



Selectmen's Meeting
Tuesday, December 10, 2019
6:00 pm

• **Call to Order**

Gil called to order at 6:00pm

• **In Attendance**

Board: Scott Rice, Gil Rand, Joel Bourassa

Staff: Judy

Public: Jerry Miserandino, Michael Donahue, John MacKay, Bill Waterhouse, Patrick Griffin, Charyl Reardon, Kelly Trinkle, Roger Berube, Colton Berube, Joel Mercier, Rex Caulder, Bob Stahler

• **Public Participation**

Patrick Griffin:

Patrick informed the Board that he has been living in town for 14 years and has attended 99% of all meetings since. He pointed out that for quite a long time it was just him in attendance and that people have been getting more involved since he spoke out at Town Meeting.

Patrick explained that he wasn't at the last meeting and asked for clarification on the Parking Ban. Gil informed Patrick that he was referencing the Parking Ban already in place on all Town Roads from 2am - 5am. Patrick stated that when he asked the Board to consider a winter parking ban, he was looking for a 24-hour ban. He questioned why the Board didn't get input from the Public Works Department before making their decision. Patrick informed the Board that he witnessed a town employee getting verbally abused for asking someone to move their vehicle off the road during a storm. Patrick does not think this is fair to Public Works Department and thinks the Board should be more supportive of their staff.

Gil thanked Patrick for his input and noted that the Board will take this into consideration, talk with Mike, and revisit the parking ban.

Patrick pointed out that there was a meeting held a while ago without a quorum, he also questioned how the way the Rules of Order came about, and the residency of Joel Bourassa.

Joel informed Patrick that he is still a resident of Woodstock. Joel stated that he will be resigning from the Select Board effective December 11, 2019 and that this is his last Selectmen's Meeting.

Patrick stated that he is against any taxpayers' dollars being appropriated for Jean's Playhouse. Patrick said the theater has been having problems for years. He pointed out that Scott is on the Board for Jean's Playhouse and informed Scott that he cannot use his position on the Board to help them out. Patrick thinks the board will set a huge precedence for 501-c3's if they appropriate money for Jean's Playhouse.

• **4411-4445 Health Administration Budget**

NEW Appropriation Request/Jean's Playhouse/\$3000.00:

Joel Mercier, Director of Jean's Playhouse, explained that the theater has not been able to self-sustain. They have been working hard at making changes and have been taking alternative measures in hopes to become more self-reliant.

Joel spoke about how the theater would be shutting down this winter in order to save money. He explained that the winter programs do not bring in enough revenue to offset the cost to keep the theater open through the winter.

Joel stated that even though the theater is now mortgage free they are still in need of assistance to get themselves back to being financially stable and this is why they are making an annual request of \$3,000 from the Town of Woodstock.

Joel talked about the programs offered to the children in the community. He spoke of the discounted tickets that are offered to residents, Lin-Wood Students, the Lincoln-Woodstock Recreation Program, Chamber of Commerce, and Rotary.

Joel noted the Jean's Playhouse belongs to the Rotary and the Western White Mountain Chamber of Commerce. They hire 70-80 employees from all over the country and have a weekly payroll of \$16,000. The theater sells 8000-10,000 tickets a week which is in line with other theaters.

Joel said the theater has been running \$60,000-\$70,000 in the red every year but they have managed to cut it down by \$15,000-\$20,000 in the last two years while still producing shows people want to see.

A motion was made and seconded to increase the bottom line of the Health Administration Budget by \$3000.00 to include the appropriation request for Jean's Playhouse. Scott abstained.

Move: Joel Bourassa Second: R. Gil Rand Status: Passed (2 Affirmative Votes, 1 Abstention)

- **Mike Donahue**

- **Rules of Order**

Mike questioned the Board about the Rules of Order for Selectmen's Meetings. Mike recognized that the Board does not have to give the public the right to participate but noted that it has always been common practice. Mike feels that the public should be encouraged to be involved and their participation should be welcomed.

Mike questioned whether the December 2nd day Meeting was considered a workshop, meeting, or both.

Mike questioned why the Public Work's Department Budgets were presented during the day on December 2nd if the meeting was a posted workshop.

Judy clarified that December 2nd was posted as a meeting not a workshop. Gil apologized for the confusion.

Scott briefly explained that Public Participation would be moving to the bottom of the agenda from now on.

- **Water Department**

Mike asked the Board if they addressed the concerns that he had expressed at the May 28, 2019 Selectmen's Meeting pertaining to the company that is contracted to run the water department. He also questioned if the contract had been amended to reflect the duties they had not been performing.

Mike expressed his opinion that we should not be contracting the water service out. He feels the town could save money by running the water service in house. He pointed out that we do not make water we just distribute it.

Mike informed the Board that they needed to take time to look at the operations of the water department. He stated that he has taken a look at the well production numbers and has determined that the water department has been using 85% more water the last three years. He feels this is very alarming.

