

Town of Cornish  
Selectmen's Meeting Minutes  
Friday November 2, 2012 2:00pm

Present: John Hammond, Merilynn Bourne, Larry Dingee

1. Cardia Avery asked to "sit in" during the Selectmen's meeting.
2. Paul Rondos Sr. called to ask about the north east end of Harrington Road. The Harrington Road sign is missing. Selectmen will notify the Road Agent and have it replaced.
3. Selectmen reviewed mail and signed invoices.
4. Larry brought up his concerns regarding youth on the fire department. Larry does not believe youth can be on the department. Larry believes that the town's insurance will not cover the youth. Cardia stated that Larry should not have reprimanded the fire chief without speaking to the other selectmen first. Larry reported that he called John and then Merilynn after his conversation with Scott. Merilynn commented that by calling after the conversation, he acted alone and violated the other two selectmen's right-to-know. She also remarked that given the history, it is her opinion that Larry should not be the one speaking to the Chief. Cardia stated that Slade has been on the fire department since last year. Larry should have expressed these concerns to the board a year ago and not handled it during an emergency event. Cardia is very concerned that her son's attempt to find a place in town is being damaged by Larry's intervention. Merilynn reported on her conversation with Perry Plummer, the director of the NH Fire Academy and the Division of Fire Safety and Standards. Mr. Plummer stated that there are no statutes prohibiting youth or cadet membership on a fire department. John reported on his conversation with the Chief the day after the event. John told Scott this would be a good time to sit down with Scott to talk about policy and procedure. Merilynn commented that in her opinion that the only concern from the selectmen's perspective was one of liability. Any program within the fire department was under the authority of the chief. Larry stated that the first that he was aware of anyone under 18 years of age responding to fire calls was when he observed it on Monday night. He also stated that he had spoken with an inspector with the Department of Labor and was told that these children would fall under the requirements of RSA 276. He also stated that at present the Town Ordinance does not permit fire fighters to be under 18 years old. His primary concern is that all parties are protected from liability.
5. John opened a letter to his attention, unsigned. The writer asked that John open a second letter enclosed in a separate envelope and read it to the board and enter it into the record. The second letter was also unsigned. Merilynn and John both feel that anonymous letters are not acceptable. We don't even know if the writer is a resident of Cornish. Selectmen called the LGC to ask about the legality of entering an unsigned letter into the formal record. LGC states that there is no legal requirement regarding the placement of any correspondence into the record, signed or unsigned. The Selectmen's minutes must, at a minimum, contain general topics of conversation, a record of who was in attendance and any votes taken. After that, it is up to the Selectmen to decide what else is included. The decision was made by Merilynn and John to not include the letter in the minutes but John stated that he would talk to the Fire Chief about it.
6. Troy Simino stopped in to say hello.
7. Jim Guy came in to attend the meeting along with Christopher Chilton, Dale Lawrence and Leo Maslan.
8. Scott Reuthe arrived to talk with Selectmen about Larry's concern. Scott had called LGC yesterday and was waiting to hear back from them regarding coverage. Larry stated that his big concern was the issue of liability coverage for the youth. Scott is still waiting to hear from the town's insurance company regarding coverage. Larry discussed youth labor laws. He states that he was told by the Department of Labor that those laws do apply. Merilynn reported to Scott on her conversation with Perry Plummer and the fact that the head of the Division of Fire Safety and Standards stated there were no statutes prohibiting youth involvement on a training level. Liability is the only concern. The Selectboard will need to chase down the differing opinions of

the DOL and Perry Plummer. Scott will contact the Keene fire department to ask about their explorer program. Larry offered to help Scott get in contact with other chiefs around the state through the email list of the NHAFC of which he is a member. Scott asked about selling old Engine One. Article 13 of last year's Warrant provided for the sale of the truck. Scott also reported that Engine 2 is in need of some significant work. Scott will get quotes to be ready for the next town meeting. Scott asked about having Dingee Machine do repair work on the fire trucks. Larry explained the process for having him bid on the work.

