

1 **ASHLAND BOARD OF SELECTMEN MEETING MINUTES**
2 **WORK SESSION**
3 **MONDAY, NOVEMBER 20, 2017**
4 **ASHLAND ELEMENTARY SCHOOL LIBRARY**
5 **6:30 PM**

6
7 Chairman Newton called the meeting to order at 6:30 PM with a roll call. Chairman Fran Newton, Selectmen
8 Leigh Sharps, Casey Barney, and Vice Chairman Harold Lamos, present. Tejasinha Sivalingam absent with
9 advance notice. Others present: Town Administrator Charles Smith and Administrative Assistant Wendy
10 Smith.

11
12 **PLEDGE OF ALLEGIANCE**

13
14 Upon the opening of the meeting, Chair Newton expressed the Board of Selectmen’s condolences to the Hughes
15 family on the passing of John Hughes.

16
17 **PUBLIC COMMENT**

18 There were no public comments on agenda items at this time.
19

20 **APPROVAL OF MINUTES**

21 **November 6, 2017-** Amendments: Pg. 3, ln. 5 replace word “She” with “The Heritage Commission”.

22
23 **MOTION:** By Selectman Sharps
24 *Approve the minutes of November 6, 2017 as amended.*

25 **SECOND:** By Vice Chair Lamos

26 **VOTE:** 3-0-1 (**Yes:** Newton, Sharps, Lamos; **Abstained:** Barney)

27 **MOTION PASSED**

28
29 **CONSENT AGENDA**

30 Signed by Selectmen:

- 31 a. Payroll Manifest from week of 11/13/17.
32

33 **DEPARTMENT HEADS**

34 **Fire Department:** Chair Newton read Purchase Request from Chief Heath for replacement of four sets of
35 Minitor VI pagers with a five year warranty for a total of \$1,740.00. Cost of repairing the aging pagers would
36 be \$523.00 and parts are getting difficult to find.

37
38 **MOTION:** By Vice Chair Lamos

39 *Approve Chief Heath’s request to purchase 4 Minitor VI pagers for \$1,740.00 with a 5 year warranty, funding*
40 *from the Equipment Maintenance line (01-4220-10-630).*

41 **SECOND:** By Selectman Sharps

42 **VOTE:** 4-0 (**All in favor**)

43 **MOTION PASSED**

44
45 **Department of Public Works:** DPW Director Moore received three quotes for a new snowplow for the F550.
46 The lowest quote, which was also from a local supplier, was for \$6,884.00. The plow is a new style which will
47 rectify problems found with the existing plow. The cost of the plow would be allocated to the Street
48 Improvement line which has a balance of \$8,623.00 according to Director Moore.
49
50

1 **MOTION:** By Vice Chair Lamos
2 *Approve DPW Director Moore's request for \$6,884.00 for new plow to be funded by the Street Improvement*
3 *line (01-4312-10-730).*
4 **SECOND:** By Selectman Sharps
5 **VOTE:** 4-0 (All in favor)
6 **MOTION PASSED**

7
8
9 **OLD BUSINESS**

10 **Ashland 150th Celebration Committee Update:** Jane Sawyer, Chair submitted a written update on the status
11 of the planning for the 150th Celebration. She requested that the Sesquicentennial logo be included on the front
12 of the upcoming Town Report.

13
14 **MOTION:** By Selectman Sharps
15 *Approve Chair Sawyer's request for the Sesquicentennial logo to be included on the front of the upcoming*
16 *Town Report.*
17 **SECOND:** By Selectman Barney
18 **VOTE:** 4-0 (All in favor)
19 **MOTION PASSED**

20
21 Chair Sawyer also requested that the 150th Celebration Schedule be included in the upcoming Town report.

22
23 **MOTION:** By Selectman Sharps
24 *Approve Chair Sawyer's request for the 150th Celebration Schedule to be included in the upcoming Town*
25 *report.*
26 **SECOND:** By Vice Chair Lamos
27 **VOTE:** 4-0 (All in favor)
28 **MOTION PASSED**

29
30 Various events on the schedule were discussed. Vice Chair Lamos asked about parking during the street dance
31 on Pleasant Street and it was agreed that parking could take place at St. Agnus Church, at the bank, and other
32 available parking lots. It was also agreed that barriers should be placed to prohibit travel on Hill Avenue due to
33 safety concerns. Chair Sawyer requested permission to send letters to abutters's of the area where the street dance
34 will occur.

