

MINUTES OF HAVERHILL SELECTBOARD REGULAR MEETING

Monday, March 15, 2010

Draft Subject to Review, Correction and Approval at Following Meeting

Board Members Present: Roderick Ladd, David Joslin, Lynn Wheeler, Wayne Fortier and Peter Heilemann (arrived at 6:45).

Town Manager: Glenn English

Administrative Assistant/Finance Officer: Jo Lacaillade

Members of the Public Present: Joel Godston, Annemarie Godston, Harold Brown, Chief Cecil Smith, Ken Smith, Dick Guy, Alvin Fadden, Ron Upton, Sergeant Charles, Brad Kennedy, Jim Fortier, Steve Robbins, Mike Lavoie, Dawn Lavoie, Norma Lavoie, Kelly White, Brenda White, Michelle Lavoie and Ed Ballam from the Journal Opinion.

Call Meeting to Order:

Chairman Ladd called the meeting to order at 6:02.

Approval of Agenda:

David Joslin made a motion to approve the agenda with the following changes: the scheduled Public Appearance will be moved up in front of Selectboard reorganization and the item listed as TM Performance Evaluation to be deleted due to duplication under Non Public Session. Lynn Wheeler seconded the motion and it carried unanimously.

Chairman Ladd took a moment to welcome the newly elected Board members: Lynn Wheeler and Wayne Fortier.

Scheduled Public Appearance(s):

Chairman Ladd took a moment to recognize John Lavoie who was selected as one of the recipients of the 40 Under 40 Award given by the Union Leader and the Business and Industry Association of New Hampshire. John is 25, a graduate of Woodsville High School and UNH with a degree in Business Management. He joined McGregor Ambulance Service in the Durham area in his first year at college as an EMT and by 2009 John was president of the company and works by night as an emergency responder. He works for Liberty Mutual during the day. It says a lot for his character that he was able to accomplish this and family support has been a big factor. He asked John's Grandmother Norma Lavoie to step forward and accept the recognition plaque on behalf of John Lavoie. Norma thanked the community and said the honor was very much appreciated. Chairman Ladd went on to thank Norma for her many years of service to the Town of Haverhill.

Selectboard Reorganization:

David Joslin made a motion to nominate Rick Ladd as chairman of the Selectboard; seconded by Lynn Wheeler. Rick said that it is a little overwhelming to be Chairman when he also serves as a Haverhill Corner Precinct Commissioner; as the representative to the Planning Board and as a member of the NH House of Representatives. He will only consider continuing as chair if the rest of the Board agrees to give more help; especially with the Planning Board. Lynn Wheeler said that she sees the present Board being a more cohesive working group and she thinks that has

changed over the past few months with everyone pitching in and that everyone will be stepping up more. The motion for Rick Ladd to be chairman of the Selectboard passed unanimously. Lynn Wheeler made a motion that David Joslin continue as vice chairman; seconded by Wayne Fortier and carried unanimously. David Joslin made a motion to appoint Lynn Wheeler to the Planning Board; the motion was seconded by Wayne Fortier and carried unanimously. Wayne Fortier made a motion to appoint Rick Ladd as the alternate to the Planning Board; seconded by David Joslin and carried unanimously. Wayne Fortier made a motion that David Joslin continue as Selectboard Representative to the Recreation Commission; seconded by Lynn Wheeler and carried unanimously. David Joslin made a motion for Peter Heilemann to continue as the Heritage Commission Rep; seconded by Wayne Fortier and carried unanimously. Lynn Wheeler made a motion to appoint Rick Ladd as the Selectboard Representative to the Zoning Board of Adjustment; seconded by David Joslin and carried unanimously. At the beginning of the discussion about the Airport Commission representative AA Lacaillade stated that she thought that Peter Heilemann had shown interest in being appointed to that commission for the new year. Joel Godston said that he had talked with Peter Heilemann and he is interested in that appointment. Rick Ladd said they would table this for now and come back to this item when Mr. Heilemann arrives.

Approval of Consent Agenda:

David Joslin made a motion to approve the consent agenda as presented; seconded by Lynn Wheeler and carried unanimously.