9. Merilynn commented on Kyle Witty's failure to observe the fire department's roadblock on Rt. 120 on Monday evening. Chris Chilton provided details. It is her opinion that the board needs to speak with Kyle about that practice. Larry commented that Scott should speak with Kyle. Merilynn commented that the Chief does not oversee the Road Agent, the Selectboard does and that is who should speak with Kyle. The Fire Chief reported that he was able to call the governor on his cell phone the night of the storm because PSNH was not responding. The governor was able to get Scott a response and Scott was very grateful.

Adjourned at 5:15pm,  
Respectfully submitted,  
Merilynn Bourne, Selectwoman

Town of Cornish  
Selectmen's Meeting Minutes  
Monday November 5, 2012 6:30pm

Present: John Hammond, Larry Dingee, Merilynn Bourne

1. Selectmen reviewed mail and invoices and signed checks.
2. Reyer Jaarsma met with Selectmen to ask about logging access to the Burling property off the Class VI portion of Root Hill Road. He was told that access is allowed and that the road needs to be left in the same condition it was found. Reyer asked about gates and bars. He was told gates and bars are also allowed but they may not be locked.
3. Bill Fitts met with Selectmen to report that the hood work at the Town Hall is complete. The State Fire Marshall will help Scott Reuthe inspect the hood. John asked Bill about cleaning the stove prior to lighting it. Bill will see what he can do after the hood has been inspected. Larry asked if an annual inspection was required and if so, who is allowed to do it. Do we need the "K" extinguisher and if so, what size?
4. Kyle reported on a phone call request for criteria for improving a Class VI road. He stated that the conversation with Reyer answered some of his questions. Landowners are allowed to undertake improvement of the road to provide access to their land. The Selectmen and Road Agent provide guidance as to what is done. Kyle reported that Ruth Cassidy asked if the highway department could help create some raised beds at the school. Mike Monette asked Kyle if he could change the oil in the generator. The Selectmen feel Kyle can decide what he has time to do. John spoke with Kyle about fire department road blocks and the protocol when encountering one. Stop at the truck and ask for information from the Fire Chief. Do not proceed beyond the fire truck without checking in. The Selectmen asked if the new one ton was ready and when would the old one be moved to the cemetery department? Kyle thinks the truck will be ready for delivery in a week. Kyle will speak with the Sextant to see if there is a need for the old truck which will be sold once Kyle is able to switch his current truck to that department.
5. Merilynn reported to the board on her conversation with the DOL regarding youth and fire training. DOL, after review, stated there are no statutes covering youth who do not participate in actual firefighting. Liability is the only issue. The Selectmen will call the town's provider on

Friday and discuss the situation and ask for clarification regarding coverage for youth. The Board would like to hear Fire Chief Reuthe's thoughts regarding a program model.

6. Larry reported he may not be at the meeting on Friday so he would like the following questions asked of our provider: Who pays the medical bill if youth are injured while attending a training or a call? Would it be workman's comp or our liability policy? Where can we get a waiver form for the parents of the youth to sign?
7. The Selectmen discussed a policy for approving meeting minutes. The Board will vote approval of the minutes at each successive meeting and that vote will be recorded in those minutes.