35
36 **MOTION:** By Selectman Barney
37 *Approve Chair Sawyer's request to send letters to abutters of the area where the street dance will occur.*
38 **SECOND:** By Selectman Sharps
39 **VOTE:** 4-0 (All in favor)
40 **MOTION PASSED**

41
42 The band "Just Because" has been hired to play at the ballpark after the parade. Chair Sawyer requested approval
43 of the contract from "Just Because".

44
45 **MOTION:** By Selectman Sharps
46 *Approve Chair Sawyer's request of the contract from the band "Just Because".*
47 **SECOND:** By Vice Chair Lamos
48 **VOTE:** 4-0 (All in favor)
49 **MOTION PASSED**

50

1 Chair Sawyer went over the views of the Ashland 150th Celebration Committee and confirmed that the cost of the
2 police and fire departments could not come out of the Patriotic Account because the event is not considered to be
3 an event which qualifies for those funds. She also presented a summary on the 150th Committee's views on the
4 proposed "Squamstock" event and asked that the event not occur before or during the week of the 150th events.
5

6 **Ashland Heritage Commission:** Chair Newton read a statement from the Heritage Commission regarding their
7 vote to discontinue the Fourth of July Committee as a subcommittee of the Heritage Commission. Chair Newton
8 thanked the previous 4th of July Committee members for all they did and will send a formal thank you to them.
9

10 **MOTION:** By Selectman Sharps

11 *Approve Heritage Commission's request to decorate the Town Hall for the holiday season.*

12 **SECOND:** By Vice Chair Lamos

13 **VOTE:** 4-0 (All in favor)

14 **MOTION PASSED**
15
16

17 **Project List:**

18 NDOT – Transportation Alternatives Program (TAP) Grant (Rt. 3/25 sidewalk project): The Board of
19 Selectmen selected KV Partners as the engineering consultant and the Town will be negotiating a contract
20 with them. Scope of work was sent to NHDOT and approved.

21 Thompson Street/High Street/Smith Hill Road Reconstruction; Water and Sewer Replacement:

22 TA Smith attended a State Revolving Fund (SRF) workshop on 11/20/17. Workshop went over
23 next steps to be taken if warrant article is approved by the Town.

24 Geographic Information System (GIS) Mapping: Received quote from CAI Technologies which
25 spreads the cost of the project over three years. Will be discussed further when warrant is
26 prepared.

27 LW Packard Mill Site Brownfields project: Building materials survey was completed, results will
28 be sent for review. Groundwater sampling has been postponed due to the high amount of rain in
29 October. Chair Newton read note from Tim Andrews of Nobis Engineering. Soil sampling
30 resulted in no exceedances except for one sample with arsenic levels (12 ppm) slightly exceeding
31 the soil standard of 11 ppm. Arsenic occurs naturally in New Hampshire, therefore due to the
32 absence of any other exceedances this does not appear to be a significant concern.

33 Town Buildings Telecommunications: First Light installed modem which needs to be moved due to its
34 loudness. It will be moved on Wednesday, 11/22/17.

35 Lakes Region Planning Commission (LRPC) Culvert Analysis: Town received the culvert
36 assessment report from LRPC and forwarded it to the BOS and the Land Use boards. The road
37 assessment portion is scheduled for completion for the end of December.

38 Ashland Electric Department building: Primex will be assessing the building to add to the insurance
39 payroll.

40 Whipple House: Lease agreement is set to automatically renew in December.
41

42 **Letter of Support for Kathleen DeWolfe's Appointment to the Zoning Board:** Chair Newton read Walter
43 Durack's letter of support for Kathleen DeWolfe's appointment to the Zoning Board and his impression of
44 perceived disrespect of Ms. DeWolfe by Selectman Sivalingam and then read Selectman Sivalingam's response
45 to Mr. Durack's letter which expressed his confidence that she would do a good job. Selectman Sharps read her
46 written statement and discussion followed regarding the matter. Chair Newton offered an apology on behalf of
47 the Board to Kathleen DeWolfe and Mardean Badger who had a similar experience.
48
49

1 **NEW BUSINESS**

2 Ashland Sewer Department-Construction of new septage receiving building: David Toth, Water & Sewer
3 Commissioner, gave an update on the construction of the new septage receiving building. The Board received
4 copies of the Design Basis Report. Discussion followed regarding the design and function of the receiving
5 building. There are positive safety, environmental, and financial advantages in building the receiving building.
6 The Department of Transportation and Department of Environmental Services did not have any opposition to the
7 project. Chair Newton read the Ashland Planning Boards observations on the project. The Planning Board noted
8 that the proposed building is not in compliance with the appropriate back setback of 25' in the Industrial Zone as
9 required by current Zoning Ordinance. The building replaces the current grandfathered building which has not
10 been documented as a concern by the abutter, NHDOT.