Town Manager's Report:

TM English reviewed a Police Department speed survey that was done in Haverhill Corner in the area of concern that had been discussed at a meeting a few months back. The speed limit in that area is 35 and the average speed shown in the survey was 38 MPH with 66 MPH being the highest speed recorded. The north bound survey showed the number of vehicles exceeding the speed limit was 367 out of 499 vehicles. South bound survey showed the average speed being 35 MPH; highest speed was 55 and the number of vehicles above the speed limit was 379. More of these types of surveys will be done in different areas of Town. Lynn Wheeler asked if there was a plan to beef up the officer time in that area for speed enforcement. TM English said that the reason for the survey was to try to have the State look at that speed limit and perhaps put in some crosswalks and when the District Engineer did a review he sat in his vehicle for a couple of hours; this is good data and hopefully can be used to bolster the position of the Board to lower that speed limit to 30. Chief Smith was asked to conduct this same type of survey in front of the Methodist Church in North Haverhill.

TM English said that a letter had been received from the Department of Safety, Emergency Management advising Towns that if a Town were to do cleanup on private property from storm damage that it would be eligible for reimbursement. TM English recommended that the Town not participate in this; we are not equipped to do this plus disposal of debris would be an issue. There was a brief discussion regarding trees that line the roads and the cost related to clearing them. Dick Guy said that Joe Maccini used to tell them at Woodsville Precinct meetings that you don't want to get into doing any maintenance of private property because it is a slippery slope.

TM English stated that 2 energy grants had been applied for regarding the Woodsville Armory. One grant request was to retrofit the lighting system in the building and part of the electrical system; an energy audit at no cost to the Town was done for that. The Grant for this project in the amount of \$17,800 was approved. The second grant for \$7500 to do an energy audit for the

rest of the building regarding the heating system and the other mechanical components was also approved. Lynn Wheeler thanked the Town Manager for sticking with the grant applications.

TM English said that there will be an important meeting held on April 7th that he wanted everyone to be aware of. The Town is a member of the Connecticut River Byway and there will be a meeting at Alumni Hall on that day that discusses this whole program.

TM English referred to a paving schedule given to the Town from the NH Department of Transportation regarding the paving schedule for 2010 in Haverhill. There is only a small section of Route 112 that is scheduled for a ¾ inch overlay. In his opinion, the ¾ inch of asphalt over the top of a bad base is a waste of money. Chairman Ladd asked what was scheduled for Route 25 to which TM English said nothing is scheduled.

TM English said that Chief Cecil Smith is in the process of setting up Neighborhood Watch Programs throughout the community. Chief Smith reviewed with the Board the informational meetings that have been scheduled to see who is interested. TM English wanted it made clear that this does not involve the precinct governments; we are not asking for their assistance in any way other than their participation as individuals if they wish.

Pending (Old) Business:

- **Agriculture Commission:** TM English provided information regarding other Towns that have established Agricultural Commissions. It does have to be voted on at a Town Meeting either by a petitioned warrant article or by the Selectboard including it in the warrant pursuant to RSA 673:4-b. Once the Commission is established the Selectboard appoints the members and he gave an overview of who is typically appointed to that commission. The next step will be to set up some sort of informational meeting to see if there is an interest in the community for this type of commission.

Scheduled Public Appearance(s) None

Public Hearings: None

New Business:

- **Update of 3rd Party life safety/fire inspector process and activity:** TM English gave an overview of the process since starting this last fall; the revenues and expenditures to date; and fee adjustments which he will be recommending for another adjustment tonight. TM English said that the goal for the fees is not for the Town to make money but to collect enough to cover the expenses of the inspector; the taxpayers for Haverhill should not have to incur any expense for the enforcement of the Life Safety codes. He said that they have found issues in some buildings that were previously inspected by the Fire Chiefs or the State Fire Marshall and the Town is going by the codes and if things were missed on a prior inspection they are being noted and need to be corrected and that has created some problems with owners. Thus far the inspector has not gone into multifamily dwellings except for ones that have needed a building permit; the other ones will be inspected even without the issuance of a permit as time allows. Unfortunately, depending on who you talk to, even at the State Fire Marshall's office, the codes are interpreted differently. There was a discussion as to which code books Jim is using for inspections and he gave an overview of that process. Jim said that he has been working with all 3 fire chiefs and

