

Board of Selectmen Meeting
Tuesday July 26, 2016

Selectmen Present:
Randy Subjeck and Colin Stubbings

The meeting was called to order @ 7:02 pm by Chairman Subjeck.

Chairman Subjeck announced that the meeting was being recorded for the purpose of accurate minutes. Attendees (from sign-in sheet) Susan Belyea, Tim Cole, Bruce Henry, Violet Veillette, Alex Nuti-de-Biasi, Wendy P, Helga Mueller, Frank Rodiman, Sam Rounds, Polly Tafrate, Carlos Manrique, Bernie Marvin, Helena Saarion, Donald Mitchell, Abby Metcalf, Heather Subjeck, Ceil Stubbings

Bernie Marvin led the meeting in Pledge of Allegiance.

Chairman Subjeck spoke of the recent leave of absence by a Board member and information received from NHMA regarding such. An elected Selectboard member cannot take a leave of absence.

Department Head and Administrative Assistant Reports:

EMD- Bernie Marvin: Mr. Marvin gave an update on training and meetings he has recently attended. See attached report.

Chairman Subjeck read a letter from town counsel. See attached.

Road Agent-Frank Rodiman: Roadside mowing is scheduled to begin on August 1st. There was little damage from the recent storms; a few trees were down on town roads. The Church Street project will (hopefully) be finished up in 2-3 weeks.

Fire Department-Bruce Henry: 1) Calls are down. 2) The annual fire inspections at Kingswood Camp and Piermont Village School will be done next week. There have been phone calls from people wanting the fire department to fill swimming pools. The Board stated due to the liability to the Town, they are unable to do it. Mr. Henry thanked Mr. Rodiman for relocating the Town Christmas tree from Church Street to the fire station. Mr. Henry said Piermont FD will be at North Haverhill Fair at the Fire Marshall & Forestry booth.

Town Grounds & Sewer- John Metcalf gave an update on the work projects. He also said pool was down and asked about closing it due to inadequate water flow. Board said it was John's decision. See attached report.

Treasurer Report- Susan Belyea gave her report. See attached

Administrative Assistant- Jen Rugar: As of today, all Meeting Minutes are up to date. Both the web administrator and the deputy web administrator attended training last week. Updates and changes to the website can be done quickly and easily. Department heads are encouraged to let Jen or Gary know if there are any upcoming events to add to the Town calendar or any changes they would like made to their own page.

Manifests: The Board reviewed and signed the manifest.

Appointment of Treasurer: Advertisements were placed in the Valley News and the Bridge Weekly seeking to fill the treasurer and deputy treasurer positions. The positions will be appointed until Town Meeting in March. There was one (1) applicant, Heather Subjeck. Chairman Subjeck recused himself for the appointment. Selectman Stubbings appointed Heather Subjeck as Treasurer. She will be sworn in by the Town Clerk. There is still a need for a Deputy Treasurer.

Old Business:

- a. Auditing of Intent to Cut, Land Usage and Excavation Permits- Selectman Stubbings, with the assistance of NH DRA, has been going through all of the files to locate any outstanding timber taxes, land use change taxes and gravel taxes.
- b. Round-up issue resolution- Less harmful options were researched by the Conservation Commission. It was decided that the amount needed to treat all affected areas on Town property was not substantial. Helga Mueller stated the Find of Fact from the Conservation Commission. The Conservation Commission will submit a written report to the Board.
- c. IPR Monies Update- Selectman Stubbings stated he is still waiting to hear from HEB.
- d. Gravel Pit Inspection Update- Selectman Stubbings, Frank Rodiman, and Barbara Fowler visited the operating gravel pits on Friday July 15.

New Business:

- a. Violet Veillette Re: Addition. Mrs. Veillette stated that she had come to the Planning Board prior to the fire at her property to ask putting an addition on the back of the existing home. At that time, Mrs. Veillette was told she could put an addition on the back. Before the addition was completed, a fire destroyed the home. In order to build outside the footprint of the original home, Mrs. Veillette will need to file for a Special Exception with the ZBA.

Public Input: There was a discussion regarding ambulance response time at Lake Armington. Carlos Manrique, Lake Armington Association wants to find out how to get better ambulance response at Lake Armington. There was an incident last weekend and it took 20 minutes for the ambulance to arrive on scene. Piermont has a contract for coverage through Upper Valley Ambulance. Mr. Manrique would like to look into the Warren Wentworth Ambulance Service being an option for residents at the lake. Mr. Manrique stated that if the summer camps can use them, why can't he? Selectman Stubbings stated it's believed the camp paid for that service.

Sam Rounds wondered if the Fast Squad has an AED. Yes, there is an AED on the Rescue truck and at PVS as well. CPR and First Aid Certification should be offered through the Town. Jen Rugar will get names of attendees from department heads.

Administrative Assistant, Jen Rugar read a prepared statement. "In an effort to understand what is going on in the Piermont Town Office without any unnecessary cost to the taxpayers, I contacted New Hampshire Municipal Association to answer some of my questions.

The first question I asked was is there really a "leave of absence" from an elected position? The response I got is that there is no such thing as a leave of absence from an elected position. An elected official is essentially on the board unless they resign.

