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**Town of Henniker
Board of Selectmen Meeting
Tuesday, March 2, 2021
Virtually via Zoom**

Members Present: Chairman, Kris Blomback; Vice Chair Tia Hooper; Selectman Peter Flynn; Selectman Scott Osgood; Selectman Leon Parker

Town Administrator: Joe R. Devine Jr.

Recording Secretary: Kelly McCutcheon

Virtual Zoom Guests: Joan O'Connor, Rob Reno, Heidi Aucoin, Mike Tardiff, Mikael Plante, Bill Marko, Cordell, Johnston, Danny Teaze, Stephanie Teaze, Lori Hubbard, Chief of Police Matthew French, Jack Krantz, Fire Chief Jim Morse

Item 1: Email from Amanda Sauerheber

Item 2: Email from Robert Reno

Item 3: Consent Agenda

Consent Agenda from February 16, 2021

Item 4: Abatement –Contoocook River Lumber (Map/Lot 2-486 A)

Vice Chair Hooper moved to approve the Consent Agenda as presented. Selection Parker seconded. Motion carried 5-0.

Public comment #1,

No public comment.

Item 5: Update from Mike Tardiff –Executive Director of Central Regional Planning

Mike Tardiff informed everyone the project is about ½ way through the 10-year process since being added to the Master Plan. The original estimation was roughly a million dollars with the most recent estimate being \$2.7million dollars. Preliminary engineering is outlined for 2023 with the earliest construction date being 2025 and additional meetings with DOT (Department of Transportation) coming up to review the planning process.

Selectman Osgood asked if the intersection would become a rotary. Mike Tardiff stated it is unknown but DOT will be hosting a public meeting March 25th, beginning Phase A of the process hearing from both Henniker and Hillsborough, and that there will be plenty of opportunities for public input. Chair Blomback asked about the project's timeline. Mike Tardiff responded that the project was added to the Master Plan in 2015 and that construction would be no earlier than 2025. Vice Chair Hooper asked for information on government distributed

FINAL

funds for roads and infrastructure for the project. Selectman Osgood asked about any plans to bring the rail trails back to Henniker and the trails are included in the 10-year plan.

Item 6: Update for 2021 Town Meeting –Cordell Johnston

Cordell Johnston stated the first session will be Tuesday, March 9, 2021 and that typically town elections see a smaller turn out compared to presidential and national elections, and protective equipment is still available and all the same precautions will be taken. Voting will take place in the Henniker Community School gym.

The business session of Town Meeting will be Saturday, March 13th starting at 1pm at the Henniker Community School gym with over flow to be in the cafeteria to accommodate appropriate social distancing. Joe Devine has spoken with an audio video specialist and there will be both video and audio capability so people can fully participate in either room.

No action is required from the Board tonight. There is one ballot vote and one bond vote which is the first item on the warrants. The Governor's mask mandate is still in effective and people are expected to wear masks Tuesday voting and Saturday at the business session.

Chair Blomback asked about those who wish to attend and do not want to wear a face mask. Cordell stated the mask mandate does allow for medical exemptions; and if someone cannot wear a mask they will be asked to sit in a separate section and it is assumed police will be there to arrest anyone if needed. Joe Devine stated last year's Town Meeting made accommodations for those who did not want to wear masks and will be able to do so again.

Item 7: Request to be added to the tow rotation

J & M Towing
Sizemore Motors

Joe Devine stated the town was approached by both companies requesting to be added to the tow rotation. The current policy gives the Board of Selectmen authority to dictate who is on the list with input from the Chief of Police. Chief French stated there have been no problems with the current companies on the list and that Henniker does not have the many tow call. At a future meeting the Chief requested to speak with the Board in regards to updating the policy.

Chair Blomback asked how many cars are towed each year. Chief French stated he did not have the current numbers but would guess 40 tows a year. Vice Chair Hooper recommend postponing until the Chief could update the policy. Selectman Parker and Flynn stated their support of the current two companies who are truly local.

By consensus the Board is not adding any new companies to the tow rotation list.

FINAL

Michael Plante of J&M towing thanked the Board for the opportunity to speak and spoke of how recently other towns like Weare have been adding companies to their tow rotations. He stated J&M is 1.8 miles from the town line so response time will not be an issue in addition to being a small family owned business that is a AAA provider and would like to be afforded the same fair and reasonably opportunity Danny's Automotive was offered in Weare. Currently J&M has a contract with NEC (New England College) and regularly in town.