hasn't had any real issues. There may be some multifamily dwellings that may have issues serious enough that may require the evacuation of the tenants and the Town needs to have a plan in place to deal with that. Jim gave an overview of how the process has gone since the day he started including the purchase of the necessary supplies and equipment needed to perform his job duties and how little was actually in place when he was hired. He stated that he felt that the building permit application needs to have a line by line instruction sheet added and further explained that the fee schedule is confusing and the people that work in the office aren't trained to know whether the value listed for a project is realistic and sometimes more time is spent trying to meet with the contractors to establish the real cost of a project and collect the added fees. TM English interjected that the Town needs to cover the cost of having a 3rd party inspector through fees; it should not have to be supported by taxpayers and he will be recommending another change this evening that will still cover the fees but not put an unnecessary burden on the applicant. Dick Guy said that the solution is not to issue a commercial permit until the inspector has looked at it and determined what fee should apply. TM English said that is the process they are using now. Steve Robbins said that he said through the whole planning process, and he is going to continue to say, that the Town has no idea how much this is going to cost and so far they have dealt with people that can afford to pay the fee, when you get to the apartment buildings they may find circumstances where the owners have no money. Then, what is the Town going to do. Jim Fortier continued with his overview. He talked about the necessity for plans or drawings of the proposed project; that will help him prepare for the necessary inspection to issuing a certificate of compliance. He said that he does not see a good policy in place for policing people who just don't bother with permits at all; he felt that more advertising needs to be done in that area. TM English said that in some cases court action may be necessary for enforcement and that is going to cost money. Lynn Wheeler said that she was on the Board when this whole thing started and it was originally to prevent disasters and now it seems that a homeowner cannot fix a ripped screen on a Saturday morning because they don't have a permit. She feels that Joe citizen is trying their best and the Town is making it a lot bigger than it needs to be and just listening to the whole thing tonight it has been made into a huge project with repeated visits and she thinks they need to sit back and be a little practical on the way we are doing this; this is getting way out of hand. There was applause from the audience. David Joslin said that there is a difference between maintenance and construction. Chairman Ladd said that through the meetings with the Fire Chiefs and the District Commissioners the emphasis were on the multi family (more than 2) and commercial because the Fire Chiefs did not want to lose lives when those buildings were not up to code. It was further discussed that single family homes are not subject to the Life Safety Inspector. TM English said that the only multi-family and commercial inspections that have been done thus far have been permit or license driven; someone has applied for a building permit on a multi family dwelling or commercial building; someone attempting to renew a license through the State that needs a life safety inspection sign off or from complaints from fireman or tenants in buildings. TM English clarified that every inspection thus far has been demand driven; the Town has not arbitrarily gone out to any buildings. Jim Fortier said that he sees this as a work in process and it will always be one; the codes are constantly changing and when they change they have to be addressed in future inspections. TM English stated that the Town does not make the codes but the Town adopted Life Safety codes and they have to be enforced; if the citizens feel that this is out of control then perhaps the Town should get out of the business. Dick Guy said that he and Ron Upton own a building in Woodsville and have a tenant in that building that they are happy with. That tenant recently requested an inspection but the report was sent to Mr. Guy as the owner. The report said that there

