

**TOWN OF LISBON, NEW HAMPSHIRE**  
**SELECTMEN'S MEETING MINUTES**  
7/11/2016

**SELECTMEN PRESENT:** Thomas Demers (T. Demers), Peter Nightingale (P. Nightingale).

Town Administrator: Dan Merhalski (D. Merhalski).

**MEETING OPENED:** T. Demers opened the meeting at 5:30 pm.

**SELECTMEN'S BUSINESS:**

**Review of Minutes of June 13th, 2016 Regular Meeting:**

A motion to approve the Minutes as amended was made by T. Demers, 2<sup>nd</sup> by P. Nightingale. Motion passed 2-0.

**Discussion of Town-Owned Properties:**

The Board reviewed the listing of Town-owned properties that were being looked at for possible sale. There had been a question from a previous meeting about the existence of a parcel that was now confirmed as Town property along Pearl Lake. P. Nightingale said that he had reviewed the memo from Robert Cook and the Conservation Commission and he was in favor of retaining waterfront parcels for the Town. T. Demers concurred. There was brief discussion about the remaining parcels. The Board asked D. Merhalski to inquire about Presby Construction's continued interest in parcel R 15, Lot 1 and 50 N. Main Street. D. Merhalski will make the inquiry and report back to the Board.

**Discussion of Ross Funeral Home RFP Bids:**

D. Merhalski informed the board that there had been no responses to the Request for Proposals for the feasibility study for the Ross Funeral Home. He said that he had contacted a number of firms to inquire as to why they had not submitted proposals and they had provided a number of varying responses including the cost budgeted being too low for the work described, lack of an architect on their staff, and simply not having gotten to the proposal due to a heavy work load. D. Merhalski suggested that the RFP could be amended to remove sections about the feasibility of reuse of the building and simply focus on the site plan for the parcel to be used as a Fire Station. P. Nightingale said that they were looking to have the site primarily used as a fire station and that the Town just needed to see if there was a building envelope that could be used to accommodate this, and if large enough, might be able to also accommodate the Town's other offices as well. A motion to revise the RFP as described and re-send it with a 30-day return period was made by P. Nightingale, 2<sup>nd</sup> by T. Demers. Motion passed 2-0.

**Discussion of Selectmen's Vacant Position:**

D. Merhalski informed the board that there were two applications for the position of Selectmen. One had come in that day. The Board discussed the limited amount of interest and suggested holding off on a decision until the next Selectmen's meeting and to accept applicants for the position until then.

At this point the Board reviewed the amount of the public that had turned out for the meeting and determined that the meeting space was too small. A motion to recess the meeting for 10 minutes and to reconvene the meeting at Town Hall, 46 School Street, was made by T. Demers, 2<sup>nd</sup> by P. Nightingale. Motion passed 2-0.

The meeting was recessed at 6:02 pm to move to Town Hall to accommodate the larger crowd.

The meeting was reconvened at 6:17pm at Town Hall.

**Discussion and Appointment of Lion’s Club Pool Staff – 2016 Season:**

The Board met with Tucker Clark and discussed his requested amendment to the job description of Volunteer Recreation Director, to add a line about liability being assumed by the Town for the position. T. Clark agreed that he was fine with the revised job description. P. Nightingale made a motion to adopt the revised job description and appoint Tucker Clark to the position of Volunteer Recreation Director, 2<sup>nd</sup> by T. Demers. Motion carried 2-0.

Tom White of the Lion’s Club asked the Board to waive the water and sewer bill for the Lion’s Club Pool, as had been the past practice of the Town. It was discussed how this practice had come about and that the Town had paid for the utilities for the Lion’s Club in the past, but that they had not been asked at Town Meeting. T. Demers asked if they could put a Warrant Article on the Warrant for Town Meeting this year to ask the voters to permanently assume responsibility for paying the utilities for the Lion’s Club Pool? D. Merhalski said that the Board could sponsor a Warrant Article to that effect. A motion was made to have the Town pay for the utilities for water and sewer for the Lion’s Club Pool for this year by P. Nightingale, 2<sup>nd</sup> by T. Demers. Motion carried 2-0.

The Board reviewed the list of proposed employees for the pool for this season, as given by Mr. Clark. A motion to appoint the individuals listed on his recommendation at the rates of pay and in the positions indicated was made by P. Nightingale, 2<sup>nd</sup> by T. Demers. Motion carried 2-0.

