

The meeting was called to order at 7:00 p.m. on September 13, 2004 at the Town Office Building by Chairman Jonathan Wood. Members present: Paul Brown, Dick Wood and Jack Barnes. Also present: Town Manager Richard Bates. Absent: Norman Weldy.

Chairman Jonathan Wood led a salute to the flag and a moment of silence for departed citizens. Chairman Wood also noted that the Board would be acknowledging births also.

Public Forum

Joyce Wood came to speak, as a private resident, not an Ethics Committee member. There was a matter that recently came before the Ethics Committee and they rendered a decision on the matter. There were some questions regarding the decision and the Ethics Committee will not be meeting until after the event has taken place. Mrs. Wood handed out a copy of an RSA. Mrs. Wood wanted to make it clear that when the Code of Ethics was drafted, most of the code was based on State Law and the section relating to individuals is based on this particular section of RSA 640:5. A public servant should not be accepting anything of value from people or businesses that may come before the Town on business or have come before the Town on business. The committee who helped write the Code of Ethics recognized that Rick, as Town Manager, may attend functions of a more social nature as a representative of the Town of Raymond and their recommendations to him at that time was that rather than get into a situation where he may be running afoul of this particular RSA, that the Town budget money for public servants to attend this type of event and I believe that might be one possible solution to the dilemma that is facing the public servants that were invited to this particular event.

Selectman Jack Barnes thanked Joyce for coming and went on to state that he is a believer in RSAs because he makes them and votes for them, but wanted to state that after the decision of the Ethics Committee on this issue, he asked for a copy of the Minutes and the Minutes had not been turned in since June 1st and the RSAs distinctly say "Right to Know" is 144 hours. Selectman Barnes wanted that message to be taken back to the Ethics Committee. The Ethics Committee is in violation of The Right To Know Law, No. 1. No.2, Selectman Barnes understands the situation very clearly. Selectman Barnes stated he knows Joyce Wood is not on the Ethics Committee but as she came in to talk for the Ethics Committee. Mrs. Wood interjected that she did not come in to talk for the Ethics Committee, just as a citizen. Selectman Barnes is hoping that the Ethics Committee is listening, and there is a member in the audience tonight and hopes that this will be taken back to the Ethics Committee. A further discussion took place regarding ethics. Town Manager Rick Bates read into the record the letter he wrote to the Ethics Committee. (A copy of the letter is on file at the Town Clerk's Office). Chairman J. Wood stated that this is a public forum and suggested that this be brought up in a training session with the Ethics Committee and be properly debated.

Riverside Park/Riverside Bark is going to have an informational meeting this Saturday from 9:00 to 3:00 at Riverside Park.

Chairman J. Wood closed the public forum.

New Business

Interview of Sandra Ellis – Recreation Advisory Board.

The Board had a question and answer session with Sandra Ellis.

The Board will make a determination at the next regular session.

Interview of John Page – Southern NH Planning Commission

The Board had a question and answer session with John Page. He was nominated for this position by the Planning Board. Mr. Page stated that this position should expire in March because of the elected Planning Board.

The Board will make a determination at the next regular session.

Soldiers and Sailors Monument

Town Manager Bates stated that there is two parts to this. The Board needs to vote to execute the contract and use specific wording to enter into the contract to get the grant for \$10,000 from the Division of Historical Resources.

Frank Bishop stated there is a sample contract from Daedalus which needs to be filled out and they will look it over and if they agree they will sign it and there are changes that they want to make, they will notify the Board and we will work together to get them changed. Chairman J. Wood stated that the process we will be going through is that we will enter into a contract with the State of New Hampshire and then we will have another motion to direct the Town Manager to negotiate the contract.

Selectman Weldy moved that the Town of Raymond enter into a contract with the State of New Hampshire, acting by and through the Department of Cultural Resources, providing for the performance by the Municipality of certain services as documented within the foregoing grant application and that the individual listed on behalf of this municipality are authorized and directed to enter into said grant agreement with the State of New Hampshire and that they are to take any and all such actions that may be deemed necessary, desirable or appropriate in order to execute, seal, acknowledge and deliver any and all documents, agreements and other instruments on behalf of this Municipality in order to accomplish the same. Selectman Brown seconded the Motion. Motion passed unanimously.

Selectman Weldy moved to direct Rick Bates, Town Manager to complete the grant application and execute the contract with Daedalus in the amount of \$33,518.00. Selectman Brown seconded the motion. Motion passed unanimously.

The anticipated completion date of the restoration project is Memorial Day 2005.

Selectman Brown stated that Mr. Bishop and all who helped and contributed towards this project have done a great job.

The Board thanked Frank for his efforts.

Chairman J. Wood stated there has been a request to move the Wage and Salary Committee Recommendations to come next. With no disagreement from the Board, so moved.

Wage and Salary Committee – Preliminary Review of Study and Recommendations

William Vanca, from Dartmouth Hitchcock, Andrea Rose from Wal*Mart and Wayne Welch are on this committee.