were some items that “he” needed to remedy. He did not feel that it was up to the Town to decide who should remedy the issue; if somebody asks for an inspection the report should go to that person. TM English disagreed; the owner of the building is the person that the Town will address in these circumstances. Jim Fortier said that the person who runs the restaurant paid for the inspection but he doesn’t own the building; he is entitled to a copy of the report but it is the owner of the building who is ultimately responsible. Dick Guy reiterated that he did not think it was the Town’s job to say who was ultimately responsible. Lynn asked Dick if he was aware of when the inspection was going to be done. Dick Guy said yes, and they got together soon after the inspection was done, he has no issues with that. TM English said that the other practical problem is that this building is now costing the Town money; they are going to have to go back and do further inspections and they have exceeded the fees collected in time spent. Dick Guy said that in terms of the content of the inspection he feels that the Town needs to consider a certain amount of grandfathering. There were two issues that were found to be a problem by Jim that were not a problem not very long ago. There is a stainless steel vent over all of the cooking equipment and was designed and installed by a company out of Cape Cod; the Fire Marshall did not like it as built and it was rebuilt to be how he wanted it. Dick felt there should be a certain amount of grandfathering on something that has been approved. They came to the Town for a permit and the Fire Marshall inspected it and now Jim comes for an inspection and is requiring a UL sticker; now along comes their tenant asking for an inspection for a permit and a new inspector asks for something else. Another issue is on 3 boilers that have been installed, all up to specifications, approved by the Fire Marshall and now the inspector said that it is not up to code; he gave an example of a building across the street that would not be up to code by today’s standard and would that have to be completely redone? He thinks that if something was put in completely up to code for the time it was installed, it should be grandfathered; if there are no changes made to the purpose. Chairman Ladd asked for Steve Robbins or Mike Lavoie to comment on the grandfather issue. Steve Robbins said there is no such thing as grandfathering in the fire code; however a lot of things are okay existing until they changed. If you have an unlined chimney you are okay until the time your oil burner craps out on you and it has to be replaced; when that happens you have to meet the current code. The life safety code is broken up into two categories: new and existing. You apply the existing code to an existing structure and a new code to something that is going to be changed. The way that we tried to make these changes minimal when the system when they were sitting as a group was to make the certificate of compliance with a 5 year expiration; that means every certificate of compliance is going to expire within the next cycle of the code so you don’t get these huge changes. Wayne Fortier asked if that applies to single family dwellings too and Steve said no. Wayne asked if a boiler craps out in a private home does it have to meet those codes. Steve stated that if a boiler craps out in a single family dwelling it will have to be brought up to the code for that burner. Mike Lavoie said that when he came here as a Fire Chief about the life safety issue all he ever said was that they want to protect lives. He cares about the citizens and the fireman; we can’t put people into unsafe buildings. We have not touched on the buildings that are the ones that they were talking about when this issue was under discussion. He further stated that he thinks Jim is doing a pretty good job because he asked Jim to tag along on an inspection with him and they both learned a ton that day; Jim from Mike on the fire side and Mike from Jim on the heating etc.; but in the end we were dealing with someone that was going to fix all the stuff with no argument. He said that the Fire Chiefs tried to tell the Town at the time of those meetings that there is a lot to this process; it is going to take a lot of time and a lot of money. It is not going to be done in a couple of years it is an ongoing process and that is why the Fire Chiefs were unable to do it. Jim is absolutely