Adjourned at 8:30pm,  
Respectfully submitted,  
Merilynn Bourne, Selectwoman

Town of Cornish  
Selectmen's Meeting Minutes  
Friday November 9, 2012 2:00pm

Present: John Hammond, Larry Dingee, Merilynn Bourne

1. Selectmen reviewed mail and invoices.
2. Larry reported on his conversation with Steve Cherino regarding work on town buildings. Steve will put together a quote for the painting of town buildings. Larry also stated that our duties on election day include appointing alternate inspectors at the polls if party representatives fail to make the appointments. Larry remarked that this was a duty we were all unaware of.
3. Selectmen called the LGC Liability division to discuss the issue of coverage for youth on the Fire Department. Debby Lewis was not in. A message was left.
4. Selectmen called PRIMEX to discuss medical coverage for youth on the Fire Department. Tammy Denver was not in so Selectmen left a message on her voice mail. Mary Beth was next in line. She will speak with Phil St. Sauvier and get back to us.
5. Debby Lewis from LGC called the Selectmen to answer our question. Ron O'Keefe (ext. 3384) needs to answer the question. He is the safety officer. Ron is out of the office until the 19<sup>th</sup>.
6. Selectmen called NH Department of Labor to ask about RSA 276-A; we were referred to the "School to Work" division - Inspector Zygmunt: Hazards and wage can be waived but it is his opinion no other portion of the law may be waived. He will speak with Michelle Small, the administrator and call back. Michelle Small returned the call to the Selectboard. Michelle states that without the benefit of an explorer program, youth under 16 may not be on the truck responding to an event. Michelle will get the Selectmen information on enrolling in an explorer program. She also stated that for 16 or 17 year olds the requirements of RSA 276 A:24 have to be met before they can go to a call. Christine Farmer joined the conversation regarding explorer programs for those under 16.
7. Selectmen called Perry Plummer, NH Div. of Fire Safety & Standards regarding the same topic. Perry reported on Peterborough and Bedford programs for examples. Contact Andrew from the Daniel Webster Council for detailed information. Perry Plummer reported on Junior Firefighting programs for High School Juniors and Seniors for Level One training. Merilynn asked if RSA 276-A:24 pertained when an Explorer Program was the training mechanism. Perry stated that the Daniel Webster Explorer program could answer that question. Perry will send literature to our attention. Jim Linquist (Northwood) is the head of the Explorer Academy; 603-583-7332. The program covers all safety and liability concerns. Perry reports that there is a summer program at the NH Fire Academy that youth are encouraged to attend. "Camp Fully Involved" has a similar

program for girls. He stated the opinion that the "Best Avenue is an Explorer Post for anyone under 18".

8. Merilynn moved to approve the minutes of November 5<sup>th</sup> as presented; seconded by Larry Dingee. The vote was in the affirmative and unanimous.
9. Larry left the meeting at 3:55pm.
10. Heidi Jaarsma met with Selectmen. She reported that the 250<sup>th</sup> Anniversary license plate was approved by the state. Heidi reported on the sub-committee working on a history book covering 1963-2013. The estimate for production is anywhere from \$5,000 to \$26,000. John Dryfhout is looking for donations to cover the costs. He wanted to know if the town would hold the copyright to any book published. Selectmen will speak with the LGC before responding to that request. If the Meeting House would like the copyright, as they are being designated the beneficiaries, Selectmen will not object.
11. Selectmen called The Daniel Webster council to ask about their Firefighting Explorer Program. Andrew Murphy was the individual we needed to speak with but he was not in. A message was left.
12. Selectmen asked Mary to contact Avitar on Monday to ask if the Old Stage Coach Road decision had any effect on the Klingler property assessment.
13. Selectmen called Scott Reuthe to report on the content of their conversations with DOL and NH Div. of Fire Safety & Standards. John and Merilynn directed Scott to ensure that youth under 16 were not riding to a fire scene on any of the trucks until the department had an approved Explorer Program. Scott was asked to inform Jim Guy of this decision. Scott reported that he learned that one person from the fire department would need to complete a one day course with the Explorer Program and that person would then oversee the program within the department. Scott also reported that he spoke with Debby Lewis from LGC a few days ago and she told Scott that if the youth are on the roster they are covered. All LGC needed was a "count" of how many were on the roster and then they would be covered. Scott added that he was not comfortable with that answer as it didn't seem to fit with the other information we have received. John and Merilynn told Scott they will continue the research into the matter.

Adjourned at 5:00pm,  
Respectfully submitted,  
Merilynn Bourne, Selectwoman

Town of Cornish  
Selectmen's Meeting Minutes  
Monday November 12, 2012 6:30pm

Present: John Hammond, Merilynn Bourne, Larry Dingee

1. Selectmen reviewed mail and invoices and signed checks.
2. Mary asked about the rate of pay for Dale Rook. The board feels that as a fill-in, \$10.00 per hour would be appropriate.
3. Rebekah Thomas met with the Selectmen to be sworn in as a member of the Conservation Commission. Selectmen are not certain if she is being sworn as an alternate or a full member. Calls were made to ascertain the role. No one was available to provide an answer. Rebekah stated she would be happy to serve in whatever capacity was required. Rebekah recited the oath in front of the Selectmen.
4. John reported on a septic dig at the Glass residence. There is a new design for the septic system. John also reported on a request by Fred Weld for a copy of the map for the land traded with Blue Mountain Forest.