**Discussion of Transfer Station Fees and Littleton Proposal:**

P. Nightingale addressed the rumors about the closure of the Transfer Station and summarized the process by which the Littleton proposal came to the Town. He reviewed the proposal and the requests that they had made for further information from Town staff. Fred Garafalo, Transfer Station Superintendent, spoke to the Board about their request to revise the figures for the fees charged for the Lisbon Transfer Station. He said that he had found out that morning from D. Merhalski that there was an agreement with Lyman and Landaff and that we could not raise the prices of the fees without approval of a majority of the three towns. He said that he had met with D. Merhalski and they had reviewed the revised rates and the change to revenues and presented the information to the Board, also comparing the new revenues to the amount that the Littleton Proposal for accepting Lisbon’s waste and recycling and closing the Transfer Station would be. There was a very small amount of difference in savings between the revised costs of the Transfer Station and the proposed savings in the Littleton proposal when the new fees were added. P. Nightingale asked if there was any public comment? Joe

Tavernier addressed the Board and mentioned that he would produce a petition later in the evening. He spoke at length about a number of issues relating to the timeline of when the Littleton Proposal had been received and spoke with F. Garafalo about accusations of termination from the Town Administrator. D. Merhalski addressed the accusations and clarified that F. Garafalo had never been threatened with termination, nor had he been told to refrain from sharing their conversation with the Board. There was a broad general discussion about the claims made by J. Tavernier, the transfer station rumors and the Town Administrator. The Board agreed not to pursue the Littleton Proposal further at this time. The Board asked F. Garafalo to contact Haverhill about their expressed interest in bringing their recyclables to Lisbon. The Board then went on to the next item on the agenda and said that they would get to the petition after the agenda items had been discussed, as J. Tavernier had accused the Board of going out of order on the agenda.

**Insurance Replacement of Tanker Truck for Fire Dept.:**

D. Merhalski informed the Board that the Fire Chief, Greg Hartwell, had found a replacement truck for the tanker that was damaged in an accident earlier in the year and PLT, the Town's insurance provider, had approved the purchase of the truck, which would be for \$40,000 of which the Town would only have to cover the deductible of \$1,000. There was discussion by the Board about the transaction and the means of transporting the truck back to Lisbon. T. Demers made a motion to approve of the purchase of the truck, 2<sup>nd</sup> by P. Nightingale. Motion carried 2-0.

**Review of Job Description – DPW Director:**

The Board reviewed the amended job description with Kevin Clement, DPW Director, for that position. There was some discussion with the Board and the public about grant writing and administration. There was also general discussion with J. Tavernier about the Personnel Policy and the Employee Discipline and Grievance process. A motion to amend item #15 to include working cooperatively with the Select Board and Town Administrator on successful grant applications was made by T. Demers, 2<sup>nd</sup> by P. Nightingale. Motion passed 2-0. A motion was made by P. Nightingale to approve the amended Job Description for the DPW Director position, 2<sup>nd</sup> by T. Demers. Motion passed 2-0.

**Request for Release of Electric Rates and info on Electricity:**

The Board reviewed the request by Lutz Willem to act as the broker for the Town for our electric rates for the renewal contract with Nextera Energy, which is due to expire at the end of July. L. Willem said that this would set the rate for all of the Town electric usage. Mike Carver, former Selectman who signed the last three-year agreement, said that he had been happy with the arrangement and recommended the Board sign the form and allow Mr. Willem to act in this capacity. The Board asked L. Willem if he could have quotes for the next Board meeting on the 25<sup>th</sup>? He said he could. The Board approved the signing of these documents.

**Town Clerk – Tax Collector Items:**

Jennifer Trelfa, Town Clerk addressed the Board about the request by a property owner for a parcel that had been taken through tax deeding to make a payment arrangement to allow them to buy back their parcel and remain on it. The Board reviewed the proposal and spoke to the

resident. The resident agreed to the Board's proposed payment plan. The Board asked D. Merhalski to draw up an agreement for the next Board meeting on the 25<sup>th</sup>.

**Citizen Petition:**

J. Tavernier presented a petition that he said was signed by 157 residents calling for the Board of Selectmen to fire D. Merhalski as Town Administrator and hire a contract service to conduct the next search for a new Town Administrator's. J. Tavernier said that some of the signatures were from Landaff and Lyman and were not residents. J. Tavernier spoke at length about the reasons for this petition and was joined by many members of the audience in their support for the petition. The Board asked some questions about the petition and reviewed some of the items listed in it, asking D. Merhalski and members of the audience for their opinions. Jan Marshall spoke in support of D. Merhalski's efforts as Town Administrator and was joined by many in the audience in support of the Town Administrator and Mr. Merhalski. There was a great deal of discussion on various items included, and excluded in the petition. The Board allowed comment from the audience and when that was exhausted, they took no action on the petition. The audience left at that point.

**Administrator's Report:**

D. Merhalski updated the Board on the status of Well #1 and the recent work of the contractor, Weston and Sampson. He said that the investigation project had to be extended by one day due to the depth of the concrete pad and the drilling company not having a drill bit deep enough to do the work that day. The extension was for \$4,250, which the Town Administrator had approved. The Board was in agreement that this work was necessary. D. Merhalski told the Board that Weston wanted to test the water, but that the need to send the plug into the system was an issue. Welch's had recommended installation of a flushing hydrant at a past meeting that the Board had wanted to get pricing for. The Town could do the work, if they had the time, for Welch's estimated cost of parts of \$3,500. The Board asked D. Merhalski to see if Utility Partners could do the work and ask them for a quote. D. Merhalski will get the quotes for the next meeting.