right when he stated that the more complex the building permit gets, the more areas of code that have to be reviewed. Mike further stated that he is a business owner too and he doesn't want someone coming in that is going to cost him money but nobody lives there. TM English said that once the Town adopted the Life Safety Code at Town Meeting they do not have the option to not go by the requirements. Mike Lavoie said that people are not happy with having to get a building permit to re-shingle their roof even if they don't have to pay for it. TM English said that is another issue. Mike Lavoie stated it is all tied together. There was a brief discussion about the grandfather issue and Mike Lavoie said that when you change the use or ask for a place of assembly permit there is no grandfathering. TM English said that it was a place of assembly permit that Mr. Guy is referring to. Mike Lavoie said that changes things immensely. More discussion about the complexity of the issue ensued. TM English said that we are only 3-4 months into this process, to condemn it because we haven't gotten to inspect the multi-family dwellings in Woodsville yet is unfair; all inspections have been consumer driven thus far. Dick Guy said that this program was supposed to be Life Safety and he does not believe that a reissue of an assembly permit should trigger changes in the building; they should be grandfathered; if the building was approved by the Fire Marshall in a previous inspection. TM English said that the State Fire Marshall inspected the building previously, not the Town. Mike Lavoie said that when he and Jim did an inspection together, Jim found things that the State Fire Marshall hadn't; it is a proven fact that everyone has their own little quirks, that is human nature; that is why the Fire Chiefs are empowered at times to make an exceptions to a rule but they never will if it is going to cause a real concern to somebody's life. TM English asked how do you make exceptions; based on who the person is? Based on their ability to pay? There was discussion as to how it has worked in the past. Dick Guy said that the State Fire Marshall's office came at the request of the Woodsville Fire Department; they didn't know him, had never met him before. When they showed him the building plans before they even started he made some great suggestions for second floor egress issues and he did a lot of walk through and made the company redo the hood, made them replace some windows on the second floor. He wasn't doing them any favors, he made them do a lot of work and they spent a lot of money. TM English said he cannot defend what a State Fire Marshall or Fire Chief did in the past but he can only go by what the Town is doing now. Steve Robbins said that how he applied the code is that if Bradford Pratt's who have State licensed personnel come in and hook up your gas and boiler then unless there is something that is obviously wrong, I didn't measure vent size etc.; it is their license on the line, not his. It was his opinion as an inspector he was there to enforce the code and how that code is carried out he leaves to the licensed installer. Jim said that the gas company is required to put in a proper venting system; they are learning through the new gas code licensing that has just been enacted through the last few years that as many as 6-10 years ago no one was licensed to do anything so therefore, there was no book used. He has been doing this for a long time so he knows that. These changes came for from Amilia's Law which now requires gas fitters to be licensed. He has been responsible for setting up two classes to help train technicians and they came in not knowing what they were doing. Just because a vent for a furnace was done 10 years ago doesn't mean it is done properly and works properly today; that is how accidents occur. We find out that something wasn't done right even though it worked all those years now something has changed because someone got killed or sick and then a change takes place. Steve Robbins said that the professionals that are installing stuff, you have to rely on them to do the job professionally and right. Chairman Ladd asked what Jim is supposed to do when he goes to a job where a professional installed something but it isn't right; who is on the line responsibility wise? Is the inspector also liable? Steve said that he probably would be. Jim Fortier said that perhaps something was

installed and working properly on the day of an inspection but that doesn't mean that 4 years later it is still being used in that manner and correctly; there are plastic bags wrapped around supplies for kitchen inlets because people are freezing; the exit doors are all taped up with electrical tape and masking tape because the draft system doesn't work on the hood anymore; there is so much cold air coming in the tenants are freezing so they are stopping up every hole they can to keep the heat in the building. A professional outfit from Cape Cod comes up to put in a system and the first thing that is found out is that it wasn't installed properly outside because it did not go high enough on the roof line; that tells me right there that a professional installer may not meet the Fire and Life Safety codes. Dick Guy said that Jim is misinformed on that. TM English said that Steve's position is irresponsible; we can't hang our hat, when it comes to the safety of the public, that just because someone has a license that they did it right. There would be no need for inspectors if that were the case. The purpose of an inspector is to make sure they did it right. Glenn went on to give other examples of where things were caught by future inspectors and needed to be corrected. Jim Fortier said that they have many books that tell them what they should be looking for when they do an inspection; if the Town is going to write a book that tells them the things they are going to overlook and supply it to him, he will follow whatever the Board tells him but right now all he has is the book that tells him what he should be looking for. Harold Brown said that the life safety code, you should write letters to the insurance companies and the banks and let them handle the issues. As far as equipment goes, all equipment is installed according to their UL listing; not by any code. It is a violation of 28:A if any inspections are not being paid for by the State. It is time that the Town stands up to the State, they backed down on the welfare issue and now they are backing down on this. Don't let the State dictate anything without them paying for it. Ron Upton said that he thinks common sense has to play a part of this. He does not know who inspects Jim's work and the Board was very good about conflict of interest early on and he is not sure that has been addressed here. He is not implying anything at all but he thinks that should be addressed; if Jim were to condemn some of his own work that would affect his business, if he overlooks it, that would put him in a tough spot. He feels that the Board should at least entertain the idea of an alternate to do some inspecting. He further stated that they did not cut any corners when they built that building and at substantial expense they made the building so that they themselves would want to live there. We did that in good faith, less than 4 years ago and maybe they can make the changes necessary now but he feels they are in a minority; he doesn't think other businesses in Town would be able to. Are you going to shut everyone down that can't? He went on to talk about a handrail that he had installed and he was proud of it but it did not have the extension that is required so that is in violation. Jim said that he did not mention anything at all about the length of the railing; he said that it had to have a curve at the bottom so that it didn't catch people in their pockets. Fire Chief Lavoie concurred with Jim on that issue. David Joslin said that one of his concerns that he has with this whole process; if a disaster happened in one of these buildings and the State Fire Marshall came in and said that the chimney's weren't vented properly, what is the insurance company going to do and what is the liability to all of this. Dick Guy said that he understands what David is saying but he thinks the inspector has to take ownership of his findings and to say that every time they come through the door you have to redesign your building is nuts. He doesn't think you are going to find one person up and down main street that thinks that is a reasonable approach. Wayne Fortier said that the tenant in the building called for an inspection; and the hood wasn't working properly. If that becomes a Life Safety issue doesn't the tenant or the owner have the obligation to fix that? Dick Guy agreed. Dick Guy said the only issue with the hood is the UL sticker and they were field modified by the Fire Marshall, they were approved as was, by him, and

