

**New Minutes 1/24/2023 for www.bownh.gov Board of Selectmen Meeting Board of Selectmen
Unapproved Minutes
Tuesday, January 24, 2023**

On Tuesday, January 24, 2023, at 6:00 p.m., the Board of Selectmen met in Meeting Room A, at the Bow Municipal Building, 10 Grandview Road, Bow, NH 03304.

I. CALL TO ORDER

Chairman Bruce Marshall called the meeting to order. Present: Chairman Bruce Marshall, Vice Chairman Michael Wayne, Selectman Christopher Nicolopoulos, Selectman Matthew Poulin, Selectwoman Angela Brennan, Town Manager David Stack, Finance Director Geoff Ruggles, Administrative Assistant Tonia Lindquist and members of the public.

II. PUBLIC COMMENT

III. PUBLIC HEARINGS

IV. MEETINGS

1. New Police Officer Matt Webber

Chief Ken Miller introduced recently hired police officer, Officer Matt Webber. Officer Webber comes to the department from the Town of Auburn Police Department. Officer Webber is a certified officer and is finishing up his field training.

2. John Langille, Samuel Drive, LLC – Engineering Peer Review Fees

John Langille, of Samuel Drive, LLC and his Attorney Ari Pollack shared their concern with the peer review charges that were invoiced to Samuel Drive, LLC, by Gale Associates, LLC, (the Town’s Engineering firm). These invoices are outside of what Gale Associates had previously estimated. Mr. Langille would like Town Manager Stack to meet with Gale Associates to discuss the matter.

Chairman Marshall was in favor of Town Manager Stack discussing the matter with Gale Associates and Selectman Poulin requested the Town stop using Gale Associates for the time being.

A MOTION was made by Selectman Poulin and duly seconded by Selectman Nicolopoulos to accept the escrow from Mr. Langille, with the understanding that the escrow satisfies the condition set forth by the Planning Board, and further for Town Manager Stack to set up a meeting with Gale Associates and to hold off on entering into any other agreements with Gale Associates until this matter has been resolved. MOTION PASSED 5-0.

Draft minutes of the select board meeting dated January 24, 2023. Are being provided for informational purposes only. Draft minutes have not been reviewed by any member of the Select Board for content or accuracy and have not been adopted by the Select Board. Review, revision, discussion, and adoption of meeting minutes shall occur at a subsequent public meeting of the Select Board. Until the meeting minutes are formally adopted by the Select Board, the use, distribution of, and republishing of these draft minutes comes with the risk that said meeting minutes are incomplete, inaccurate, and subject to change. Neither the Select Board nor the Town assume any responsibility related to the use, distribution of, or republishing of these draft meeting minutes.

3. Cell Towers Temporary Moratorium, Dee Treybig

Dee Treybig and Robert Parisien of Branch Londonderry Tpk. East, came before the Board to request the Board implement a Cell Tower Temporary Moratorium on the building permit for Rising Tide Towers at 21-51 Branch Londonderry Turnpike East.

There was back and forth discussion on the location, carriers, and whether this cell tower would in fact reach the schools. Selectwoman Brennan confirmed the proposed tower may not reach all of Bow, but would reach the critical areas of Bow and Selectman Nicolopoulos confirmed that the proposed tower is not an AT&T only tower.

Robert Parisien requested if the current applicant would consider moving the location of the tower, because right now it is 300 feet from his home. Chairman Marshall asked Town Manager Stack to pass that request on to the applicant.

No Motion was made to implement a temporary moratorium.

4. Finance Director Geoff Ruggles – 2nd Quarter Financial Report

Finance Director Geoff Ruggles reviewed with the Board the Town's 2nd Quarter Financial Report, noting revenues are up almost \$368,000 from last year. Operating expenses are also up by about \$311,000, but projected to be about \$90,000 under budget at the end of the year.

V. CONSENT AGENDA

1. Appointment to Town Center Committee – Danielle Albushies
2. Utility Billing Warrant
3. Water Abatement – Cenfer Commons, LLC - \$14.67

A MOTION was made by Selectman Poulin and duly seconded by Selectman Nicolopoulos to approve the consent agenda as presented. MOTION PASSED 5-0.

VI. TOWN MANAGER'S REPORT

There was no Town Manager's report to discuss.

Vice Chair Wayne asked for an update on the Public Safety Center Deficiencies list. Town Manager Stack will follow up with Town Counsel, and determine the statute of limitations.

Draft minutes of the select board meeting dated January 24, 2023. Are being provided for informational purposes only. Draft minutes have not been reviewed by any member of the Select Board for content or accuracy and have not been adopted by the Select Board. Review, revision, discussion, and adoption of meeting minutes shall occur at a subsequent public meeting of the Select Board. Until the meeting minutes are formally adopted by the Select Board, the use, distribution of, and republishing of these draft minutes comes with the risk that said meeting minutes are incomplete, inaccurate, and subject to change. Neither the Select Board nor the Town assume any responsibility related to the use, distribution of, or republishing of these draft meeting minutes.