The Board informed Mike that there was a meeting with the contracted water company and they addressed the areas of concern and the duties within the contract. The water contract was not rewritten but an agreement was made to amend some of the duties. The Board asked that these amendments be made to the contract prior to renewal. The Board thanked Mike for his input and said they would take it into consideration when renewing the contract in 2021.

- **Ice Castles/Clark Farm Road**

- **Builder's Risk vs. Bond**

The Board reviewed an email from Kyle Standifird regarding the builder's risk insurance that the Clark Farm Road Agreement calls for. Kyle stated that he thinks a better option is to have the contractor put a bond in place verses Ice Castle carry builder's risk insurance.

A motion was made and seconded to deny the request to amend the September 19, 2019 Clark Farm Road Maintenance Agreement to permit a construction bond in lieu of builder's risk insurance; and further move that should Ice Castles not provide proof of the required builder's risk insurance within one week, that we instruct the town attorney to take all necessary actions in response to the breach of contract.

Move: Scott Rice Second: Joel Bourassa Status: Passed Unanimously

- a. **Sign Letter to Ice Castles**

The Board reviewed the letter than Joel read the letter aloud.

A motion was made and seconded to sign a letter notifying IC-NH LLC that they are in breach of the September 19, 2019 Clark Farm Road Maintenance Agreement.

Joel read the letter aloud.

Move: Scott Rice Second: Joel Bourassa Status: Passed Unanimously

- **Approve & Sign Minutes/December 2, 2019**

A motion was made and seconded to approve the minutes from the December 2, 2019 Selectmen's Meeting.

Move: Scott Rice Second: Joel Bourassa Status: Passed Unanimously

- **Approve Budgets**

- **Revised Budget Committee Schedule**

The Board received a revised Budget Meeting Schedule that reflects the rescheduling of the Joint Budget Meeting from January 16th to January 14th.

- **4326 - Sewer**

The Sewer Budget was tabled at the December 2nd Selectmen's Meeting due to questions pertaining to the Pemigewasset River Sewer Line Crossing Repair Appropriations and the amount in the Capital Reserve.

Judy explained that we need to appropriate the total estimate amount to repair the sewer line crossing but also explained that we are bonding/taking a note out for this project so the total amount that was appropriated on the expense side will be reflected on the revenue side essentially making it a wash. Judy pointed out that the Town will not actually see the expense of this project until 2021 when the debt service payment is due. Judy noted that once the bids are received and the Board has a better idea of what the project is going to cost, they can amend this amount at the Public Hearing.

Judy stated that the Sewer Capital Reserve will have roughly \$173,905 which includes the appropriated amount for 2020.

A motion was made and seconded to approve the Sewer Budget as presented.

Move: Scott Rice Second: R. Gil Rand Status: Passed Unanimously

- **4332 - Water**

The Water Budget was tabled at the December 2nd Selectmen's Meeting due to questions about the amount of money remaining in the 2019 budget.

Judy explained that there still a month of outstanding invoices and payroll. Judy noted that you need to have some money appropriated within the Public Works Budgets for unforeseen problems and emergencies.

A motion was made and seconded to approve the Water Budget as presented.

Move: Scott Rice Second: R. Gil Rand Status: Passed Unanimously

- **4155 - Personnel Administration**

A motion was made and seconded to approve this budget as presented.

Move: Scott Rice Second: R. Gil Rand Status: Passed Unanimously

- **4711-4723 - Long Term Principal & Interest Bonds & Notes**

Review and vote to accept or table budget. New Fire Truck - Final Payment 2024

This budget reflects the principal and interest payment for new fire truck. This is a five year note with a final payment in 2024.

A motion was made and seconded to approve the Long-Term Principal and Interest Bonds & Notes as presented.

Move: Scott Rice Second: R. Gil Rand Status: Passed Unanimously

- **Tax Abatement Request/Denning/33 Harley Mountain Road**

Melissa and Judy do not recommend this abatement request. Judy explained that property is assessed as it sits as of April 1st each year. Seasonal campers are informed that they have a choice to either register their camper and have a valid plate as of April 1st, show proof of registration and date, or be assessed and tax for the whole tax year. There are RSA's that govern this.

Move: Joel Bourassa Second: Scott Rice Status: Passed Unanimously

- **Accept Donation/Woodstock Firefighter Fund/Wreath Fundraiser**

The Woodstock Fire Department presented the Board with a gift totaling \$4232.00, on behalf of the Woodstock Firefighters, to be deposited in the previously established Woodstock Firefighter Fund.

A motion was made and seconded to accept the gift totaling \$4232.00 from the Woodstock Firefighters and requested that the Trustees of Trust Funds deposit it into the Woodstock Firefighter Fund.

Move: Scott Rice Second: R. Gil Rand Status: Passed Unanimously

- **Approve Cascade Park Application**

- **Katherine Aho/Wedding/August 15, 2020**

The Board reviewed an application from Katherine Aho to use Cascade Park on August 15, 2020 for a wedding ceremony. The required fee and insurance coverage has been received.

A motion was made and seconded to approve the Park Usage Application. Scott abstained.

