

TOWN COMMON COMMITTEE

Meeting Minutes of ~~April 2018~~ *March 28, 2018*

Present: Tom Cummings, Aaron Gill, Bob Compton

Meeting opened at 6:30pm

Discussion centered on the phases of construction for the Hotel Lot structure, the design and measurements of which were presented to townspeople at March town meeting and approved along with more funding.

Bob Compton submitted a phased plan that included site work, electrical work, construction and landscaping.

Mr. Compton was hoping to begin getting the granite pieces to the hotel lot as soon as possible.

Aaron laid out the protocol for volunteer participation set forth by the town's insurer, namely a waiver form for the volunteers to fill out and an approval form for someone at the Town Hall to fill out.

Expenses are to be from known town vendors and a history of which will be compiled by the Road Agent.

Meeting adjourned at 7:10 p.m.

Submitted by
Bob Compton

Town Common Meeting March 28, 2018

Pavilion Items to be discussed:

-Pavilion Building phases-

I. **Locate Pavilion site** with grade stakes

II. **Drainage/foundation** (Granite slabs or granite slabs and 2'x2'x4' concrete blocks)

- We need to revisit the town pit where the slabs are and start trucking them to the site. How early can this be achieved?
- Bob will submit a drainage/foundation plan after receiving input from several sources.
- Town Machinery/Materials- Ten wheeler dump truck, backhoe, crushed stone,
- Purchased materials: perforated pipe, geotextile fabric, crushed gravel
- Other

III. **Electrical** conduit burial

- Measure and Purchase 3" conduit and sweeps
- Discuss the merit of burying another line of 3" conduit for future considerations (water, communications) ✓
- Other: Discuss an electrical plan for pavilion (outlets, lighting, panel). *Amber*

IV. **Construction**

V. **Landscaping**

- Committee discusses a simple landscape plan for the pavilion — *Libby?*

MOST Volunteers For this page

Ford

① *DIS/structure/skeleton*

② *feet*

③ *leaf*

④ *trim*

Ford

Ford

Ford

Ford

April 25

What the committee still needs to develop:

- ☐ Locating more safe play areas for children.
- ☐ Hotel Lot- Locating places for picnic tables in the Belleview Hotel copse of trees.
- ☐ Hotel Lot- Continue the stone wall and tree work.
- ☐ Deering Church spotlight arborvitae- replacement with a shorter evergreen
- ☐ Remembrance ideas to promote (i.e. plaques, pavers, light posts, benches, tiles, sculpture, gardens).
- ☐ Locating seating areas throughout the Town Common lands.
- ☐ Historic District Ordinance amendment.
- ☐ A detailed survey of the Town Common and Master Plan
- ☐ Archeological /Historical signage for Belleview Hotel site.
- ☐ More public input about the committee's ideas.

HOTEL LOT SUGGESTIONS FOR IMPROVEMENTS

- Mow the field more regularly to eradicate the poison ivy and to maintain a neat appearance.
- Create a shady space in the Belleview Hotel copse for picnic tables.
- Create a pedestrian opening in the southern Hotel Lot stone wall that divides the lot and the abutting field (SPNHF Tom Rush conservation land) and invite people into that space to experience a Labyrinth or other natural creation that nurtures reflection.
- Install a trailhead sign for Tom Rush Forest SPNHF trail at the Rangeway Road.
- Offer several places (sun and shade) for kids to play, for people to sit and take in the view.
- Create an archeological exhibit at the foundation of the Belleview Hotel site with signage about the hotel's history.
- Install large pieces of granite on the lot at the top of the berm along Gregg Hill Road for people to sit on and to keep vehicles from going into the ditch.
- Plant more shrubs and trees along Route 149 to create a natural safety barrier, improve aesthetics, a sound barrier, and to attract more songbirds.

TOWN COMMON SUGGESTIONS FOR IMPROVEMENT

- A crosswalk connecting the Town Hall parking area (front walkway) and the Deering Community Church.
- Tier the land between the Town Hall parking area and the Library with a retaining wall of natural granite to create a flat space for a patio or grassy gathering place.
- Relocate the misc. granite benches and chestnut tree to the area between the library and the parking area to form a designated "Citizen Remembrance/Memorial" space.
- Install a concrete paver walkway at the front of the Town Hall that connects both parking areas and institute a remembrance paver program for citizens.
- Encourage the formation of a Garden Club to maintain the plantings around the Town Common rather than rely on individuals.
- Cull the Norway Maple in front of the Town Hall and replace with a non-invasive heritage tree.
- Consider some exterior light posts around the town hall, in keeping with the existing church lighting, to connect the two main structures in the Town Center.