So a "leave of absence" is not really an option in NH, it is just a person not doing their job."

Tim Cole asked if there are big expenses coming up for the taxpayers and should he be watching his budget? Chairman Subjectek responded that departments should always be watching their budgets.

Police Department-Chief Hebert- There was an update on the status of purchasing a new firearm for the PD. There is a delay at the distributors end so it may be a couple of months before one can actually be purchased. Chief Hebert provided the Board with "Town Building & Library Access, Alarm Procedures" to review and sign. The Board signed the Procedure Policy following an amendment.

Helena Saarion asked questions regarding the need for a new firearm for the PD. Chief Hebert clarified RSA 91-A as it pertains to public meetings vs. conversations in public buildings and the recordings.

The Yard Sale Ordinance that was passed at Town Meeting has no policy, so it cannot be enforced at this time. Chief Hebert will work with the Zoning Board to create a policy to be reviewed at a future meeting.

Approve BOS Meeting Minutes July 7, 2016- Minutes were reviewed and corrections made. Selectman Stubbings made a motion to approve minutes as corrected. Chairman Subjectek seconded. Motion passed 2-0.

Chairman Subjectek moved to adjourn the regular session at 9:04 p.m. Selectman Stubbings seconded the motion. Motion passed 2-0.

Respectfully Submitted,

Jen Rugar

Board of Selectman

Randy Subjectek

Colin Stubbings

Teran Lee Mertz

Approved: August 4, 2016

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July 14, 2016

Terri Mertz, Selectwoman
Town of Piermont
PO Box 67
Piermont, NH 03779

Re:

Dear Selectwoman Mertz:

I am writing at the request of Selectmen Subject and Stubbings regarding various actions you have taken since you assumed office in March, 2016. While I have no doubt that you believe that you are acting in the best interests of the citizens of Piermont, several of the things that have been reported to our office are concerning in that they potentially expose the town to liability.

For example, as I expressed on July 5, 2016, selectmen may not e-mail about anything of substance. Doing so violates the right to know law, which requires all of substantive conversations between selectmen to be conducted at a meeting open to the public. If you have questions about actions that the chair has taken, those should be raised during the meeting, not in e-mails prior to the meeting. RSA 91-A does not require that the town provide information; merely documents. Should you seek documents under RSA 91-A as a private citizen, those requests should be directed to the town's administrative assistant, not the other board members.

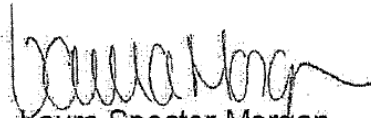
I also understand that you have, on at least one occasion, expressed your concerns with actions of Selectmen Subject and Stubbings to a town employee, who interpreted your comments as a threat. While your concerns may be valid, those concerns should again be expressed to the other selectmen at a meeting; not in a discussion with the affected employee.

Selectmen Subject and Stubbings wish to work cooperatively with you for the remainder of each of your terms of office and I hope that by discussing concerns openly and honestly at public meetings where each of you is able to express your opinions and hear those of the other two selectmen such a productive working relationship can be formed. However, Selectmen Subject and Stubbings feel it is important for you to know that behavior such as that described above is unacceptable in a professional environment, and they expect you to refrain from such actions in the future. Moreover, should the town be subject to any action by an employee alleging that you have created a hostile work environment or any other claim which arises as a result of your actions, including a claim under RSA 91-A, the

Terri Mertz, Selectwoman
July 21, 2016
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town will not defend you or your actions.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Morgan", with a stylized flourish at the end.

Laura Spector-Morgan
laura@mitchellmunigroup.com

cc: Town of Piermont

EMERGENCY MANAGEMENT REPORT FOR JULY 26, 2016

- 1-ATTENDED A EMERGENCY OPERATIONS CENTER COMPUTER SOFTWARE TRAINING SESSION THIS MORNING AT THE LEBANON FIRE DEPARTMENT. IT REVIEWED UPDATES ON SENDING AND REQUESTING INFORMATION FROM THE STATE DURING NATURAL OR MAN-MADE DISASTERS IN TOWN.
- 2-WORKING TO INCREASE THE VOLUNTEER LIST FOR THE STAFFING OF OUR SHELTER AND OTHER EMERGENCY MANAGEMENT PROGRAMS.
- 3-WILL BE ATTENDING A REGIONAL EMERGENCY MANAGEMENT SESSION NEXT MONTH IN CAMPTON.
- 4-ATTENDED THE SUNDAY ANNUAL MEETING OF THE LAKE ARMINGTON ASSOCIATION. REVIEWED THE 911 PROJECTS WE ARE WORKING ON NOW AND IN THE FUTURE.
- 5-THERE WERE TWO ELECTRICAL STORMS WITH TREES AND WIRES DOWN AND A POWER OUTAGE ON JULY 18 AND JULY 23. STORM ROUTINE INCLUDES DAMAGE TOURS DURING AND AFTER STORM, FIRE DEPARTMENT AND HIGHWAY DEPARTMENT COORDINATION, POWER OUTAGES, STREET CLOSINGS, ETC.
- 6-CONTINUING TO WORK ON STREET NUMBERS THROUGHOUT TOWN.
- 7-SCHEDULING A SESSION WITH HIGHWAY, THE BOARD AND HOMELAND SECURITY EMERGENCY MANAGEMENT RELATIVE TO THE INDIAN POND ROAD PROJECT.