11
12 **MOTION:** By Selectman Sharps
13 *Waive 25' setback for new septage receiving building.*

14 **SECOND:** By Vice Chair Lamos

15 **VOTE:** 4-0 (All in favor)

16 **MOTION PASSED**

17
18 Further discussion followed on revenues generated and other aspects of the building. DPW Director Moore asked
19 for notification from the Water and Sewer Department when paving takes place. While the paving equipment is
20 there, it may be possible and more cost effective for the Town to have the crumbling road near the bridge paved
21 as well.

22
23 **MOTION:** By Selectman Sharps

24 *Approve plans for septage receiving building to be built on Town land.*

25 **SECOND:** By Vice Chair Lamos

26 **VOTE:** 4-0 (All in favor)

27 **MOTION PASSED**

28
29 Chair Newton read a memo from Selectman Sivalingam which stated that all matters concerning the Ashland
30 Water and Sewer Commission's proposed construction of a new septage receiving station would be best decided
31 upon by the voters as warrant article(s) this coming March. He encouraged the Board to formulate and support a
32 motion to send the septage receiving station item, including all relevant details, to warrant article(s). It was
33 decided that a motion could not be made by a selectman who was not present.

34
35 **SELECTBOARD ITEMS**

- 36 • **Deliberative Session:** It was brought forth to change the start time of the Deliberative Session to 10:00
37 AM instead of 1:00 PM. Chief Randall stated that the time was later for the citizens who work until
38 12:00 PM on Saturdays. A compromise of 12:00 PM was agreed upon.

39
40 **MOTION:** By Selectman Sharps

41 *Start the Deliberative Session at 12:00 PM.*

42 **SECOND:** By Vice Chair Lamos

43 **VOTE:** 4-0 (All in favor)

44 **MOTION PASSED**

- 45
46 • **Ashland Economic Development Committee Summit sponsorship – Meredith Village Savings**
47 **Bank (MVSb):** The Economic Development Committee Summit will be taking place next Wednesday,
48 11/29/17 from 10:00 AM to 12:00 PM, a light lunch will be served. This is a brainstorming event and
49 reports will be provided to the public. The Department of Environmental Services and other factions
50 have been invited to discuss the redevelopment of the LW Packard Mill. MVSb has donated \$200.00 in
51 a check to the Town for the cost of refreshments. The donation is considered unanticipated revenue and

1 will have to be deposited and funds then taken out of the general fund. Discussion on how donations are
2 made to the Town followed.

3
4 **MOTION:** By Selectman Sharps

5 *Expend \$200.00 to the Economic Development Committee for refreshments for the Economic*
6 *Development Committee Summit.*

7 **SECOND:** By Vice Chair Lamos

8 **VOTE:** 4-0 (All in favor)

9 **MOTION PASSED**

10
11
12 **LIAISON REPORTS**

- 13 • Selectman Sharps reported on Heritage Commission meeting which took place last week. The
14 Commission has a new table banner for events and a home photo project was discussed. LCHIP
15 grant for the Town Hall publicity is being worked on and the Commission is starting on the annual
16 report for the Town Report. Various places were decorated for the holidays this past Saturday.
17 Selectman Sharps thanked all the volunteers for their time. Christmas Night in Ashland will take
18 place on 12/1/17.
- 19 • Vice Chair Lamos reported on Budget Committee which took place last week. Fourth of July
20 Committee met and had a good meeting as well. The Fourth of July is planning on submitting their
21 budget and Rules and Procedures to the BOS soon.
- 22 • Chair Newton went to the Water and Sewer Commission meeting and they are working on their
23 budget and will be submitting it to the Budget Committee.
- 24 • TA Smith brought up that dates need to be established to meet in order to prepare the warrant and
25 default budget. He will send out an email to discuss availability.

26
27 **PUBLIC COMMENT**

28 There were no public comments on agenda items at this time.

29
30 There being no other business, Vice Chair Lamos made **Motion to adjourn at 7:35 PM.** Selectman Sharps
31 seconded. **All in favor.**

32
33
34 Respectfully submitted,

35
36
37 Wendy Smith
38 November 22, 2017

WALTER L. DURACK V
160 DEPOT STREET
ASHLAND, NH 03217

November 10, 2017

Fran Newton, Chair
Ashland Board of Selectmen
Town of Ashland
P.O. Box 517
Ashland, NH 03217

RE: Support for Kathleen DeWolfe's Appointment to Ashland ZBA

Fran:

At the November 6, 2017 meeting of the Ashland Board of Selectmen, Item IX (a) of the meeting agenda concerned the appointment of Kathleen DeWolfe as a full member of the Ashland Zoning Board of Adjustment (ZBA). While I was not present in person at this public meeting, I have reviewed the video recording of the meeting as part of my own due diligence to remain an informed resident of this town. The behavior of Selectman Sivalingam has prompted me to write this letter of support on Kathleen's behalf.

