

1 **ASHLAND BOARD OF SELECTMEN MEETING MINUTES**
2 **REGULAR MEETING**
3 **MONDAY, DECEMBER 18, 2017**
4 **ASHLAND ELEMENTARY SCHOOL LIBRARY**
5 **6:30 PM**

6
7 **PLEDGE OF ALLEGIANCE**

8 Those in attendance recited the Pledge of Allegiance prior to the start of the meeting.
9

10 **CALL TO ORDER**

11 Chairman Newton called the meeting to order at 6:30 PM with a roll call. Chairman Fran Newton,
12 Vice Chairman Harold Lamos, Selectman Casey Barney, Selectman Leigh Sharps, Selectman
13 Tejasinha Sivalingam were all present. Others present: Town Administrator Charles Smith.
14

15 **PUBLIC COMMENT**

16 Arlene Stoppe, Ashland, NH, Ashland Residents for a Rights Based Ordinance (RBO), made
17 comments about rights based ordinance, Community Environmental Legal Defense Fund (CELDF)
18 and their education session on RBO.
19

20 **APPROVAL OF MINUTES**

21 December 4, 2017- Pg. 6, ln. 23, vote was 4-1. Pg. 6 ln. 42 “Board of Selectmen received letter on
22 November 20, 2017.” Pg. 7, ln. 7 add: “engagement letter was offered by CELDF. Board asked TA
23 to send letter to counsel for review.” Pg. 7 ln. 44, Board came out of nonpublic session.
24

25 **MOTION:** Selectman Sharps

26 *Approve 12/4/17 minutes as amended, attach draft warrant, and engagement letter from*
27 *CELDF.*

28 **SECOND:** Vice Chairman Lamos

29 **DISCUSSION:** Selectman Sivalingam felt further discussion from the meeting should be
30 added to the December 4th minutes.

31 **VOTE:** 4-1 (**Yes:** Newton, Lamos, Barney, Sharps; **No:** Sivalingam)

32 **MOTION PASSED**
33

34 **CONSENT AGENDA**

- 35 • General fund manifest and the payroll manifest for the weeks of December 4, 2017, with the
36 payroll manifest for December 11, 2017, where signed by a quorum of the Board.
37

38 **DEPARTMENT HEADS**

39 **Town Administrator:**

- 40 • TA Smith informed the Board town employees hoped to have an employee Christmas party
41 on Friday, December 22nd at 12PM in the Booster Club. Board granted approval.
42 • TA Smith read a memo from the Ashland Planning Board about the resignation of a member.
43
44

1 **OLD BUSINESS**

2 **Project List Updates:**

- 3 • **New Hampshire Department of Transportation (NHDOT) Transportation Alternatives Program (TAP) grant:** Town and NHDOT are working on finalizing the scope and engineering fee.
- 4 • **Thompson St./High St./Smith Hill Rd. warrant article:** Board recommended the warrant
- 5 article, next step schedule public hearing for the bond.
- 6 • **Geographic Information System (GIS) mapping:** Board recommended the warrant article,
- 7 next step approval of article by town.
- 8 • **LW Packard Mill Site:** Nobis Engineering still working on completing field work.
- 9 • **Town Building Telecommunications:** Certified Computers and First Light have finished
- 10 most of the fiber cable installation. New modem installed by First Light needs power source.
- 11 • **Lakes Region Planning Commission road assessment:** LRPC had a meeting with TA and
- 12 DPW Director about the capability of the software. LRPC to provide a road assessment with
- 13 analysis on road reclamation projects.
- 14
- 15
- 16

17 **NEW BUSINESS**

- 18 • **Omer C. Ahern, Jr., Grafton County Commissioner, District 3:** due to the weather and
- 19 the interest to complete the items on tonight's agenda, Commissioner Ahern offered to revisit
- 20 the Board at later date.
- 21 • **Financial Consultant Gregory A. Colby, CPA:** TA Smith presented to the Board a contract
- 22 for financial consultant services with Gregory Colby. Contract is to help the town through the
- 23 upcoming audit.
- 24

25 **MOTION:** Selectman Sharps

26 *Approve the contract with Gregory Colby, CPA, for financial services.*

27 **SECOND:** Selectman Barney

28 **DISCUSSION:** Selectman Sivalingam had concerns about the estimated hours of service.

