

Minutes
BRISTOL SELECT BOARD
Thursday, February 4, 2021

Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the Select Board is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that the meeting is open to the public and can be accessed in the ways described below.

We are utilizing the Zoom platform for this electronic meeting. All members of the Select Board have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through the following ways.

Join Zoom Meeting on a computer or laptop:

<https://us02web.zoom.us/j/81559437027>

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Meeting ID: Join a Meeting using Meeting ID: 815 5943 7027

If there are problems with access, please call (603) 530-1765.

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Present: Select Board members: Chair- Wayne Anderson, Vice Chair- Don Milbrand, JP Morrison, Les Dion, Anita Avery, and Town Administrator- Nik Coates

Absent:

Others Present: Remotely- Ben LaRoche, Fire Chief; Christina Goodwin, Land Use/Assessing Manager; Raymah Simpson, Town Clerk/Tax Collector; Mark Bucklin, Highway Superintendent; Ray Courchaine, Media Manager; Deborah Tivey, Administrative Assistant; David Kafka, Hans Schaefer, Garrett Taoka, Alisha Langill, Trudy Woodard, Janet Metcalf, Ned Gordon, Susan Duncan, members of the community

Public Session: Chair Anderson opened the public meeting at 5:38PM by having Mr. Milbrand lead the Pledge of Allegiance.

Meeting Minutes: Mr. Morrison made a motion to accept the minutes of January 21, 2021, as written, seconded by Ms. Dion. No discussion. The Board voted 5-0-0, motion passed.

Consent Agenda and Manifests: Mr. Milbrand made a motion to approve the consent agenda dated, February 4, 2021, to include the items named therein, motion seconded by Ms. Dion. The Board voted 5-0-0, motion passed.

Fire Department Update: Chief LaRoche informed the Board that the Fire Department has a student from Newfound Regional High School interested in joining the Junior Firefighter Program. He explained the guidelines for the program and the benefits of hiring this interested candidate. The Board was supportive of the program and the hiring of the interested individual.

Chief LaRoche reported that this year the Hazard Mitigation Plan needs to be updated. The Chief discussed the grant connected to updating the Town's Hazard Mitigation Plan and the grant connected to this update through The State of New Hampshire Homeland Security Emergency Management Office. Chief LaRoche asked if there was a Board member that could participate in these meetings. The Board assigned Town Administrator, Nik Coates to attend any meetings connected to Hazard Mitigation until the Board makes their community assignments.

Vote: Fox Run Road Discontinuance and Paper Turnaround: Chair Anderson made a motion pursuant to RSA 41:14-a as recommended by the Planning Board and Conservation Commission and following two public hearings. Chair Anderson moved to approve the exchange of real estate between the Town and the owners of Tax Map 107 Lots 51 and 52 to correct a technical mistake in the location of the Fox Run public highway cul-de-sac, by conveying to those owners the land originally transferred to the Town for use as the western portion of the cul-de-sac, and accepting from those owners the land on which the western portion of the cul-de-sac was actually constructed, as shown on the plan approved by the Planning Board titled "Fox Run Boundary Line Adjustment and Cul-de-Sac Relocation Agreement Plan between the Town of Bristol NH and the Pacino Realty Trust" prepared October 2020 by Alan M. Barnard; and to approve the taking of all other actions necessary and advisable to complete the transaction. Motion seconded by Mr. Morrison. The Board voted 5-0-0 in favor of the motion. The motion passed.

Mr. Morrison made a motion pursuant to RSA 674:40-a, following a public hearing. Mr. Morrison moved to accept as part of the Fox Run public Class V highway, the 0.051 acres on the western side of the Fox Run cul-de-sac dedicated by the Pacino Realty Trust, shown as "to be conveyed to the Town of Bristol by the Pacino Realty Trust" on the plan approved by the Planning Board titled "Fox Run Boundary Line Adjustment and Cul-de-Sac Relocation Agreement Plan between the Town of Bristol NH and the Pacino Realty Trust" prepared October 2020 by Alan M. Barnard for the purpose of correcting a technical mistake in the location of the cul-de-sac; and to approve the taking of all other actions necessary and advisable to carry out the purpose of this vote. The Town's acceptance of the area as part of the public highway is contingent upon, and will not take effect until, the completion of the land swap with the Pacino Realty Trust and the approval by Town Meeting of the discontinuance of the unused western portion of the cul-de-sac. Motion seconded by Ms. Dion. The Board voted 5-0-0 in favor of the motion. The motion passed.

Public Comment Re: Proposed Warrant Article on Road Discontinuance: Mr. Coates explained that the purpose of this agenda item was to provide the opportunity for landowners to express any concerns that they might have with the discontinuance of the roads that their property sits on before the Board votes on placing the discontinuance of these roads on a warrant for Town Meeting. He listed the

proposed discontinued roads as Remick Road, Locke Road, Schaefer Roads, Towne Road, Gray Street, and Carr Terrace.