July 26, 2016

Selectmen,

Following is the treasurer's notes:

Putting together paperwork for audit.

Starting to work on July's reconciliation.

Thank you for your time,
Susan Belyea

To: Piermont Selectmen

From: John Metcalf

Date: July 26

Sub: Work Projects

Town Grounds: Mowing of grounds was the only project done this month

Found a small amount of Poison Ivy behind Fire Station. As soon as decision is rendered on the use of Round-up, will try to clear this Poison Ivy out.

Athletic Field: Mowing of the ball field, horse shoe pits and other areas mowed was the primary focus this month

Piermont Pool: Mowing of the pool area continued this month. Frank Rodiman put a screen on the end of the pipe that is the intake side of the pipe in "Bean Brook". The screen has helped greatly in keeping debris (pine needles, twigs, etc.) out of the pool. The drawback to the screen is it plugs easily-however between Frank and the PPP crew we have, for the most part kept the screen open and water flowing into the pool.

I have seen more people at the pool this year than in past years. Those I spoke with say the water is clear and very cold. This includes 2 of my grandchildren.

There is a small amount of Poison Ivy there. We did use "Burn Out" on it and it killed back what was in direct sunlight but only burned the leaves a little on the Ivy in the shaded area.

Memorial Garden: Mowing and clipping of the Garden area continued. Weeding of the garden was done prior to the 4th of July. Day lilies were added to the flower bed. When the poppies were in bloom, they were a grand sight.

Edged around the top of the garden wall, removing dirt and moss covered debris. Probably no one but me will notice the work but it did make the top of the wall look neater.

Watering of the garden took several times this period and the 3 monuments and 2 benches were washed with soap and water. We washed off the grime and grit from the wall in back of the flower bed and put a small amount of fertilizer on the bed and the grass area.

Cemeteries: Mowing and clipping of cemeteries has been done as is prudent given drought conditions.

South lawn- During the past month we have worked on four (4) lots which need graves sod removed because of the lack of grass and the growth of mold on the graves. We did the repair work by removing the old sod/soil, bringing in fresh loam (about 4"), spread loam, seeded, mulched and fertilized.

Because there is water available, we were able to water each repaired site to encourage the growth of new green grass.

Guess what – it worked!!!

The work of finding lot cornerstones continued this year. To date we have searched 6 more lots for cornerstones and finding only 3 of the 6 lots had cornerstones. The cornerstones that were in place were cleared, raised and straightened.

The lots having grass markers (of the six lots worked on, 4 had grass markers) had the grass markers cleared, raised and straightened.

The work noted above takes more time than seems necessary, but is slow work, but rewarding work when cornerstones and grass marker work is complete.

River Road: 28 stones were straightened in the cemetery. In checking this cemetery over we found part of 2 stones buried 1-3” below the surface. We have marked where the stone pieces were found and when time and money allow we will attempt to put them in place.

I believe there is only one (1) grave to raise in River Road .

There is only one (1) broken stone there but as many as five (5) stones that should be sealed to prevent weather damage.

Cider Grove: Had a very large and old maple tree on the Church Street side near the entry gate blow over in the high winds on July 18th. God was watching as the tree missed three (3) stones in the front row by inches.

We were able to finish taking down the blown down section without any damage to any stone, fence, or person. Jim Musty asked for the wood in exchange for the clean-up and removal of the wood. The Cemetery Trustees gave permission for this to happen as long as Jim or JM Landscaping provided liability insurance for this project. Jim Musty will give me a copy of the insurance, probably Wednesday July 27, 2016.

Sewer: Normal mowing and maintenance of Rt 25 and directground discharge occurred this month. I noticed an increase in grease in secondary septic tank and main “D” box on directground discharge bed. Contacted 4 corner store and school to see when they last pumped out their grease traps and when next pumping is scheduled. PVS stated their next pumping would be in mid-August. I advised that would be ok. 4 Corner Store advised next pumping was scheduled for Oct 2016. I requested the store trap to be pumped within the next two weeks-Jeff Gaudette stated they would do so. I asked for a copy of the invoice to show a paper trail of compliance. Jeff indicated he would do so. I will continue to monitor the grease issue.

The State (DOT) is preparing to do work in areas that the collection system pipe runs through- I have been assured by NHDOT surveyor that they are aware of the collection system

I understand Frank Rodiman is working with NHDOT and we have had a discussion about the collection system pipe, lateral pipes and manhole possible issues and actions.

Bush hog of nitrate area for 1st time has been done. A second bush hog of area will be done at the end of season.

Closed Landfill Care/Maintenance: Closed landfill has been bush hogged and clipped. A second d bush hog of the area may be needed at the end of the growing season as I spoke to Board about a few weeks ago.

The woodchuck population was bombed again- 8 8 holes found, of which 6 were fresh. Will continue to check for holes and bomb as needed.