Town Manager Bates stated that this committee was looking at some of the issues that are facing the Town for the past and for the coming time period. There was a PowerPoint presentation ready to go, but because of technical difficulties it will not be presented tonight. There is a package for the Selectmen to look over and if any members of the public want to look at the presentation, there is a printed copy.

Mr. Vanca stated the committee has been in existence since 2001 and they are volunteer support in the field of human resources. They have been asked to provide specialty knowledge to the Town on an as needed basis. Issues with retaining employees, and growth and development issues, etc. We will get into some of these issues as we go along. The market data used was from ten towns below and ten towns above Raymond in terms of population. The thinking being that they have very similar size, budget, etc. (A copy of the printed copy of the PowerPoint presentation is on file at the Town Clerk's office). A discussion was held on the information in the printed PowerPoint presentation. The Wage and Salary Committee will come back next Monday at a non-public session at 6:00 p.m.

Cote Lot Line Agreement

Selectman Brown recused himself from this matter.

Town Manager Bates gave a brief history of this matter. The Belarose Junkyard that was in Raymond closed 25 or 30 years ago. It was basically a fenced in area with junk cars. This land was purchased by a gentleman in Epping just recently. When he surveyed the property to find out what he had for property, his survey showed a property line that was different from what we have as our property line. On that piece of property that he stated he owned, the Town had trash buried from the landfill. After a great deal of negotiation with Mr. Cote, we have come up with a lot line boundary agreement, which basically, we have drawn a new line, which puts all of the land that we thought we owned with the trash that is buried there on the landfill on our side of the land and defines the line, with

monumentation, so he can sell his parcel of land. Because the way it sits now, there is confusion and he would be unable to sell his parcel of land and if that is the case he could potentially force us into Court to establish where the line goes and if he prevails, could force us to remove all of the trash that is buried on the property he claims is his. What was worked out is a boundary line agreement that says this is the line, we both agree on it, the trash is ours, the land on this side is his and it is monumented now. It has been developed with a great deal of work from Town Counsel.

Selectman D. Wood moved that the Board execute the Agreement. Seconded by Selectman Weldy. Selectman Barnes abstains. Motion passed 3 for, 1 abstention and 1 recused.

Selectman D. Wood moved that the Board of Selectmen authorize the Town Manager and Finance Office make out a check to Mr. Cote for his half of the total bill, which the total bill is \$2,775, so the check we would be sending Mr. Cote would be \$1,387.50, which is half of the costs in surveying the property. Town Manager Bates explained that the reason we are paying half the costs is that the Town could spend a lot of money going to Court arguing over this line and it would far exceed the \$1,387.50. Town Counsel recommended we go this route as if we went to court on this matter, it would cost us a lot more. Seconded by Selectman Weldy.

Legislative Floor Policies – Local Government Center

These are the policies that the LGC wants to monitor and bring up in the coming year. What the Board would like to do is take this information and give our representative, Rick Bates, some direction on how to vote for each item. The Board went over each item and directed Rick Bates on their position.

Board Volunteer Nomination and Appointment Process

In the past the practice for all Board and Committee appointments has been as follows:

All candidates are required to attend a minimum of three meetings prior to being recommended.

Recommendations for appointment are to be made by the Chair of the recommending committee or department head.

Recommendation letters are accompanied by copies of the Minutes of the meeting where the candidate was voted on for nomination.

Selectman D. Wood moved that the Town Manager write a Town Ordinance, to be written in the Town Code Book, that outlines this policy so that there will be no doubt in the future as to the procedure that anyone who comes before the Board of Selectmen for appointment will have to follow. Selectman Barnes seconded for discussion. Selectman Barnes stated that this all came about because of Lynn

Booth. Discussion ensued regarding a member of the planning board resigning and Ms. Booth was willing to take the place. Ms. Booth was told that she would have to attend three meetings and be nominated. Ms. Booth called Selectman Barnes and asked for this process to be waived as she was a former member of the Planning Board. Selectman Weldy stated that in the past they have waived this requirement when the need arose to get someone on a board to fill a gap. Discussion regarding this waiver would be acceptable only in situations where the board could no longer meet because of a quorum problem. Town Manager Bates stated that he is not sure this could be adopted as part of the Town ordinance, he will check into this. Town Manager Bates will come up with a draft including the wording above for the Board to approve. Chairman J. Wood stated that waiving this requirement should only be used when there are quorum issues. To waive this requirement for other than quorum issues would only cause confusion and the Board needs to have a clear line of distinction so that everyone knows what is expected. Motion passed unanimously.

Highway Safety Committee Recommendations – Route 107

The Highway Safety Committee has made a recommendation that the section of Route 107 that is between Prescott Road and Paradise Lane along the ball fields be posted as a “No Passing Zone” for safety reasons. The Highway Safety Committee has recommended that the Board of Selectmen send a letter to the State, Department of Transportation requesting that that section of NH Route 107 be designated as a “No Passing Zone”.

Selectman Brown moved that the Board write the letter to the State requesting the “No Passing Zone” on Route 107 between Prescott Road and Paradise Lane. Seconded by Selectman D. Wood.

Further discussion by the Board of Selectmen in recommending that the entire Route 107 between Raymond and Kingston be made a “No Passing Zone”.