nothing structurally has changed about them. Wayne Fortier said nothing structurally but they don't work properly. Dick Guy said only because they are not operating them properly. Chairman Ladd asked who approved the place of assembly permit in the past to which Mike Lavoie said the Fire Chiefs. There was a clarification on the place of assembly permit. Peter Heilemann asked Jim if he agreed with Dick's statement that if the hood was operated correctly if it would function properly. Jim said no, that is not his assumption. Dick Guy said that the tenant thought that it would be appropriate to block off the air inlet with plastic; once that is taken down it will be exactly as it was approved. Jim said that Dick is simplifying the UL label; he thinks it is just a piece of paper that gets stuck onto a piece of metal but the reason that it can't be determined how the hood was made to make it work right is because when you do a UL listing there are drawings; there are calculations made as to the size of the hood, the BTU's; height of exhaust stack, horsepower of units, how much make up air will be required to make up 50% of the air that is being drawn out; and many other factors. The Fire Marshall beat it into his skull not to make a mistake of saying that a fire hood is ok to use if you don't have an engineered organization that put their neck on the line that said that system was engineered and built to perform to the expectation and need of that kitchen. He was told to make sure he got that or he would bear the burden of the liability if something happens. Lynn asked why Jim would have been told that if he himself passed the inspection previously. Jim said that the Fire Marshall did not do the inspection, it was a field inspector. Steve Robbins questioned what the Fire Marshall would have needed to look at for the first inspection if the UL wasn't there. Jim said that he had tried to help these folks as much as he could; he talked to the Fire Marshall's office to find out what could be done if there was no UL listing available. He was told that the information still should be available from the manufacturer who supplied the drawing that was used when it was made and their engineer can put a stamp on it. Dick asked why Jim hadn't asked for it to which Jim said he asked both Brad Kennedy who was acting as agent for Dick Guy and Henry who leases the property. Steve Robbins said that he believes there is an engineered plan on that; Dick Guy concurred. Jim said that rather than spending all this time arguing about whether it is right or wrong it needs to be provided. There was more discussion regarding this issue. Alvin Fadden said that when he went to the Town Meeting and was asked to vote for this life safety code he feels like he was sold a bill of goods. He was told that if was for the fire chiefs when they went into these multi-family homes and saw issues with a building that put the fireman in jeopardy. Mike Lavoie interjected that it was for resident protection also. Lynn Wheeler said that she thought that too. Alvin Fadden continued that now we have grown into this huge thing and the fire chiefs aren't even involved anymore and it sounds like there is a liability issue that Jim doesn't dare to make a judgment call. We are not just trying to protect, now it is going in a different direction and picking on the business owners that can afford it and not even touching the problems that the whole thing came about to fix. He went on to say that if we keep going down this road there are going to be more businesses close. If Jim doesn't have confidence to make a judgment call he thinks the Town needs to look at doing away with Life Safety code. It was stated that Life Safety Code is not going to go away. Chairman Ladd said that the reason to go with one, hired inspector is that there was inconsistency between different areas of Town; 3 fire chiefs all trying to do a good job but handling things differently. He felt that during this first year there is going to be a lot of learning to be done. Alvin Fadden asked if Jim is afraid to make a judgment call. Steve Robbins said that the inspector is indemnified if they are a Town Employee. Mike Lavoie said he would rather be there listening to Alvin and Dick complain about having to spend some money than explaining to the Selectboard as to why they lost 4 people. He asked Alvin why, if someone runs out of propane they don't