VII. DISCUSSION / ACTION ITEMS

Selectman Nicolopoulos stepped out of the meeting for a brief moment at 7:30 p.m. after Director Ruggles report.

1. Acceptance of the January 10, 2023 and clarification of December 13, 2022 Meeting Minutes

A MOTION was made by Selectman Poulin and duly seconded by Vice Chair Wayne to approve the January 10, 2023 meeting minutes as amended. MOTION PASSED 3-0.

Chairman Marshall abstained from voting as he was not at that meeting.

The Board will table the December 13, 2022 meeting minutes until the next meeting for clarification on who made the motion to go into non-public session at the beginning of the meeting.

2. Request for Warrant Article to Authorize Conservation Commission to Exercise Optional Powers

As a follow up from last meeting, Town Manager Stack reported, after consulting with Town Counsel the language in the warrant article is statutory, it cannot be changed. The Board can communicate a strong preference but the language in the Warrant Article cannot specify that.

Chairman Marshall recommended asking Town Counsel if a restriction could be placed on the Conservation Commission that would require them to come before the Board for approval of fund disbursements.

3. Cutting Trees at the Safety Center

As a follow up from last meeting Town Manager stack reviewed with the Board the Public Safety Grading Plan which noted there is a vegetated buffer to provide storm water treatment, and therefore no further tree clearing is permitted.

No Motion was made to remove the trees in front of the Public Safety Center; however, the Board would like the Department of Public Works to look into the safety concerns with the catch basins raised by Mr. Bardwell.

4. Heritage Commission Space in Bow Municipal Building

A MOTION was made by Selectwoman Brennan and duly seconded by Chairman Marshall to authorize the Heritage Commission to start planning their move into the downstairs space by June 1, 2023, contingent upon construction being completed and the space ready to be occupied. MOTION PASSED 5-0.

Draft minutes of the select board meeting dated January 24, 2023. Are being provided for informational purposes only. Draft minutes have not been reviewed by any member of the Select Board for content or accuracy and have not been adopted by the Select Board. Review, revision, discussion, and adoption of meeting minutes shall occur at a subsequent public meeting of the Select Board. Until the meeting minutes are formally adopted by the Select Board, the use, distribution of, and republishing of these draft minutes comes with the risk that said meeting minutes are incomplete, inaccurate, and subject to change. Neither the Select Board nor the Town assume any responsibility related to the use, distribution of, or republishing of these draft meeting minutes.

5. Acceptance of a Donation in the amount of \$2,500 from Betsy Mahoney and Martie Dow, for the purchase of new CPR manikins, in memory of their sister, Mary Shand

A MOTION was made by Selectman Nicolopoulos and duly seconded by Selectman Poulin to accept the donation amount of \$2,500 from Betsy Mahoney, and Martie Dow for the purchase of new CPR manikins in memory of their sister Mary Shand. MOTION PASSED 5-0.

6. Donation of surplus SCBA Equipment to Concord Regional Technical Center

A MOTION was made by Selectman Nicolopoulos and duly seconded by Selectwoman Brennan to donate the surplus SCBA to the Concord Regional Technical Center with a value of \$6,824. MOTION PASSED 5-0.

7. Acceptance of a Donation in the amount of \$5,256 from the Bow Volunteer Fire Department to purchase a track kit for one of the Town's ATV's

A MOTION was made by Selectman Nicolopoulos and duly seconded by Selectman Poulin to accept a donation in the amount of \$5,256 from the Bow Volunteer Fire Department to purchase a track kit for one of the Town's ATV's. MOTION PASSED 5-0.

8. Request for addendum to 2023 Town Report

Town Manager Stack discussed with the Board a request he received from the family of Joan Collins to add an addendum to the 2022 Town Report Vital Statistics Section, noting resident Joan Collins passing in 2021.

A MOTION was made by Selectman Poulin, and duly seconded by Selectwoman Brennan to approve the addendum to be placed in the 2022 Annual Report. MOTION PASSED 5-0.

9. Acceptance of Grant from NH DES for Milfoil Treatment at Turee Pond

A MOTION was made by Selectman Nicolopoulos and duly seconded by Selectman Poulin to accept a grant from NH DES in the amount of \$3,400, for Milfoil Treatment at Turee Pond and to authorize Town Manager Stack to sign the necessary documents. MOTION PASSED 5-0.

10. Request for ARPA Funds – Security System Evaluation and Service Agreement

The Board reviewed a memo from Buildings and Facilities Manager Chris Andrews requesting \$25,270 from ARPA funds to complete a security system evaluation at the Public Safety Center, as the current system has had difficulties, and the relationship with the vendor is not satisfactory.