Selectman Osgood stated since J&M towing spends time in town that if they are needed the town will reach out to them as backup. Michael Plante stated he has 3 tow trucks being able to respond to multiple accidents and has secure storage facilities in several towns.

Chair Blomback asked how many companies are on the tow rotation in Weare; five since the policy was just updated due to response time issues. Chair Blomback asked if Michael Plante has towed for Henniker Police Department before; yes, a few times.

There have been no issues with the current two companies on the tow rotation in the last 10 years and the Board will revisit the decision once the Police Chief has had time to update the policy and present it. Chair Blomback thanked Michael Plante for his time.

Item 8: Speaking order for Town Meeting

The speaking order for Town Meeting was determined and list is attached on the page following adjournment and upcoming dates.

Item 9: Update to temporary travel policy for vaccinated employees

Town Administrator, Joe Devine, was approached by Fire Chief Morse and Rescue Chief Aucion regarding the August 11, 2020 selectmen travel policy that prohibited town employees from leaving the New England region. The State of New Hampshire and the CDC (Center for Disease Control) had updated their guidelines allowing people to travel if they are vaccinated and as well as a part for essential workers. Chief Morse requested the policy be updated to reflect the State and CDC recommended guidance.

Vice Chair Hooper stated the Board agreed to not move forward with any policy changes and that it was on the news last night that the CDC was asking people not to start traveling as precautions need to be taken in this early phase.

Chair Blomback stated that when the policy was passed that both chiefs were not in favor of the policy. Given that Chief Aucoin is also the Health Officer for the town, if Chief Aucoin feels it is safe for employees who have been vaccinated to travel he will entertain a motion to reverse the policy.

Selectman Osgood stated he would vote against it and it is better to wait it out. Vice Chair Hooper agreed because the majority of the population has not been vaccinated and the item

FINAL

can be revisited at a differed time. Chair Blomback stated the whole point of the vaccine was to get the country back in motion and that both chiefs deal in life and safety.

Selectman Osgood stated that just because someone is vaccinated that it does not mean they cannot carry the virus. Selectman Parker suggested tabling for 30 days.

Fire Chief Jim Morse wondered why the Board would go against the State and CDC on this. Vice Chair Hooper stated they needed to wait to see what new variants come about and see how effective the vaccine is against the new variants.

Selectman Flynn moved to wait 30 days before making any changes and putting on the agenda for the nearest meeting after the 30 days. Vice Chair Hooper seconded.

Fire Chief Morse stated he has not seen the policy being voted on and that one would think department heads would have been included in the conversation of a policy they have to abide by and that involves their employees. Fire Chief Morse stated the Board is over stepping their bounds.

Joe Devine stated the town's policy that he drafted follows the State recommendations. Fire Chief Morse stated the State does not restrict employees from leaving if they have been vaccinated. Chair Blomback asked if the State allows employees to travel after the vaccine. After 14 days from the second vaccination State employees are allowed to travel outside of New England.

Chair Blomback asked why is the drafted policy going against State policy. Vice Chair Hooper stated the CDC said states are opening up too quickly. Chair Blomback stated the CDC also says it is safe to travel if you have been vaccinated and that since he does not have a medical background he would not go against the CDC. Selectman Osgood insisted vaccinated people can still spread the virus. Fire Chief Morse explained normally with a vaccine or virus one is not a spreader or a carrier after being exposed. Vice Chair Hooper stated with the new variants there is potential the vaccines will not work against the new variants.

Fire Chief Morse stated the Board is treading on thin ice and trying to gate in the community when letting people into town (tourist, NEC students). Vice Chair Hooper called a point of order. Selectman Parker stated the 30days appeals to him because he also has not seen the policy as proposed and suggested taking a month to get department heads input and come back. Chair Blomback asked if science or feelings will be applied to the policy.

Selectman Flynn moved to revisit after April 1st at the next meeting. Vice Chair Hooper seconded. Motion carried 4-1 (Blomback)

Chair Blomback stated that travel should be open to all employees who have had both vaccinations after the 14th day from the second injection. Fire Chief Morse stated again that he had not seen the policy and that the Board is going against State and Federal guidelines. Vice Chair Hooper stated the policy is on the town website and was emailed to him. Chair Blomback agreed with Fire Chief Morse about the Board over stepping but it will be revisited in 30 days.