Move: Joel Bourassa Second: R. Gil Rand Status: Passed (2 Affirmative Votes, 1 Abstention)

- **New Business**

- **Accept Joel's Resignation/Effective December 11, 2019**

Joel verbally presented his resignation to the Select Board effective December 11, 2019.

A motion was made and seconded to accept the resignation of Joel Bourassa.

Move: Scott Rice Second: R. Gil Rand Status: Passed Unanimously

- **Next Selectmen's Meeting/January 7th @ 5:00pm**

Scott noted that there will be a Selectmen's Meeting on Thursday, December 12th for a site visit to the Ice Castles and to appoint a new Selectman.

Gil noted that this is the last Selectmen's Meeting for the year. The next regular Selectmen's Meeting will be held on Tuesday, January 7th at 5:00pm.

- **Old Business**

None

- **Public Participation**

Gil announced that going forward Public Participation will be at the end of the agenda and will only be recognized if authorized by the Chair and for agenda items only. Gil stated that if the subject is not on the agenda discussion will be tabled until the next meeting. Gil noted that if anyone would like to add an agenda item, they should contact the office by the end of business the Friday before a Selectmen's Meeting.

Patrick Griffin:

Patrick expressed his dismay about the way Public Participation was going to be run. He informed the Board that what they had announced was taken from the School. He warned the Board that if they were going to change it to be like the School, to be

prepared to be treated like the School. Patrick stated that he thinks the Board is going in the wrong direction.

Bill Waterhouse:

Bill questioned if a contribution to Jean's Playhouse is the correct thing to do. He suggested a scholarship type investment for the Town of Woodstock rather than a contribution to a business that only impacts a small portion of our community. Bill noted that it's a major outing for a family of four to attend a play at the theater. Bill would rather see some type of an investment than a contribution.

Kelly Trinkle:

Kelly reviewed the Code of Ethics adopted by the Town and questioned if the Board was following it. Kelly made note of a Superior Court Case between Daniel and Kelly Trinkle and IC-NH LLC and pointed out that the Ice Castles has named the Town of Woodstock in the litigation. Kelly read sections of emails between Selectman Rand, Selectman Bourassa, and Ryan Davis pertaining to the culvert on Clark Farm Road.

Kelly stated that the property she lives at has been in the family for 53 years and they have never had any problems with flooding until the Ice Castles came.

Kelly questioned why the Board was protecting the Ice Castles and why they were stonewalling her every time she tried to discuss the culvert on Clark Farm Road.

Kelly said that Clark Farm Road never washed out and nothing happened to the culvert. She said she parked a car on top of the culvert and looked all around and could not find where the water was coming from.

Kelly questioned why Rex Caulder told a NHDES Inspector that he removed the culvert with the Town's permission. Kelly asked why the Town wouldn't have sent a notice out to abutters if they were going to change the culvert. Kelly questioned why when she asked Gil about the culvert, she was given three different answers and when she talked with Mike Welch, he had no idea what she was talking about.

Kelly pointed out that she spoke with Dona Feeney, the Town's representation in this case, and asked why the Board wouldn't discuss information pertaining to the culvert with her.

Kelly asked the Board why they haven't listened to her side of the story. Kelly referenced several RSA's pertaining to conflict of interest and officials acting as impartial jurors.

Kelly stated that she has hours of videos and hundreds of pictures that prove the culvert did not flood her house.

Gil informed Kelly that because the Town has been named in the litigation, they have been directed by legal counsel to not discuss. Gil stated that the Board is sorry she feels this way.

John MacKay:

John has heard talk about the Police Department switching from Grafton County Dispatch to Lincoln Dispatch. John expressed his concern about this decision. John listens to the scanner all the time and has heard Lincoln Dispatch hold off ambulance calls for police traffic stops. John cautioned the Board that cheaper is not always better and that they should not be basing their decisions on cost. John informed that the Police Department will not get the same level of service from Lincoln that they get from Grafton.

The Board thanked John for bringing this to their attention.

Rex Caulder:

Rex questioned why the Board was having Selectmen's Meetings during the day. Scott explained that the Board has business to conduct during the day and in order to do that they have to have a posted meeting. Scott anticipates there will be many more of these.

Mike Donahue:

Mike questioned why the Town was replacing a Highway Department pickup truck if it's still in good shape.

The Board explained to Mike that they have an equipment replacement schedule that they follow. The Board informed Mike that the pickup up for replacement will be handed down to the Fire Department.

Mike asked John if he could wait another year to replace the Fire Department pickup. John stated that the Fire Department pickup is 15 years old and needs to be replaced.

Mike asked the Board to revisit the Highway Department Equipment Schedule.

Mike questioned the extra money in the highway payroll and asked the Board if they were going to hire another employee for the Public Works Department. Mike noted that fall cleanup was not done in the cemetery and parks.

The Board stated they may revisit in the Spring.

Mike suggested hiring another employee and cross training them for the water department.

• Adjournment

A motion was made and second to adjourn the Selectmen's Meeting at 7:28pm.

Move: R. Gil Rand Second: Scott Rice Status: Passed Unanimously Affirmative

January 7, 2020

TZ. G. Rand

Clay H