rescue calls. Currently they get charged for the ambulance transport. We do not charge for the fire-rescue services to cut people out of vehicles, etc. Mr. Ladd asked if they would be billing their health insurance or auto insurance or themselves personally? They can bill the health insurance or they can then bill the auto insurance to get money for the medical call. Wendy thinks it would be better if they bill the auto insurance first. Wendy said usually the car insurance deductible is less than the health insurance deductible. John Ross said we need to write up some type of ordinance on how we will handle this. The billing company wants it in writing.

John Ross said he spoke with the safety committee about getting a bunk room here for their night per diem people. It was suggested that one of the bathrooms downstairs in the community room is empty and could possibly be utilized. John said they have some out of town people on the service and are interested in the night shift. The bathroom is good size to put a cot in there. It is actually a pretty big room for what he wants. It is only one person at a time. Someone asked if when we actually use that room, don't we have to have two bathrooms. Shawn said the answer he has gotten is one bathroom is o.k. John Ross said he would also like to put in a television. If the fire and police request it, you can get free tv cable. Primex, our liability insurance carrier, came back with a list of items to be addressed. Peter said if John Ross can develop an appropriate policy, he would not have a problem with it. Peter said he would rather see the person use the room next door to this meeting room. Peter said he is less concerned about where we have it than he is with these policies. We will check with the second bathroom. Wendy said come up with something more definitive and we can get a policy. We are not saying no to the idea. We are open to the concept.

The water use at the fire stations for car washes for non-profits was discussed. Shawn said we probably get more usage out of the common than you do at a fire station car wash. John Tholl said he doesn't personally have a problem because he it is benefiting the local organizations. They actually use the Legion property, but the fire station water. The Board is o.k. with letting the baseball teams, cub scouts,

girl scouts, etc., use the water at the fire station for their car washes for no charge. There is probably no more than 4-5 car washes a year.

John had some paperwork for a new member of Whitefield Fire-Rescue, which the Selectmen approved.

The Town recently advertised the following items for sale by sealed bid:

1979 GMC 7000 Water Tanker:

\$511 – Walter Stone, Jr.

\$500 – Bob Stiles

\$200 – Tim Meek

\$166 – Dan Savage

2006 Ford Ranger Pick-Up 4x4:

\$1,225 – Edward Quigley

\$275 – Tim Meek

\$211 – Walter Stone

\$200 – Bob Stiles

\$156 – Dan Savage

2000 Ford F550 Dump Truck:

\$3,516 - Brendan Quigley

\$1,511 - Walter Stone

\$777 - Dan Savage

\$500 – Bob Stiles

The Board approved selling the Ford Ranger Pick-Up, 4x4 to Edward Quigley for \$1,225 and the 2000 Ford F550 Dump Truck to Brendan Quigley for \$3,516. It was Shawn's recommendation to reject the 1979 GMC 7000 Water Tanker bids. Shawn said \$511 is not enough for that. A motion was made by Wendy Hersom to accept the high bids for the Ford Ranger Pickup and the Ford F550 Dump Truck and to reject the bids received for the GMC 7000 Water Tanker. The motion was seconded by Peter Corey. All in favor 3-0. Motion passed.

A motion was made by Peter Corey to accept the minutes of the March 13, 2017 Selectmen's Meeting. The motion was seconded by Wendy Hersom. John Tholl abstained. 2-0. Motion passed.

A motion was made by Wendy Hersom to have .50 cent increase on the water rates and .50 cent on the sewer rates. The motion was seconded by Peter Corey. All in favor 3-0. Motion passed. We will have a hearing on the rate increase at the first meeting in May.

The Board approved appointing Tim O'Neil as an alternate member of the Planning Board and Barbara Hanson as an alternate to the Zoning Board of Adjustment. Peter Corey said in reference to the Conservation Commission, there was recently a training held in Franconia, and Peter said he feels we should invite the two state people for an evening here and we could advertise it as an informational meeting for what the commission does and what the benefit is to the town to have a Commission. We could set up something so it is all informational and people who may be interested could attend.

Jerry Pons brought in an updated bid for the gazebo painting in the amount of \$2,400. Jerry said he has discussed this with Aggie and the Common Committee. Shawn thought it should be same as last year's

quote, \$2,200. The Board said if they can negotiate something go ahead. A motion was made by Peter Corey to approve Hick's proposal for painting of the gazebo in the amount of \$2,400. The motion was seconded by John Tholl. All in favor. 3-0. Motion passed.

The flag on the gazebo was discussed. It needs to be replaced as soon as we can get a vehicle out on the common. The flag pole for the memorial was also discussed.

Selectmen committee assignments will be as follows:

Wendy Hersom: Airport

John Tholl: Planning Board

Peter Corey: Economic Development

Wendy said the Airport Commission had been trying to set up a meeting with Mr. Diego, and we had struggled setting something up so Wendy reached out to Rick Wright who got Jerry Pons to set up a meeting with Mr. Diego. Last Thursday Wendy said she, Lyn Tober, and Tim O'Neil met with Chris and had a discussion about partnering the airport with the Mountain View. The Mountain View will assist the airport with marketing and putting them on the website. It will create a relationship with the Mt. View and the Airport, which was positive. Keep the communications open.

Peter made a motion that the selectperson serving in the third year of their three-year term shall serve as the Chairperson. John Tholl seconded the motion. All in favor. 3-0. Motion passed.

Shawn said he has started working down back to finish things up. There have been concerns with one way in and out. Shawn thought we might want to horseshoe around it so you have two exits. Shawn was originally thinking of keeping an area open for the kid's playsets, etc. This material we have from the big hump he could go out back with and make that area for the kids and solve the issues. Wendy asked what the cost will be. Shawn said the fill we already have and other than that the other cost is going to turn in to grass. We are talking about bringing some material in, paving would be about \$13,000 to pave it. \$25,000 to pave the parking lot. Wendy doesn't have a problem with a flat surface. Peter said he wants to think about it and take a look at it. The Board said they do not have a problem with moving the dirt pile out back.

A motion was made by Peter Corey to enter into non-public session at 7:55 p.m. pursuant to RSA 91-A:3,II(e) for 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 John Tholl. All in favor 3-0. Motion passed

The Selectmen's meeting adjourned at 8:22 p.m.