FINAL

Item 10: Acceptance of Board of Selectmen Meeting Minutes February 2, 2021

Selectman Parker moved to approve as amended. Vice Chair Hooper seconded. Motion carried 5-0.

Item 11: January Department Reports

In packet

Item 12: Town Administrator Report

COVID-19 Update—As of February 25th, 2021, we have eight active cases (0.16% of the population), we have had 11 new cases in the past fourteen days, a total of 181 cumulative cases (3.6% of the population) and 4,152 tests have been conducted for residents of Henniker. The positivity rate for Henniker is 6.4%.

- Vaccination—The State announces that they hope to have phase 2A of the vaccination roll out by the end of the month. Phase 2A covers teachers and childcare workers of about 75,000 people. The next group is 2B which would be those between the ages of 50-64. This also could be expedited if additional vaccines are approved (Johnson and Johnson) sooner.

- Town Election Coverage—With the Town Election fast approaching, I would like to remind the Select Board of the importance of them being at the polling location according to the N.H. State Constitution. This year will be difficult since we have two Select Board Members seeking reelection. These two members should not be present in the gym to ensure that no electioneering is taking place in the polling location.

- Electronic Voting Machines—Recently, we have fielded several questions on our voting machines' accuracy, stemming from a situation in Windham, NH. If you have not heard the problem, a Democratic state representative candidate requested a recount after losing her race by 24 votes. The recount results showed the four republican candidates each gaining approximately 300 votes and the candidate losing 99 votes. The other three Democratic candidates each gained in the range of 18 to 28 votes which is not unusual in a recount of machine counted ballots in a town the size of Windham. The same candidates for state representative who won on election night were also the winners after the recount. The recount was appealed to the N.H. Ballot Law Commission held a public hearing and then voted unanimously to uphold the election of the four Republican candidates.

The Deputy Secretary of State said that the Windham Acuvote issue appears to have arisen from some vote-counting mistake and not from any manipulation of the Acuvote machine. The Town has the right not to use the Acuvote machine, but we would have to return to hand counting. The Deputy also said the machines had been used for about 25 years in N.H., there is no internet access to them, and there is no exterior access to them physically, as all the external wire and plug accesses are closed off. The Acuvote machine is the only machine approved in N.H. to read and count ballots.

- Azalea Park Donation—The Town received a donation for Azalea Park for \$3500.

FINAL

Selectman Flynn stated he is not comfortable accepting an anonymous donation. Vice Chair Hooper stated her concern on how the checks were addressed if the donation came from multiple parties. Joe Devine will reach out to legal since he is unsure how Susan Adams was able to cash the checks and get a bank check. Vice Chair Hooper also requested asking legal if the town can accept checks from anonymous donors but maintain record of the donor for internal purposes. Selectman Osgood stated there is nothing written that requires that information and that it would be a waste of money on a lawyer.

- Town Hall Boiler–The Town of Henniker has been granted an extension by the N.H. Department of Labor to replace or fix the boiler at the Town Hall. They have given the Town until April 27th, 2021, to come into compliance.

- 2149 Western Ave—I wanted to update the Board on this property we dealt with in 2020. If you recall, the buyer of this property was looking to settle the liens the Town held. The closing has finally occurred. We received a check for \$10,000 to vacate the liens. We will remove these liens and place the property back on the tax roll for the Town.

- Potential Increased State and Federal Revenues for Municipalities–During the past week, several announcements provide the potential of positive news for municipalities for the coming year in terms of both state and federal revenue sources. The reports involve Rooms and Meals tax revenues from the State and federal Covid-19 Relief funding related to COVID-19 disaster declaration from the federal government.

Rooms and Meals Tax Revenue: On February 11th, Governor Sununu delivered his biennial budget address to the Legislature, outlining what he proposed in the next State budget. The first item he addressed was increased revenues to Granite State cities and Towns by increasing the amount of funds sent directly to municipalities from the Rooms & Meals Tax. Currently, \$68.8 million per year is what is sent to cities and towns. In both years of the next biennium, the Governor increases that amount by \$5 million (in 2022 -\$68.8 million up to \$73.8 million and in 2023 -\$73.8 million up to \$78.8 million). The Governor's Budget Director has indicated to officials at the N.H. Municipal Association the current level of funds (\$68.8 million) is the minimum amount that will go out, and the proposed increases are dependent upon overall increased revenues in Rooms & Meals tax collections. While there is potential increased revenue from this source, the Governor's budget proposal also reduces funding for the Highway Block Grant program by \$3.1 million in 2022. The State Bridge Aid Program is also reduced from its historic \$6.8 funding level to \$6 million.