29 TA Smith informed the board the estimate was miscalculated by Gregory Colby, as he thought

30 the financial services were to include the town utilities. TA Smith to ask for an updated

31 estimate.

32 **VOTE:** 4-0-1 (**Yes:** Newton, Lamos, Barney, Sharps; **Abstain:** Sivalingam)

33 **MOTION PASSED**

34

35 **SELECTBOARD ITEMS**

- 36 • **Ashland Zoning Board of Adjustment (ZBA) appointment – Alan J. Cilley:**
- 37

38 **MOTION:** Selectman Sharps

39 *Appoint Alan Cilley to the Ashland ZBA.*

40 **SECOND:** Selectman Barney

41 **DISCUSSION:** Selectmen Sivalingam recused himself from the discussion and the ZBA

42 appointment vote.

43 **VOTE:** 4-0-0 (**Yes:** Newton, Lamos, Barney, Sharps)

44 **MOTION PASSED**

45

46

- 1
2 • **Ashland Emergency Management Director:** the Board of Selectmen received a resignation
3 letter from Co-Director, Lee Nichols. Lee Nichols recommended the Board promote the Co-
4 Director, Ashland Fire Chief Heath, as the Director effective January 1st, 2018.

5
6 **MOTION:** Selectman Sharps

7 *Appoint Ashland Fire Chief Heath to the Director of Emergency Management.*

8 **SECOND:** Selectman Barney

9 **DISCUSSION:** N/A

10 **VOTE:** 5-0-0 (**Yes:** Newton, Lamos, Barney, Sharps, Sivalingam)

11 **MOTION PASSED**

- 12
13 • **Ashland Emergency Management Deputy Director:** Chief Heath recommended the Board
14 of Selectmen appoint Ashland Deputy Chief Bousquet as the Deputy Emergency
15 Management Director. Chief Heath informed the Board Deputy Bousquet has obtained all the
16 necessary training requirements for the appointment.

17
18 **MOTION:** Selectman Sharps

19 *Appoint Ashland Deputy Chief Bousquet as Deputy Emergency Management Director.*

20 **SECOND:** Selectman Barney

21 **DISCUSSION:** N/A

22 **VOTE:** 5-0-0 (**Yes:** Newton, Lamos, Barney, Sharps, Sivalingam)

23 **MOTION PASSED**

- 24
25 • **Contract approval process (CELDF Engagement Letter):** after it was determined that
26 Selectmen Sivalingam and Vice Chairman Lamos signed the CELDF Engagement Letter
27 prior to a Board meeting, Chairman Newton read a prepared statement about the Board of
28 Selectmen's contract approval process. Prior to the December 18th meeting Vice Chairman
29 retracted his signature. Selectman Sivalingam had concerns about the prior process of
30 approving the engagement letter. Selectman Sivalingam felt the board members already
31 approved engagement letter by vote at their December 4th meeting and was comfortable in his
32 decision with letter. TA Smith recommended a standard practice on approving contracts
33 should be; contracts forwarded to Board prior to meeting, add contract topic to meeting
34 agenda, include with meeting packet, post with meeting notification, allow for public
35 comment, Board discussion, vote, and signature(s) if approved. Selectman Sharps said prior
36 Board procedure was to always discuss contracts at Board meeting and one Selectman cannot
37 give directive.

38
39 **MOTION:** Selectman Sharps

40 *Continue to proceed with the prior Board of Selectmen process on approving contracts by*
41 *adding to agenda, discussion, and signing at a public meeting.*

42 **SECOND:** Selectman Barney

43 **DISCUSSION:** N/A

44 **VOTE:** 3-0-2 (**Yes:** Newton, Barney, Sharps, **Abstain:** Lamos, Sivalingam)

45 **MOTION PASSED**

- 1 • **Warrant article discussion:**
 - 2 ○ **Electing ZBA officials – RSA 673:3, III**

3
4 **MOTION:** Selectman Sivalingam

5 *To place on the warrant, having the Zoning Board of Adjustment members an elected*
6 *position.*

7 **SECOND:** Vice Chairman Lamos

8 **DISCUSSION:** Selectman Sharps felt the town already has issues filling vacancies
9 and this might deter residents from volunteering. Selectman Barney expressed
10 concerns about the costs involved with having future elections. Selectman Sivalingam
11 argued the election of members would create more involvement. Vice Chair Lamos
12 reminded the Board vacant positions could still be filled by appointments.