just fill the tank and relight without doing a gas check, why is that; because you are liable. When I did the inspection with Jim he found the UL label and that was one of the things he was writing down. If Dick has a stamp he is sure that is just as good. The Town is trying to do the right thing. Alvin Fadden said that earlier tonight there was a report about how many cars traveled a certain area of road and at what speed; perhaps Glenn could put together a list of how many lives have been lost and the issues we have had that the life safety code is going to solve. Mike Lavoie said that preventative is much better than acting after the fact. He further stated that he had told Brad that you need to work a lot harder to extinguishing fires than preventing them as an inspector. Chairman Ladd asked Alvin why he recommended that he put black iron in for a fuel line instead of the yellow stuff. Alvin said that, in his opinion, it is safer. Chairman Ladd said that it is a judgment call also. Mike Lavoie said that it is the same issue with cars; the rules of inspection are always changing. TM English said that he wants to address the fee schedule. It was decided to address any adjustment at the next meeting with the recommendation that it be retroactive back to this meeting. Ken Smith said that he did not agree with having to pay the fee for the Life Safety portion and then also the \$25 building permit fee. TM English half jokingly said that he was going to start a petition to do away with the Life Safety Code because it is apparent that the people don't want them anyway. Wayne Fortier said that it is just growing pains and he likes to hear that the inspector is working with the Fire Chiefs and they are both learning. Wayne did not feel that the people want to do away with the Life Safety issue. AA Lacaillade said that fire safety is not just multi-family dwellings, you could be sitting in a restaurant and if it is now set up the right way you could have something happen in the kitchen that could hurt you. TM English said that there is a restaurant that he eats at that is going to get inspected; it does not have a proper fire wall between the kitchen and dining area. It was approved and signed off by the local fire chief and someone is going to get hurt. When the Town goes in there they are going to have to do a proper fire wall that is what it is about. Wayne Fortier said that his suggestion is that the Town stays the course, this is something new, and we make them work together. They are working together, it just takes patience. Chairman Ladd said that the building permit does 2 things, it gives notice that something is going on with the building and it is also the means to provide the revenue to do the life safety code inspections. If it wasn't for this system the town would have to revert back to the annual inventory form. There was more discussion regarding the reason for the building permit system. Wayne Fortier said that education as to the process may take some time. TM English said that people expected the Town to go after the multi-family dwellings first but there hasn't been time to do that yet. Thus far all inspections have been driven by a building permit or a request. The building discussed tonight would not have been inspected at this time had they not requested an assembly permit for their liquor license and the Town is not going down main street to put people out of business. There was more discussion as to why and when building permits are required and the issues of the Life Safety Inspections and the importance for complete documentation. The Board would like more attention paid to starting to inspect the multi-family dwellings. TM English agreed.