Draft minutes of the select board meeting dated January 24, 2023. Are being provided for informational purposes only. Draft minutes have not been reviewed by any member of the Select Board for content or accuracy and have not been adopted by the Select Board. Review, revision, discussion, and adoption of meeting minutes shall occur at a subsequent public meeting of the Select Board. Until the meeting minutes are formally adopted by the Select Board, the use, distribution of, and republishing of these draft minutes comes with the risk that said meeting minutes are incomplete, inaccurate, and subject to change. Neither the Select Board nor the Town assume any responsibility related to the use, distribution of, or republishing of these draft meeting minutes.

The Board would like more information on the current contract versus the proposed new vendor.

11. Proposed Budget Status

Selectman Nicolopoulos reviewed with the Board, the Budget Committee's recommended changes to the Town Budget FY 2023-2024 they are as follows:

Personnel Employee Recognition added \$1,750

PWB – Building Projects added \$2,000

Police Department Medical Services took out \$400

Capital Reserves Funds added \$30,000 to public works equipment, \$20,000 to recreation improvements, and \$30,000 to Fire Trucks

Capital Projects added \$30,000 to road improvements

Motor Vehicle Fees Revenue added \$50,500

Other Revenue Interest on Deposits added \$25,000

A MOTION was made by Selectman Poulin and duly seconded by Selectman Nicolopoulos to approve the Budget Committee's recommended changes to the Town's proposed FY 2023-24 Budget. MOTION PASSED 5-0.

12. Energy Committee

Selectman Poulin requested clarification on the procedures for the Energy Committee concerning the RFP process. Selectman Nicolopoulos confirmed the Energy Committee would bring forth any RFPs received, to the Board and Town Manager for approval.

VIII. REPORTS

1. Right to Know Log

The Board reviewed the Right to Know log.

2. Coronavirus State and Local Fiscal Recovery Fund

The Board reviewed the Coronavirus State and Local Fiscal Recovery Fund spreadsheet and updated accordingly.

3. Outstanding Projects

The Board reviewed the Outstanding Projects list and updated accordingly.

4. Property Clarification – Spruce Wheelock

Draft minutes of the select board meeting dated January 24, 2023. Are being provided for informational purposes only. Draft minutes have not been reviewed by any member of the Select Board for content or accuracy and have not been adopted by the Select Board. Review, revision, discussion, and adoption of meeting minutes shall occur at a subsequent public meeting of the Select Board. Until the meeting minutes are formally adopted by the Select Board, the use, distribution of, and republishing of these draft minutes comes with the risk that said meeting minutes are incomplete, inaccurate, and subject to change. Neither the Select Board nor the Town assume any responsibility related to the use, distribution of, or republishing of these draft meeting minutes.

Town Manager Stack reported to the Board, that he had received paperwork from resident Kevin McCahan concerning the property located at 7 Pine Crest Drive, he had sent it to Town Counsel. Town Counsel has responded but not all of the Board Members have had a chance to review the letter.

The Board will table this to allow time for members of the Board to review Town Counsel's response.

IX. BOTTOM LINES

Selectwoman Brennan: I would like to acknowledge the different volunteers that come together, and everyone on the budget committee. Its challenging putting together a budget and I really appreciate all the work they put into the budget on both the Town side and School side.

Selectman Poulin: Karri Makinen, our new Community Development Director, and I are back to visiting with businesses in town. We had a really great visit with Pike Severance with Coastal Products, it was great to see that building and what they are doing. I am sorry I missed the Boston Post Cane, and Thank you to Chris, Michael and Bruce for donating towards the cookies for the town employees.

Selectman Nicolopoulos: Thank you to Tim and his team with their work with these last two storms. The Boston Post Cane was awesome, my favorite part is when we told Mr. Moody why we there, he was surprised at how old he was.

Vice Chair Wayne: echoed Angela's sentiments, thank you to all of the committee volunteers. I enjoyed the Boston post Cane presentation Mr. Moody is a character. I visited with Tim this morning and thanked him and his crew for all their hard work during these two storms.

Chairman Marshall: I apologize for missing the last meeting, I had medical issues. Thank you to the Board for covering for me. Thank you to the highway department and the police department during these last two storms.

X. NON-PUBLIC SESSION - NH RSA 91-A:3, II

XI. ADJOURNMENT

At 8:44 p.m. A MOTION was made by Selectman Poulin and duly seconded by Vice Chair Wayne to adjourn. MOTION PASSED 5-0.

Draft minutes of the select board meeting dated January 24, 2023. Are being provided for informational purposes only. Draft minutes have not been reviewed by any member of the Select Board for content or accuracy and have not been adopted by the Select Board. Review, revision, discussion, and adoption of meeting minutes shall occur at a subsequent public meeting of the Select Board. Until the meeting minutes are formally adopted by the Select Board, the use, distribution of, and republishing of these draft minutes comes with the risk that said meeting minutes are incomplete, inaccurate, and subject to change. Neither the Select Board nor the Town assume any responsibility related to the use, distribution of, or republishing of these draft meeting minutes.