Kathleen joined the Ashland Conservation Commission at a time when an additional volunteer member was desperately needed so the commission could function in an orderly fashion. She quickly became an integral member of the commission who could be relied upon for completing any assigned task or volunteered duty. Kathleen was wholeheartedly committed to faithfully executing her oath of office. No challenge that we faced as a commission left her daunted. When faced with situations that were new to me, Kathleen willingly offered herself as an invaluable source of knowledge and advice. I came to rely on her ability to dig into the details and minutia of state environmental rules and her patient explanation of them to me.

During her tenure as a commissioner, the entirety of our community benefited from her wealth of knowledge gained by seven years of previous experience as a conservation commissioner in the town of New Durham; her passion for the protection, promotion, and stewardship of our town's vital natural resources; and her dedication to defending those precious resources from the threat levied by the proposed construction of the Northern Pass transmission lines.

As the chair of the commission, I regretfully accepted her resignation with the understanding that it was my responsibility to do so, regardless of any personal sentiments. Every person, regardless of status as a volunteer or a paid, benefitted employee, deserves the right to live their life as they choose; sometimes those choices mean stepping down from an integral role to pursue the direction their personal life is taking them. Frankly, it is none of my business, nor should it be the concern of any other individual involved in the governance of this town, to question the commitment of an individual who faithfully executes one's oath of office.

This town, along with virtually every other municipal corporation in this state, would cease to function in an orderly fashion if the countless volunteers were to discontinue their service. We live in an age where willing, qualified residents are increasingly difficult. To berate one such willing volunteer over

WALTER L. DURACK V
160 DEPOT STREET
ASHLAND, NH 03217

a matter which has been demonstrated to be of no concern, and to do so in such a publicly humiliating fashion, is simply unconscionable. As a current volunteer member of this town's government, this behavior is pause for me to question if my commitment to my position is worth the labor if my commitment can be so capriciously questioned by unbridled tongue.

Beyond my offer of evidence of Kathleen's commitment and dedication to the government of this town, I write as a concerned resident of this town who was deeply offended by the egregious lack of professionalism displayed by Selectman Sivalingam. The voters of this town elect representatives from among our population to carry out the executive functions of our government in a professional, personable, and courteous manner. I feel strongly that is not unreasonable to expect our elected officials, regardless of the demand on their time or the size their salary, to act in a manner that is above reproach when representing the town in a public forum.

I encourage you as the chair of our selectboard to seek a public apology from Selectman Sivalingam for his behavior in front of the residents of this town and the wider viewing audience. Furthermore, I encourage you to seek a personal apology from Selectman Sivalingam to Kathleen for his slanderous remarks. Again, I cannot understate the importance of all individuals of the selectboard, as well as the selectboard as a whole, to conduct themselves in a manner that is above reproach at all times.

Sincerely,



Walter L. Durack V

November 16, 2017

Tejasinha Sivalingam
PO BOX 1047
Ashland NH 03217

Town of Ashland
Attn: Board of Selectmen
20 Highland Street,
P.O. Box 517
Ashland NH 03217

Dear Board of Selectmen and people of Ashland,

Please excuse me, I am unavailable to attend the Board of Selectmen meeting on Monday November 20, 2017. I recognize that several important issues are being discussed. However, I appreciate your understanding that my absence is for family reasons. I offer the following statement for your consideration.

Regarding the letter submitted by Conservation Commissioner Mr. Walter Durack, dated November 10, 2017. First, I am pleased to know that he and the appointed official had a great working relationship while the appointed served on the Conservation Commission. Second, vetting a candidate that has put their name forward for consideration of appointment to public office, is part of the democratic process. Third, Mr. Walter Durack's statements that call into question my professionalism, respect for voluntary service, and state that I was slanderous, do not demonstrate an understanding of what truly occurred and these statements are inaccurate and wrong. Fourth, I stand by my conduct and decision. Fifth, I respect that the board has made a decision on this appointment. I believe the appointed individual will bring her best to the Zoning Board of Adjustment. And, it is now time to move on.

Thank you for your time and consideration. I wish you each and all a wonderful holiday.

Respectfully,



Tejasinha Sivalingam
Member of the Ashland Board of Selectmen