Hans Schaefer sent a letter to the Board and asked that his letter be accepted into the minutes. He gave the history of Schaefer Road and other Town roads. Mr. Schaefer expressed his concerns that if Schaefer Road was discontinued his family's home would be land locked. He informed the Board that his family has had the property on Schaefer Road for 50 years and thought discontinuing the road made no sense. He went on to discuss the potential damages that could be claimed if this road was discontinued.

Ned Gordon spoke about Towne Road and discussed town reports dating back to the middle 1800's and precedents being set about discontinuing town roads that people lived on. He found no precedents. He felt that if the Board placed discontinuing roads that people live on a warrant article, that the Board/Town would be setting a precedent. Mr. Gordon then went on to discuss the history of the Town taking a deed in 1955 for Towne Road and that the Town owned some of this road. Mr. Gordon believes that the Town has a social contract to maintain the road and if they discontinue the road the Town would be breaking this contract. Mr. Gordon didn't see the logic and reasoning behind discontinuing these roads because the Town had decided to take on new roads, some of them being dead end roads. He questioned the logic and reasoning behind taking on new roads and providing a service to those roads but discontinuing services to roads that had been maintained because new roads were being taken on. Mr. Gordon went on to talk about the discrimination that the Town was taking by discontinuing these roads when taking on new roads to maintain when there were other roads in Town that had one house on them that would continue being maintained.

Alisha Langill and Trudy Woodard had concerns about Carr Terrace and Gray Street being discontinued. Ms. Langill discussed the amount of paperwork that would have to be done to get a right of way to their land. They questioned why these roads would be discontinued when the Town would have to maintain the town sidewalks and these roads are in town and town plow trucks go right by these roads. Ms. Woodard stated that her family has been in their house for 30 years and in their deed, they have a right of way and that the road is town maintained.

Garrett Taoka who lives on Carr Terrace told the Board that a selling point for a property on this road was that it had Town water and sewer and that the road was Town maintained. He stated that his taxes went up this year and he is annoyed that the Town might pull maintenance of the road away.

Before moving onto the finalization of warrant articles and responsibilities Chair Anderson asked Mr. Gordon how the Deliberation Session went for School District. He was looking for input on the upcoming Town Meeting that would also be held at the High School. Mr. Gordon reported that the session went well but that technology was an issue. He let the Board know that local IT support was present, but it might be helpful to have professional IT present for Town Meeting just in case any technology issues arise. Mr. Gordon reported that the typical crowd that he would have expected to be at the Deliberation Session was not present but because the topic was the School Budget parents of school age children were present for the session.

Ms. Simpson reminded the Board that voting on March 9, 2021 would be taking place at the Old Town Hall.

Warrant Finalization, Voting and Responsibilities: Mr. Coates opened this portion of the meeting by reviewing Articles 1-12 and then clarifying the procedure for moving forward to decide if articles should be kept on the warrant or not and whether to recommend articles or not.

Mr. Milbrand made a motion to place Article 11, to authorize the Select Board to enter into a solar purchase power agreement, on the warrant. Motion was seconded by Ms. Dion. No discussion. Roll call vote: Chair Anderson abstained, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 4-0-1, motion passed.

Mr. Milbrand made a motion to recommend Article 11. Seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson abstained, Mr. Morrison-abstained, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 3-0-2, motion passed.

Mr. Milbrand made a motion to place Article 12, to lease property for the solar power project, on the warrant. Motion seconded by Ms. Dion. No discussion. Roll call vote: Chair Anderson abstained, Mr. Morrison-abstained, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 3-0-2, motion passed.

Mr. Milbrand made a motion to recommend Article 12 to lease property for the solar power project. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson- abstained, Mr. Morrison-abstained, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 3-0-2, motion passed.