Motion passed unanimously.

Merrimack Valley Regional Water District – Request

The Merrimack Valley Regional Water District has made a request to come to speak to the Board of Selectmen about joining the Merrimack Valley Regional Water District.

The Board of Selectmen was polled by Chairman J. Wood and it was unanimous that he should be invited.

Water Tower Land Purchase Pursuant to RSA 41-14a.

Town Manager Bates stated that we have gone through the process of RSA 41-14a with two public hearings and now the time has come to vote. The only concern was from some of the residents near there regarding their wells. They went through part of the

planning process and part of the site plan was that there will be a pre and post-construction test on the well for quality and quantity to be paid for by the Town. Selectman Brown and Selectman D. Wood recused themselves from voting as they are abutters.

Selectman Weldy moved that the Board enter into an agreement to purchase the land for the water tower site with the requirements included in the site plan. Motion passed with three votes in the affirmative and two recusals.

Water Tower Contract – Discussion and Vote

Town Manager Bates stated that Dennis McCarthy has been working on this for many, many months. Dennis McCarthy’s recommendation is that we go with the lowest bid, which was from Natgun Corporation at a total bid price of \$778,220. There were two companies bidding. Town Manager Bates stated that approval is needed from the Board to enter into the contract with Natgun.

Selectman D. Wood moved to authorize the Town Manager to enter into a contract with Natgun Corporation for the construction of the water tower at the price of \$778,220. Selectman Weldy seconded. Motion passed unanimously.

Dennis McCarthy will come back before the Board with recommendations of increasing the hydrant rates.

Joe Guthrie – Candidate for County Commissioner

Mr. Guthrie came up to the microphone and apologized for not making the last meeting that he was scheduled to attend. He then went over his policies and qualifications and asked for votes from Raymond residents.

Chairman J. Wood stated that there is an election tomorrow, September 14th and urged everyone to get out and vote.

Minutes

One correction to the Minutes of 8-30-04. It is Mr. William Hutchinson, not Joe Hutchinson. Also under Selectmen Report, Selectmen D. Wood stated that he and all the Selectmen and Town Manager attended the Regional Board of Selectmen meeting.

Selectman Brown moved to accept the Minutes of 8-30-04 with the above corrections. Seconded by D. Wood. Motion passed 4 to 1, with Selectman Weldy abstaining as he was absent from that meeting.

Board of Selectmen Report

Correspondence:

Chairman J. Wood went over correspondence received.

Raymond Park and Recreation request for judges of the Annual Halloween Parade. Chairman J. Wood will find some volunteers.
Memorandum from Rick Bates regarding painting of the old firehouse. Chairman J. Wood stated that as long as the painting is done this season, waiting until the mowing slows down is just fine.

Committee Updates

Selectman Barnes attended the Recreation Advisory Board Meeting. Selectman Barnes then went on to speak about the wonderful opportunity we have to vote. That everyone should go and vote instead of complaining about a certain person in a public office.

Selectman Brown – No report.

Selectman Weldy attended a Zoning Board of Adjustment meeting on September 8th. There also was union negotiations that is ongoing.

Selectman D. Wood attended a CIP meeting and there is a fairly complete Town CIP plan and the School presented a CIP plan which will be in place for this year. One more meeting of the CIP and then the plans will be forwarded to the School Board and Board of Selectmen for their review and approval and then back to the Planning Board for their approval and then back to the Board of Selectmen and School Board for funding.

Chairman J. Wood attended a Conservation Commission meeting. They are going to have the UNH students come back again this year and they will be running the wildlife transects on the Lillian Cassier Memorial Forest and Flint Hill properties. They will set a series of markers across the property and they go out and try to find different wildlife, to identify what wildlife is on the property. Chairman J. Wood also attended the Planning Board meeting.

Town Manager Report

Town Manager Bates also spoke about voting and how it is more than just a right to vote, it is our obligation to vote.

Town Manager Bates requested direction from the Board on the Jackson Lumber event. The Department Heads are wondering what they should do, Town Manager Bates also is wondering what he should do. Town Manager Bates read into the record his letter to the Ethics Committee. (A copy is on file with the Town Clerk's Office).

The Board of Selectmen want Town Manager Bates and Town Planner Craig Wheeler to attend this function. Selectman Brown believes the Department Heads should also attend. Chairman J. Wood disagrees and believes that department heads in departments that could possibly be purchasing items from Jackson Lumber should not attend.

Selectman D. Wood moved to enter non-public session pursuant to RSA 91-A:3 II(a). Selectman Brown – yes; Selectman Weldy – yes; Selectman D. Wood – yes; Selectman Barnes –yes; Chairman J. Wood – yes.

The Board came out of non-public session and voted to seal the minutes indefinitely.

Chairman J. Wood polled the Board to leave non-public. Selectman Brown – yes; Selectman D. Wood – yes; Selectman Barnes –yes; Chairman J. Wood – yes.

Selectman Brown moved to adjourn this meeting, Selectman Weldy seconded. Motion passed unanimously.

The meeting adjourned at approximately 11:00 p.m.

Respectfully submitted,

Kathy L. Cramer
Executive Secretary