5. John made a motion to approve the minutes of November 2, 2012, as presented; seconded by Merilynn. The vote was unanimous and in the affirmative.
6. Selectmen discussed the quote from Steve Cherino for the Town Hall and Town Offices. Two more bids will be required and we need to ensure that all bids are for the same level of work.
7. Larry moved to accept the minutes of November 9, 2012 as presented. John Hammond seconded. The vote was unanimous and in the affirmative.

Adjourned at 8:15pm,  
Respectfully submitted,  
Merilynn Bourne, Selectwoman

Town of Cornish  
Selectmen's Meeting Minutes  
Friday November 16, 2012 2:00pm

Present: John Hammond, Merilynn Bourne, Larry Dingee

1. Selectmen reviewed mail and invoices.
2. Mary provided the board with an update on her work this week. She is chasing down the requirements for Veteran's Tax Credits.
3. Selectmen called Avitar to ask about their plan for handling the Fairpoint suit. Gary was in to speak with the board. Gary stated that there are about 32 towns in the group being represented by Rob Upton. Three to four firms will be getting together to form the best defense for the 140 towns in the suit. There will be some sharing of the legal responsibilities. Each town will bear a portion of the cost. Gary believes the judge will allow one hearing on the legal issues...not 140. It is being handled like a Class Action Suit. Avitar will only be testifying on assessment, not legal issues. Gary thinks his group will represent the counties in his service area on the issue of assessment. Merilynn moved to join the Avitar group being represented by Rob Upton for the Fairpoint suit. John seconded; Larry voted "no", John and Merilynn voted "yes". The vote was in the affirmative. Selectmen contacted Mike Fuerst to inform him of the board's decision and to request that he forward all files pertinent to Fairpoint to Rob Upton. Mike asked if he could have the leeway to contract with Gardner, Fulton & Waugh if for some reason Rob Upton said he couldn't take the case. The board approved.
4. Mrs. Mary Shatney met with Selectmen to discuss her property tax and to schedule payments. Selectmen advised Mary to speak with the Tax Collector for a payment schedule. If it's agreeable with the Tax Collector it will be agreeable with the Selectmen.
5. Kyle reports that the new truck is in. He picked it up Tuesday. Kyle also reports he is gathering information on culvert thawing equipment. Kyle explained his purchase order for chains.
6. Merilynn moved to approve the minutes of November 12<sup>th</sup> as presented, seconded by John Hammond. The vote was in the affirmative and unanimous.
7. Selectmen called and spoke with Matt Smith regarding his building permit application. #386-12. Matt will come in with the fee and Selectmen will sign his permit. Matt came in with his check and his permit was approved.
8. Selectmen discussed Dale Lawrence's email regarding 2011 Selectmen's Meeting Minutes on the web site. Merilynn stated that the information Dale is looking for is readily available in the town offices. Merilynn will research the practices of other towns relative to backlogs and check the capacity of info on the website.
9. The Selectmen reviewed town expenses by department.

Adjourned at 5:00pm,  
Respectfully submitted,  
Merilynn Bourne, Selectwoman

Town of Cornish  
Selectmen's Meeting Minutes  
Monday November 19, 2012 6:30pm

Present: John Hammond, Merilynn Bourne, Larry Dingee

1. Selectmen reviewed mail and invoices and signed checks.
2. Mary was asked to post the holiday closings for the Board of Selectmen.
3. Selectmen called Lowel Callahan to ask about the Town Forest report and whether or not he was still on the committee as a representative for the Conservation Commission. Lowell believes he is but he has heard the Linda Fuerst may have volunteered for that position. Selectmen will call Linda and get back to Lowell.
4. Selectmen called Jim Barker to ask if Linda was the Conservation Committee's representative on the Town Forest Committee. Jim was not in. A message was left. Jim called back and confirmed that Linda Fuerst is indeed the representative from his committee.
5. Mary was asked to email Rob Upton and ask for confirmation regarding his agreement to represent the town in the Fairpoint suit.