Covid-19 Relief Funding: As media outlets have widely reported, the Biden Administration and Congress are developing a \$1.9 trillion Covid-19 Relief package, which could send upwards of \$1.6 billion in funding New Hampshire. The current proposal working its way through the Congress would include direct funds to local governments, meaning counties, cities, towns, and village districts. The funding formulas are being worked on, but current reports are there would be as much as \$559 million to local governments in New Hampshire. Auburn is likely to be included with communities that generally do not meet Community Development Block Grant funding standards and would be splitting approximately \$19.5 billion in direct funding.

FINAL

Unlike past federal funds, state and local governments would be allowed to use these funds to make up revenue lost or delayed because of the pandemic. FEMA Disaster Funding: Within the past week or so, the Biden Administration has announced the Federal Emergency Management Agency (FEMA) would cover 100% of the expenses incurred and claimed by local governments for the Covid-19 pandemic disaster declaration that was issued in March 2020. Typically, FEMA covers 75% of these expenses, with the state and local government responsible for the remaining 25%. During a weekly conference call on February 11th, the Director of the N.H. Division of Homeland Security and Emergency Management reported they had received the same announcement concerning FEMA covering 100% of claimed expenses. Still, they have not received the follow-up guidance documents and information from FEMA to indicate what costs will be allowed and how we should claim them. She noted that once they accept that guidance, they will provide it to the local communities. Until the guidance is received, she encouraged local communities to keep track of their expenses to ultimately document the expenses. The Rooms & Meals revenue and the Covid-19 Relief Funding from the federal government are intended to be anticipated revenues that would help local officials meet municipal expenses. The 100% FEMA coverage is funding that is intended to fully reimburse local governments for costs they incurred and is not considered to be new money for additional expenses. There is still a lot of work to take place at both the State and Federal levels to bring these items to fruition and benefit local governments and their taxpayers. And we will keep an eye on these items to keep the Board informed. But at this early juncture, they all indicate at least a recognition local government is a partner at the table. As the Governor noted in his Budget Address, the State will shift cash down to the cities and towns and not unfunded mand

Item 13: Selectmen Reports

Chair Blomback, Vice Chair Hooper and Selectman Osgood had no reports.

Selectman Flynn met with Athletics and they are about ready to launch their new webpage. There was also discussion of updating the background checks for coaches and girls' softball signups will be starting.

Selectman Parker met with the Road Management Committee who was disappointed in the reduction to the road article and will likely cut Old Hillsboro Road from the 2021 project list.

Public Comment #2

No public comment

Selectman Parker moved to adjourn. Selectman Flynn seconded. Motion carried 5-0

Adjourned at 7:45

UPCOMING DATES

March 9, 2021 –Town Election Day

March 10, 2021 –Planning Board Meeting

March 13, 2021 –Town Meeting

March 16, 2021 –Board of Selectmen Meeting

FINAL

Item 8: Speaking order for Town Meeting

Warrant Article #4 Speaker: Underwood Engineers
Warrant Article #5 Speaker: Chair Blomback
Warrant Article #6 Speaker: Selectman Parker and Vice Chair Hooper
Warrant Article #7 Speaker: Highway Supervisor Leo Aucoin
Warrant Article #8 Speaker: Highway Supervisor Leo Aucoin and Vice Chair Hooper
Warrant Article #9 Speaker: Selectman Osgood
Warrant Article # 10 Speaker: Selectman Osgood
Warrant Article #11 Speaker: Selectman Flynn
Warrant Article #12 Speaker: Chair Blomback
Warrant Article #13 Speaker: Fire& Rescue Chiefs
Warrant Article #14 Speaker: Rescue Chief Aucoin
Warrant Article #15 Speaker: Vice Chair Hooper
Warrant Article #16 Speaker: Vice Chair Hooper
Warrant Article #17 Speaker: Library Trustees or Selectman Osgood
Warrant Article #18 Speaker: Vice Chair Hooper
Warrant Article #19 Speaker: Selectman Flynn
Warrant Article #20 Speaker: Selectman Flynn
Warrant Article #21 Speaker: Wastewater Supervisor Ken Leveque
Warrant Article # 22 Speaker: Cogswell Springs Water Commissioners
Warrant Article #23 Speaker: Chair of Azalea Park Susan Adams
Warrant Article #24 Speaker: Petitioner