

**Dunbarton Board of Selectmen
Meeting Minutes
September 3, 2020**

A meeting of the Dunbarton Board of Selectmen (BoS) was held on Thursday, September 3, 2020 at the Dunbarton Town Offices.

Board members present:

Dave Nault, Chair
Mike Kaminski, Selectman
Bob Martel, Selectman

Town Officials and others present:

Line Comeau, Town Administrator
Dan Sklut, Police Chief
Chris Remillard, Police Sgt.
Chuck Frost, Planning Board Chair
Ken Swayze, Planning Board Secretary
Patrick “Woody” Bowne, Transfer Station Supervisor
Rene Ouellet, Town Moderator
Linda Landry, Town Clerk
Don Larsen, Cemetery Trustee

Members of the public present:

Michael Guiney
Atty. Pat Panciocco

Lee Martel recorded the meeting for the benefit of citizens that were unable to attend (Linda Nickerson uploads the videos to YouTube).

Dave Nault called the meeting to order at 7:00 p.m.

OLD BUSINESS

Approve Minutes

Motion: by Bob Martel, seconded by Mike Kaminski to approve the regular meeting minutes of August 20, 2020 as amended.

Discussion: none.

Vote: (3-0).

Motion: by Bob Martel, seconded by Mike Kaminski to approve the non-public meeting minutes of August 20, 2020 as written.

Discussion: none.

Vote: (3-0).

PUBLIC COMMENT

None.

AGENDA ITEMS

Kelsea Road Subdivision

Michael Guiney and Atty. Pat Panciocco were present to discuss the Kelsea Road Subdivision. Because Dave Nault is an abutter, he recused himself and Mike Kaminski assumed the role of Chair for this portion of the meeting.

Pat Panciocco reviewed the history of the dispute between the Town of Dunbarton and town resident Michael Guiney regarding a turnaround on Kelsea Road. She also noted the history between Mr. Guiney and abutter Dave Nault who also currently serves as the Chair of the Board of Selectmen. Mr. Guiney is submitting an application for a 5-frontage lot subdivision on Kelsea Road. His plan includes a donation of land to the town to serve as a permanent turnaround and unlike previous applications, does not request any **waivers**. He is asking for the town's support of his application.

Ms. Panciocco stated that in the past, the BoS has deferred to the Planning Board regarding decisions pertaining to Kelsea Road. However, the town roads, the town trucks and the town employees that drive them are the responsibility of the BoS. It is not the Planning Board's job to make decisions about existing roads. Mr. Guiney's plan complies with town requirements and does not make any additional requests. Mr. Guiney is seeking to be treated equally.

Mike Kaminski said that he has not yet seen a conceptual for what Mr. Guiney is proposing. They have a mechanism for approving requests like this and it does involve the Planning Board. He has learned that usually the problem with subdivisions lies with the condition of the road. He appreciates Mr. Guiney's gracious offer, though he is not prepared at this time to make any decisions without the input of the Planning Board. They are integral to ensuring that this town is built correctly and can often spot possible problem areas before they become obstacles. He but he feels they need to use the process in place. He encouraged them to get their application and plan submitted and sit down with the Planning Board to develop a conceptual.

Mike Kaminski assured Atty. Panciocco that he recognizes the conflict of interest at play with Mr. Nault being an abutter as well as Chair of the BoS, but he has always fought to make sure that everything has been done above board, ensuring that Mr. Nault recuse himself from all decisions and discussions regarding Kelsea Road. **Atty. Panciocco** stated that Mr. Guiney wants to be treated fairly.

Mike Kaminski asked Atty. Panciocco to consult with her client regarding a possible agreement regarding a turnaround for the coming winter so that they are able to continue to fulfill their plowing responsibilities in the meantime. **Attorney**

Panciocco, asked for directions to proceed. Mike Kaminski recommended she go through Donna White who will get her through the process for a Planning Board application.

Election Update

Town Moderator Rene Ouellet gave an update on the status of preparations for Tuesday's election.

One area being addressed is traffic. The school will be delaying drop-off by about 45 minutes, and adjusting bus times to try and alleviate traffic in the morning. Mr. Ouellet recommended that anyone that has flexibility in their schedule may want to try coming at a quieter time.

Election setup will occur Friday night.

Rene Ouellet said that some legislation has been passed pertaining to the primary and general elections this year. They now have the option of preprocessing some of the absentee ballots to save time on Election Day. This will help because they have received at least 200 ballots so far. The community had the opportunity to challenge any ballots, as a 48-hour notice had been posted. They were well-organized, and he feels confident in their process.

Mike Kaminski stated that he was **also** in attendance, **and** spoke to the integrity of the process and said that he saw no evidence of any sort of ballot tampering or fraud.

Rene stated that we only have the opportunity to do this once. Any other absentee ballots that arrive after the precheck processing period will be handled as they have in the past and cast at the polls.

Discussion occurred regarding the legality of election officials performing dual roles on Election Day. Many small towns have few election officials, and very often perform multiple roles. They have received clarification from the NHMA that the practices they follow are completely legal.