13 **VOTE:** 2-3 (**Yes:** Sivalingam, Lamos; **No:** Newton, Barney, Sharps)

14 **MOTION FAILED**

- 15
16 ○ **Conflict of Interest – RSA 31:39, A**

- 17 ▪ Selectman Sivalingam put the topic forward as a point of discussion for the
18 Board to add as a warrant article. Selectman Sharps mentioned how the town
19 has a conflict of interest policy for the town employees. Chairman Newton
20 referenced RSA 95:1 as a preexisting conflict of interest policy for elected
21 officials and the Board’s Code of Ethics. TA Smith to forward code of ethics
22 and personnel policy to Board members.

- 23 ○ **Structure height limits**

- 24 ▪ Vice Chairman Lamos forwarded a proposed warrant article that would limit
25 the height of structures on town owned land to 65ft. Board requested the
26 article be sent to legal counsel for further review.

- 27 ○ **Board of Selectmen upcoming schedule**

- 28 ▪ December 28th at 6PM in the Town Office building – finalize the default
29 budget and estimated revenues.
- 30 ▪ January 2nd & 16th – regular Board meeting (January 2nd) and work session
31 (January 16th). Note; generally, the Board meets on Mondays’ but those two
32 days in January are holidays. Board decided to move regular meeting one day.
- 33 ▪ January 9th – public hearing for the Thompson St. bond warrant article.

34
35 **PUBLIC COMMENT**

- 36 • Arlene Stoppe, Ashland, NH, Ashland Residents for a Rights Based Ordinance (RBO), stated
37 for the record the Ashland Residents, RBO, did not know about the formation of the group
38 prior to her volunteering.
- 39 • NH State Representative Migliore, Bridgewater, NH, stated he was working on a NH
40 Constitutional Amendment for RBO’s and it was separate from CELDF ordinances.

1
2 **LIASON REPORTS**

- 3 • Selectman Sharps reported on the following:
- 4 ○ **Ashland Source Water Protection Committee:** the committee, along with LRPC
5 working on a grant to establish a Groundwater Protection Ordinance has been
6 finalized. The ordinance has been sent to legal counsel for review and will be on the
7 warrant for voter approval.
 - 8 ○ **PRLAC:** during November, PRLAC made two onsite visits to Campton Sand &
9 Gravel and a private residence in Thornton, NH. PRLAC is keeping up with the
10 matrix, tracking contaminants into the river, and their testing process. PRLAC meets
11 again in January.
 - 12 ○ **Heritage Commission**
 - 13 ▪ The 4th of July fund has been reconciled. Before the funds are to be released
14 to the 4th of July Committee they need to be accepted by the Board.
 - 15 ▪ Heritage Commission now has a Facebook page called “Ashland Heritage.”
 - 16 ▪ Next summer the Commission intends on having a shared heritage event with
17 the Town of Holderness called “Squam Stock.”

18
19 There being no other business, Selectman Sharps made **motion to go into non-public session pursuant to**
20 **RSA 91-A:3, II (b) at 8:11 PM**. Selectman Barney seconded. **Roll Call Vote:** Barney, yes, Newton, yes,
21 Lamos, yes; Sharps, yes. Selectman Sivalingam had to leave the meeting prior to the nonpublic session. Board
22 of Selectmen came out of non-public session at **8:25 PM** and announced the hiring of a new DPW Foreman
23 pending the acceptance of their offer.

24
25 Chairman Newton made a **motion to go back into non-public session pursuant to RSA 91-A:3, II (a) at**
26 **8:26 PM**. Selectman Sharps seconded. **Roll Call Vote:** Barney, yes, Newton, yes, Lamos, yes; Sivalingam,
27 yes, Sharps, yes. Selectmen reentered public session at 8:33PM and adjourned their meeting at 8:34PM.

28
29 These minutes were drafted by,

30
31 Charles Smith
32 December 19, 2017