D. Merhalski updated the Board on the situation at 99 Water Street with the barn that is collapsing on to the neighboring home. After speaking with legal counsel, Walter Mitchell is recommending the Board pursue resolution of the matter through the condemnation procedure, rather than through fines. The Board agreed and a motion to pursue that avenue and provide the owners with 90-days to repair the barn or have it removed by the Town with costs to be charged to the owner was made by P. Nightingale, 2<sup>nd</sup> by T. Demers. Motion carried 2-0.

D. Merhalski asked the Board if they wished to act on the application of Tucker Clark to join the ZBA? A motion to appoint Tucker Clark to the ZBA was made by T. Demers, 2<sup>nd</sup> by P. Nightingale. Motion carried 2-0.

D. Merhalski explained to the Board that the economic development committee that they had previously appointed now wanted to become a 501C3 or 4 organization and requested the Board dissolve the committee and appoint P. Nightingale and D. Merhalski to the organization. The reason for this change was mainly to allow the organization to accept grants and have a more nimble response time to opportunities than what is afforded to Town committees. A motion to dissolve the Ammonnosuc Business Cooperative and appoint P.

Nightingale and D. Merhalski to the Lisbon Business Cooperative was made by T. Demers, 2<sup>nd</sup> by P. Nightingale, approved 2-0.

The Board reviewed the letter of response from Ronald and Claire Cochrane regarding their water bill and the direction by the former water contractor, Welch's, to take 1,000 off their bill. While the Board had asked for documentation evidencing this, they said that the Town would work with the Cochrane's on this occasion even though no evidence had been presented as the communication was verbal, and therefore left no written record. A motion to abate the bill by \$163.40 was made by P. Nightingale, 2<sup>nd</sup> by T. Demers. Motion carried 2-0. D. Merhalski told the Board of the Trustees of the Trust Fund's correspondence regarding the Buffington Fund expansion. After some discussion, P. Nightingale made a motion to table the item until 2017, 2<sup>nd</sup> by T. Demers. Motion carried 2-0.

D. Merhalski brought the invoice from Laviollette Controls back to the Board's attention and told them that the contractor that had authorized the work, Welch's, had done so without authorization, but that the contractor that had carried out the work, Laviollette, had said that the work was needed as they had been called out to fix the old pump on a number of occasions. P. Nightingale made a motion to pay the bill as it was necessary work that had been done, 2<sup>nd</sup> by T. Demers. Motion carried 2-0.

D. Merhalski told the Board that the mowing amendment for the Ross Funeral Home from Mr. Woolson had been for \$1,000. Greg Hartwell, Fire Chief, had offered to brush hog the site and would volunteer to cut the site in the future for the cost of his hours at the Fire Department rate. The Board asked D. Merhalski to ask the Town's insurer if that was acceptable, and if so, to have Greg do the work.

D. Merhalski reported back to the Board about the possibility of solar power credits for tax assessed valuations for green energy projects. There was such a program, but it required approval at Town Meeting. The Board agreed to put this on the Town Warrant for Town Meeting in 2017 and pursue the abatement program.

D. Merhalski brought the quote that they had asked for from Utility Partners to flush the Town's hydrants. The cost would be \$2,900. The Board asked D. Merhalski to ask Kevin how many hours it would take the DPW crew to flush all of the hydrants and if it was possible to do this summer.

D. Merhalski reviewed the Primex Resolution with the Board for approval as a part of the process to have Primex take over the Town's insurance. A motion to approve the resolution and have Primex as the Town's Property and Liability and Worker's Compensation insurer was made by P. Nightingale, 2<sup>nd</sup> by T. Demers. Motion passed 2-0.

D. Merhalski informed the Board that Arlene Hite, Treasurer, had given her resignation as Treasurer due to moving outside the Town limits. The Board approved posting for the position of Treasurer.

P. Nightingale said that he realized that he would be out of town the day of the next meeting on the 25<sup>th</sup> and asked if they could hold a Special Meeting to address the Selectman candidates. T. Demers reviewed his schedule and said that the 21<sup>st</sup> of July would work. The Board agreed to hold a Special Meeting for the review of Selectmen's candidates for Thursday, July 21<sup>st</sup> at 5:30 pm at the Railroad Station.

D. Merhalski said that he had been asked to do a ride along for the Meals on Wheels program and asked if the board wanted him to do this on behalf of the Town? The Board agreed that it was not something that they wanted him to do at this time.

The Board asked D. Merhalski to prepare a rebuttal to the issues that had been raised this evening regarding the petition, etc. and to send it to the Board for their review and approval before posting on the Town web site. D. Merhalski said he would work on the rebuttal.

P. Nightingale made a motion to adjourn, seconded by T. Demers. Motion passed unanimously.

The meeting was adjourned at 11:28 pm.

Respectfully submitted,  
Dan Merhalski, Town Administrator