Rene Ouellet reviewed the options for voting if people do not want to wear a mask. **Rene stated that we would require that voters wear a mask, but there will be two options for voter who don't want to wear a mask.** They can complete the ballot in their car and have it delivered into the polling place by the Town Moderator **or** they will also have a small room available for people to vote in separately.

A discussion took place regarding sufficient ballots counters.

Linda Landry asked the Board for the best person to contact for the Theatre Restoration Committee for the election table setup. Dave Nault responded on their behalf that there will not be a Town Hall Restoration Committee booth set up at the polling place. **Don Larsen** said that the Cemetery **and Wreaths Across**

Dunbarton will have a small unmanned **tables setup**. **Rene Ouellet** asked that all requests for tables for the general election in November go through Linda Landry only so that they can better prepare the space.

CNHRP 10-year Project

Sgt. Chris Remillard said that they received a letter from Central NH Regional Planning (CNHRP) regarding the 10-year plan. They need to resubmit a proposal for their roundabout project every 2 years to stay current in the project queue. The **Town** initially applied in 2018, so they will **need to** reapply this year and will be seeking letters of support for the project to submit with their application. **Chris asked the Board for their support in reapplying. The Board was in consensus to have Sgt. Remillard resubmit the necessary paperwork to qualify for the NH DOT Highway 10-year improvement plan. Michael Kaminski asked that Chris reach out to CNHRPC as they were instrumental in getting us in the queue originally. Chris stated that the deadline is October 1, and was planning on returning before the Board with the final application.**

Unanticipated Revenue

Dave Nault stated for the record that there is a motion on the table to accept unanticipated revenue for the engraving of cemetery benches. Dave asked Don Larsen, Cemetery Chairman to speak on the subject.

Don Larsen updated the Board with the recent history of the creation of the cremains garden. This design included 5 benches that were paid for in part by donations received last year and **were** installed this spring. They have sold 3 benches so far at \$1,000 each and are arranging the sale of a fourth. They will allocate \$500 from each \$1,000 to go toward engraving. They have received payment for three of the benches, and they are arranging the sale of the fourth. Don also **asked the Board to utilize the remaining funds toward additional needs in the cremains garden in addition to the** their budget. **The Board was in consensus with their plans.**

Motion: by Mike Kaminski, seconded by Bob Martel, to accept per RSA 31:95-b III (b) unanticipated revenue from fundraising for cemetery bench engraving in the amount of (\$3,150).

Discussion: none.

Vote: (3-0).

Bob Martel stated that he wanted to remind Don that if there will be any encumbrances of the cemetery budget from this year, that they follow the bid policy for that threshold. For less than \$10,000, the Trustees need to make the attempt to get three telephone quotes to make it competitive.

COVID-19 Illness Policy Discussion

The BoS reviewed the COVID-19 illness policy for part-time employees. The current policies do not address the payment of lost time to part-timers due to reasons related to COVID-19. **Dave Nault** requested that all of the current relevant policies and supporting documents be scanned and emailed to the 3

selectmen for review and revisit the issue at their next meeting. **The Board was in consensus to table the policy until the next meeting to give the Board time to review the policy and the amendments all together. Line Comeau stated that it had been brought to her attention that the Town was asking all employees including the part time staff to sign the document but it is not clear because it only references the full time staff in the policy. Line stated that it may be as easy as just updating the title of the document to read Full time and Part time employees. Michael Kaminski reiterated that the policy was developed to mirror the Governors policy and is living, changing document.**

TOWN BUSINESS

Mailbox Items

Dave Nault reviewed the following correspondence received by the BoS since the last meeting:

- **A request from the Planning Board chairman** to appoint Ronald Slocum as an alternate (3-year term) to the Planning Board. **There was general discussion on the history that Ron Slocum has had with the town on other boards and committees.**

Motion: by Mike Kaminski, seconded by Bob Martel, to appoint Ronald Slocum as an alternate member of the Dunbarton Planning Board.

Discussion: none.

Vote: (3-0).

- Email request from Mike Lacy (not a town resident) to metal detect on town public areas (school, town library, town hall). This request was submitted after he was witnessed metal detecting around town buildings when he had not been given permission to do so. It is explained in the email that Mr. Lacy is a history buff that would document and share all of his findings with the town.

Leo Martel commented, raising concerns about exempting conservation land and suggested that they look into the state regulations pertaining to this. He added that the Conservation Commission has already denied permission to anyone outside of a town entity to do any sort of metal detecting on conservation land.

Bob Martel said that he is concerned about all of the other treasure-seekers it may attract. **Mike Kaminski** agreed, adding that he feels this opens a Pandora's Box. **Dave Nault** agreed with Leo Martel that they should check into the regulations.

Mike Kaminski also mentioned that this person sent the email but went ahead and started metal-detecting without receiving a response. Line Comeau stated that she happened to be in on a Sunday assisting the payroll clerk with a few items, when she noticed someone metal detecting on the lawn near the town hall. She also observed him pulling up some of the soil, which was very dry due to current conditions, and had concerns about what

that would ultimately do to the lawn. When she approached and addressed him by name, he responded that when he hadn't received a response **from the town, so** he obtained permission from the police department. He was not pleased that she asked him to stop what he was doing. **Mike Kaminski** stated that while Mr. Lacy's actions has affected his feelings on the matter, he is willing to be fair and review the state regulations.