- **Introduction of Policy for Use of the Woodsville Armory:** Wayne Fortier made a motion to introduce the Policy for Use of the Woodsville Armory for possible adoption at the next meeting; seconded by Peter Heilemann and carried unanimously. TM English said that the name of the facility in Woodsville needs to be addressed. Lynn Wheeler thought that the Town should have a contest to name the building. TM English reviewed with the Board the different facilities that he had gotten rental comparisons from. There was a discussion about the alcohol policy at the building; should it only be BYOB or

could a caterer supply a license that allows the sale of liquor. TM English said that legal counsel has reviewed the policy. David Joslin said that policies are amended often after adoption so he did not know why they couldn't adopt it tonight. There was some discussion about interim use. Wayne Fortier withdrew his motion and Peter Heilemann withdrew his second. David Joslin made a motion to adopt the policy as presented for use of the former Woodsville Armory; seconded by Lynn Wheeler. Peter Heilemann asked when there would be a time that the Town would not require insurance. Peter Heilemann made a motion to amend the motion to approve the policy by removing the first three words from general requirement #1 "for most uses" and the wording will now be that the Town will require proof of insurance from any group using the building; the motion was seconded by Lynn Wheeler. There was discussion regarding how the prices compare to other facilities. There was also discussion as to whether the Board has the authority to waive a fee and it was decided that depending on the group requesting usage it may not require an application at all. There was discussion as to who would inspect the facility to see if there is any damage before a deposit is returned and at the present time that will be the Town Manager. The amended motion passed unanimously.

- **Woodsville Armory Program Uses:** David Joslin spoke for the Recreation Commission who has some tentative plans to use the assembly hall for part of the HARP program. They would use it for the drop off spot for the day and then in case of inclement weather. AA Lacaillade said that the grants for the retrofitting may interfere with what the building will be available for during that time. Lynn Wheeler said that the committee brought forward suggested uses for that and the Selectboard has not adopted any of that report at this time. Chairman Ladd said that he has done some research regarding business incubators and perhaps that is something that can be considered for that facility. That type of program might generate more income for the Town than others. Lynn Wheeler said that if the Town was considering incubators then a successful one that should be looked at is Centerra. Glenn English talked about the event at the Riverbend Technical Center last week that featured a lot of start up businesses and they might be looking for space for start up. There was discussion about whether money invested in the building would be lost if the State came back and wanted the armory back. It was stated that they can't do that.
- **Resignation of Airport Commission member:** David Joslin made a motion to accept with regret the resignation of Deb Upton from the Airport Commission; the motion was seconded by Peter Heilemann and carried unanimously.
- **Introduce format for setting 2010 goals:** Chairman Ladd reviewed the format for the setting of the 2010 goals with a sheet that lists the goals that have been in place since 2007. The item will be on the agenda for the next meeting.
- **Reorganization of Selectboard (cont.):** Peter Heilemann said that he had been asked if he would consider being the representative for the Airport Commission and he had told him that he would be willing to do that. David Joslin withdrew his motion made earlier in the evening for Peter Heilemann to represent the Selectboard on the Heritage Commission and made a motion to appoint him to the Airport Commission and Wayne Fortier to be appointed to the Heritage Commission; the motion was seconded by Lynn Wheeler and carried unanimously.

- Non Public Session pursuant to RSA 91:A:3 (a)-TM Performance Evaluation: Lynn Wheeler made a motion to go into non public session; seconded by David Joslin and carried unanimously. The Board was polled and all were in agreement. Ed Ballam commented that he did not feel it was appropriate to go into non public session for this purpose. Chairman Ladd stated that it is a personnel issue and as an employee TM English has the right to a non public session which TM English stated he wanted. The Board went into non public session at 8:40. Peter Heilemann made a motion to come out of non public session at 9:32; the motion was seconded by David Joslin. No motions were made, no action was taken and the minutes are to be sealed.

Commission/Committee Reports: None

Correspondence:

TM English referred back to the form received from FEMA regarding debris removal from private property. David Joslin made a motion that the Town not do debris removal from private property; seconded by Lynn Wheeler and carried unanimously.

Comments of the Public: None

Comments of the Town Manager/Administrative Assistant-Finance Officer:

Comments of Selectboard Members: None

Adjourn Meeting: David Joslin made a motion to adjourn, seconded by Lynn Wheeler and carried unanimously. Chairman Ladd adjourned the meeting at 9:35 pm.

Minutes transcribed by Jo Lacaillade