Mr. Milbrand made a motion to place Article 13, to raise and appropriate \$6,993,714.00 for general municipal operations, on the warrant. Seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to recommend Article 13, to raise and appropriate \$6,993,714.00 for general operations. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes a, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to place Article 14, to establish a contingency fund for unanticipated expenses, on the warrant. Motion seconded by Ms. Dion. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to recommend Article 14, to establish a contingency fund for unanticipated expenses. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to place Article 15, discontinue the Bicentennial Capital Reserve Fund, on the warrant. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to recommend Article 15, discontinue the Bicentennial Capital Reserve Fund. Motion seconded by Mr. Morrison. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to place Article 16, to appoint the Select Board as agents to expend from the Fire Department Capital Reserve Fund, on the warrant. Motion seconded by Mr. Morrison. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to recommend Article 16, to appoint the Select Board as agents to expend from the Fire Department Capital Reserve Fund. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to place Article 17, raise and appropriate \$12,000.00 for Patriotic, Recreation and Special Events, on the warrant. Motion seconded by Ms. Avery. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to recommend Article 17, raise and appropriate \$12,000.00 to Patriotic, Recreation and Special Events. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to place Article 18, raise and appropriate funds to purchase and build a facility for recycling cardboard, on the warrant. Motion seconded by Ms. Dion. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to recommend Article 18, raise and appropriate funds to purchase and build a facility for recycling cardboard. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to place Article 19, raise and appropriate \$150,000.00 to construct a salt and sand shed, on the warrant. Motion seconded by Mr. Morrison. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to recommend Article 19, raise and appropriate \$150,000.00 to construct a salt and sand shed. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to place Article 20, a 3-year lease for 36 portable radios for the Fire Department, on the warrant. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to recommend Article 20, a 3-year lease for 36 portable radios for the Fire Department. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to place Article 21, raise and appropriate funds to the Capital Reserve Fund, on the warrant. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to recommend Article 21, raise and appropriate funds to the Capital Reserve Fund. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to place Article 22, \$40,000.00 to the Police Vehicle Capital Reserve Fund, on the warrant. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to recommend Article 22, \$40,000.00 to the Police Capital Reserve Fund. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to place Article 23, discontinuation of roads, on the warrant. Motion seconded by Ms. Avery. Discussion- the Board wanted input, they received input and that input should be listened to. Roll call vote: Chair Anderson-nay, Mr. Morrison-nay, Mr. Milbrand-nay, Ms. Avery-nay, Ms. Dion-nay. The Board voted, 0-5-0, motion failed.

Mr. Milbrand made a motion to place Article 24, discontinue completely a portion of Fox Run, on the warrant. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to recommend Article 24, discontinue completely a portion of Fox Run. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-yes, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 5-0-0, motion passed.

Mr. Milbrand made a motion to place Article 25, reduce membership of the Planning Board from 7 to 5, on the warrant. Motion seconded by Ms. Avery. Discussion- no one was being removed from the committee. Reduction would make a quorum easier to achieve. By law, the committee must meet monthly. Roll call vote: Chair Anderson-yes, Mr. Morrison-abstained, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 4-0-1, motion passed.

Mr. Milbrand made a motion to recommend Article 25, reduce membership of the Planning Board from 7 to 5. Motion seconded by Ms. Avery. No discussion. Roll call vote: Chair Anderson-yes, Mr. Morrison-abstained, Mr. Milbrand-yes, Ms. Avery-yes, Ms. Dion-yes. The Board voted, 4-0-1, motion passed.

Assignments-

Articles 11 and 12	Ms. Avery
Article 13	Budget Committee Chair
Article 14	Mr. Morrison
Article 15	Ms. Dion
Article 16	Chair Anderson
Article 17	Ms. Dion
Article 18	Mr. Milbrand
Article 19	Mr. Morrison
Article 20	Chair Anderson
Article 21	Mr. Milbrand
Article 22	Mr. Milbrand
Article 23	Removed
Article 24	Mr. Morrison
Article 25	Ms. Avery

Town Administrator's Report: No items to report.

Select Board Items: Ms. Avery expressed her enjoyment working with the Board through her first budget season. She found the experience exciting and learned a lot.

Mr. Milbrand agreed with Ned Gordon's assessment of the Deliberation Session and that technology was an issue that needed to be addressed so the same issues didn't arise at Town Meeting. He suggested that Mr. Gordon secure moderators in other areas where people might be or have radio communication just in case there was a technology issue.

Mr. Morrison asked if budget spread sheets could be set up differently. He would like to see them set up in the reverse order that they are currently being set up in. He would suggest the spread sheet have the current year and then show later years. He also questioned several lines in the Fire Department budget that had to do with Dead River; a no heat call and an oil fill charge. Mr. Coates will investigate this for Mr. Morrison.

Chair Anderson thanked members of the public for attending this evening's meeting and for their input.

Public Comments: Mr. Gordon thanked the Board for listening to the concerns of residents on the proposed discontinuance of roads. He appreciates the excellent job that Superintendent Bucklin and the highway crew do.

Mr. Schaefer thanked the Board for the opportunity to speak at this evening Board's meeting. He recognized that his farm would not operate without a Town road and he echoed the nice job that Superintendent Bucklin and his crew do.

Mr. Dowey wanted to thank Mr. Coates for sending the TAP 21 letter. He gave the Board a "heads up" that his sub committee is looking at affordable housing and will have more to report on that matter at a later date.

Chair Anderson made a motion to adjourn the meeting at 7:11pm, seconded by Ms. Dion. The Board voted 5-0-0 in favor of the motion.

Respectfully submitted,

Deborah A. Clarke-Tivey