Adjourned at 8:30pm,  
Respectfully submitted,  
Merilynn Bourne, Selectwoman

Town of Cornish  
Selectmen's Meeting Minutes  
Monday November 26, 2012 6:30pm

Present: John Hammond, Merilynn Bourne, Larry Dingee

1. Selectmen reviewed mail and invoices and signed checks.
2. Sharry & Brian LaRose met with Selectmen to ask about taxes on a merged lot. Her lot is at the lower end of Jackson Road. She wants to know how the tax bill will be calculated since the purchase and the merger. Larry explained that the current tax bill is for the first half of 2012. The June 2013 bill will show the change since the merger. This office will attempt to notify the LaRoses of the change in value prior to the next tax bill.
3. Lisa Connell from the Eagle Times met with the Selectmen for an introduction. Lisa will be covering Cornish and Unity for the Eagle Times. Lisa asked if the board has had any further discussions with Chief Hackett regarding dispatch services. John explained that we are just coming into budgeting season so we will have that discussion in the coming month. Lisa also asked if there had been any changes in the status of Old Stage Coach Road since October. There have not. Lisa stayed for the full meeting.
4. Heidi Jaarsma called the Selectmen to report on an email from Bill Lipfert asking about a Certificate of Zoning Compliance for a new shop in the Flat. The sale of retail and handicrafts. Selectmen will contact Ms. Amanda Posner to ask about her application. It has not yet been returned to the office.
5. Selectmen reviewed several abatement requests. Avitar, the town's assessor, will review.
6. John moved to accept the November 19<sup>th</sup> minutes as presented; seconded by Larry Dingee. The vote was in the affirmative and unanimous.

7. Selectmen called Amanda Posner to ask her to meet with them regarding the Certificate of Zoning Compliance. She was not in so a message was left.

Adjourned at 8:30pm,  
Respectfully submitted,  
Merilynn Bourne, Selectwoman

Town of Cornish  
Selectmen's Meeting Minutes  
Friday November 30, 2012 2:00pm

Present: John Hammond, Larry Dingee, Merilynn Bourne

1. Selectmen reviewed mail and invoices.
2. Kyle Witty met with Selectmen to review the week. Kyle was asked about gravel potential at Rachel Hamel's site. Kyle reports there is too much "overburden" to make that site worthwhile. There was a discussion about other possible sites as well as lease options for suitable sites.
3. Amanda Posner met with Selectmen to deliver her application for a Certificate of Zoning Compliance. The Board stated that site plan review would be required due to the change-in-use issue. Larry moved to refer Amanda to the Planning Board to discuss site plan review, seconded by John Hammond. The vote was in the affirmative and unanimous.
4. Mary reported on Avitar's response to Merilynn's question about the tax abatement request by TDS. Avitar states that Avitar's original assessment was incorrect so an abatement was justified. Larry moved, seconded by John to grant the abatement on the TDS tax bill. The vote was in the affirmative and unanimous.
5. Merilynn moved to approve the minutes of November 16, 2012. Seconded by Larry Dingee, the vote was unanimous. Merilynn moved to approve the minutes of November 26, 2012, seconded by John Hammond. Vote was unanimous.
6. Larry asked about Janet Scholer's file folder relating to the town website. Merilynn explained it was in her possession because she is now maintaining the site. Larry said he wants the file in the town office. Merilynn explained there is nothing in the file that is helpful but she will bring the file to the office. Merilynn will also provide the access information to the site and stressed that it must be kept secure.
7. John Fergat met with Selectmen to ask about putting his recent land purchase into Current Use. He was given the paper work.
8. John and Larry needed to leave so the meeting was adjourned at 3:50pm.

Respectfully submitted,

Merilynn Bourne, Selectwoman