Don Larsen wanted to remind the Board that twenty-five feet surrounding their cemeteries **fences are protected because back in the day, it was common practice to bury those who couldn't afford to be buried inside the cemetery grounds** and wants to make sure those areas are protected as well.

Motion: by Dave Nault, seconded by Bob Martel, to deny the request from Mike Lacy to conduct metal detecting on town property, including schools, parks, town hall and library property.

Discussion: Bob Martel asked if Mr. Nault would like to change his motion to include all requests for metal detecting. Mr. Nault replied that he would like to review the information further before making a broader motion.

Vote: (3-0).

The consensus of the Board was to review the State Regulations on metal detecting and consider establishing a policy on the subject if warranted.

- The BoS was in consensus to sign the 2021 Milfoil Control Grant. Dave Nault signed on behalf of the BoS
- Building Department Update
- Donna White is on vacation from September 7-11.
- Building code violation at 12 Purgatory Pond Road on August 20th. Violations were reviewed with the owner by the building inspector and the fire chief. It is understood that the owner will be getting the proper permits and making other corrections in order to be in compliance.
- Notice from Mike Cumings mentioning that with winter approaching, they need to prepare to address snow and ice falling off of the Library/Town Hall roof. **Dave Nault** said that they will take the same precautions they have over the past two winters: posting signage and protecting the entry way area.
- The second payment of the GOFERR Grant has been received in the amount of \$2180.91.
- **Vouchers for the Police Department extra duty services provided during the installation of fiber optic lines on Gorham Pond Road. They were in the amount of \$252 each for a four hour shift each day (totaling \$504). The Board discussed options for spending the money received from the GOFERR grant. The BoS reached a consensus to use some of the unanticipated revenue to cover the cost for the extra duty expenses and**

put the rest into the general fund. **Line Comeau** confirmed that the BoS has the authority to make the decision on how the grant funds are spent **and based on the Boards decision, will make the necessary adjustment entry to offset the liability account.**

- HealthTrust anticipated return of surplus: \$4745.54 is the total between medical, dental, and short-term disability. Discussion occurred on the best way to handle these funds. The BoS decided that the easiest and cleanest way to take care of that money would be to place it back into the general fund.
- Copy of email from Chief Sklut regarding traffic around the school on election day.
- Tabled from prior BoS meeting, response from NHMA regarding the Town Administrator serving as an alternate Trustee of the Trust Funds. A minor conflict of interest has arisen in that the BoS supervises the Town Administrator, and the BoS can have no overlap of their duties. Line Comeau explained that the reason she wanted to serve as an alternate is because she is very involved with the Trustees on a day-to-day basis, and is very knowledgeable in their responsibilities and processes. She further stated that in the past, they had had a few trustees that were often unavailable for meetings and unresponsive to correspondence, which made it difficult to schedule meetings or conduct business. She discovered that John Casey, who served as treasurer at the time was performing many of the duties of the trustees on his own, which she let them know was not allowed, because a quorum is needed. They currently have 3 trustees. 2 are active, and once is often unresponsive. Line said that she will continue to assist them, but it would be helpful to get another alternate in place. The BoS suggested she post the available position on Hot Topics on the town website.

PUBLIC COMMENT

Don Larsen said that the Dunbarton Garden Club is having their mum sale next weekend at Pages Corner beginning on Friday at 12pm. Line Comeau will post it on Hot Topics.

Mr. Larsen added that the computer for the Cemetery Trustees will be coming in soon. Linda Gray volunteered will be working to enter all of the names into their cemetery map.

BOARD MEMBER ISSUES

Line Comeau has been working on the MS-1 totals. The revaluation has made it a bit more challenging, as well as software issues. This has resulted in a lot of extra work and data entry for over 1,500 parcels. She finalized the numbers last night for the MS-1 and it will be sent to the DRA.

Bob Martel said that he contacted Brett Hadley, who had been recommended by the other contractor he had spoken with regarding the repair of the crumbling front steps of the Library/Town Hall. He will be meeting with him sometime next week to review the project and give an estimate.

Mike Kaminski asked for an update on the Finance Clerk vacancy. **Line Comeau** stated that after the BoS were in consensus for her to hire the applicant she had for the position, she reached out to the applicant and she will be coming in to begin training during the week of September 13th, and Line will be adjusting her hours to accommodate training time.

Dave Nault offered his thanks to Deputy Town Clerk Hope Arce for finding a loophole that allowed them to apply for a substantial grant for additional election expenses. The BoS was in consensus to apply, and Dave Nault signed off on this on behalf of the BoS.

ADJOURNMENT

Motion: by Dave Nault seconded by Mike Kaminski to adjourn the meeting.
Meeting adjourned at 8:41pm.

Respectfully Submitted,

Jennifer King, Recording
Secretary

David Nault, Chair

Michael Kaminski, Selectman

Robert Martel, Selectman