We want to provide you with the best advice possible to help guide the Town's decisions relative to the use of volunteers for work on renovations at the pavilion.

1. All volunteers should be on a roster so the Town can keep track of who is and is not helping.
2. All volunteers should sign a volunteer agreement. As discussed, the agreement is not necessarily a release of liability but rather an agreement that outlines what volunteers can and cannot do. It would also provide guidance on who's in charge, safety and other elements to eliminate "free lancing" in an effort to minimize risks. I suggested that your Town recreation program may have a template to get you started and we would be happy to review any draft agreements.
3. The types of work allowed by volunteers should be closely evaluated by the Town to ensure that risks are minimized. We would not condone using volunteers for heavy construction, work from heights (staging, etc.), power tool use, and the like. Ground level painting, light debris hauling, and yard cleanup are the types of task we view as reasonable for volunteers to do.
4. More skilled volunteers may have a greater depth of knowledge and ability and may be able to engage in more tasks. That said, the Town must understand that the more involved and risky tasks carry with it increased exposure for the Town which could impact rates/contributions if an accident were to occur and a claim to be filed.
5. Safety and Health standards must apply to all volunteers. Appropriate protective equipment (PPE) must be worn and may include things like gloves, heard hats, work boots and dust mask. Volunteers under the age of 18 should be restricted from active construction areas.
6. Some task are best left with professional contractors. Included would be roofing, electrical work and plumbing. This is best for the Town's long term protection as failures of these systems post renovation may allow for the Town to recover damages. Unless properly trained, volunteers in these capacities present significant risks.

At days end this advice is risk management advice. The Town must always weigh benefits versus risks with every tasks and the use of volunteers and to what extent we use volunteers is no different and must be subject to ongoing evaluation.

Please contact me if you have any questions.

Regards,

Tammy

Tammy Denver

Director of Claims & Coverage Programs

City/Town of _____

A. Sample Volunteer Service Statement & Agreement

Date: _____, 201__

I make this **Statement** and **Agreement** in order to provide, and to be authorized to perform, the following uncompensated services to my community:

[Specify Nature and Scope of Services] under the direction

**of: [Identify the Department or Official with
Official Oversight Authority of the Work]**

between [Time Period in Which Work to be Performed]

In performing the specified volunteer service, I acknowledge:

- that I am 18 years of age or older and know of no reason, medical or otherwise, which would prevent me from performing the tasks required;
- that I have acquainted myself with what is required to perform those tasks, and represent that I have the skill and ability to perform them;
- that I assume full responsibility for my own safety and the safety of others who might be affected by my actions or omissions. I hereby agree to release, defend, indemnify and hold harmless the City/Town, its agents, employees, and officers, from any and all claims of illness, bodily injury, personal injury, or property damage, occurring to me or to others, arising from my negligent, reckless, wanton or intentional conduct while participating in this activity.
- that I will perform the volunteer service in compliance with the standards and specifications established, or approved, by the City/Town of _____, and will honor the direction of City/Town of _____ officials to suspend or terminate service;
- that I agree to the foregoing in consideration for being permitted to perform volunteer service for and on behalf of the City/Town.

Volunteer: _____

Address: _____

Telephone: _____

To be executed prior to issuing letter of appointment under RSA 508:17

City/Town of _____

B. SAMPLE VOLUNTEER APPOINTMENT

Dear _____:

You are hereby recognized as a volunteer of the City/Town of _____ for the purpose of participating in the [project] scheduled between _____, 200__ and _____, 200__. Your tenure as a volunteer will continue until your resignation or until your termination by the city/town or the end of the project, whichever comes first. The purpose of this letter is to comply with the provisions of RSA 508:17, the volunteer immunity law, as that law may be amended from time to time.

Thank you for your service.

Authorized City/Town Official

Date

TITLE LII

ACTIONS, PROCESS, AND SERVICE OF PROCESS

CHAPTER 508

LIMITATION OF ACTIONS

Section 508:17

508:17 Volunteers; Nonprofit Organizations; Liability Limited. –

I. Any person who is a volunteer of a nonprofit organization or government entity shall be immune from civil liability in any action brought on the basis of any act or omission resulting in damage or injury to any person if:

- (a) The nonprofit organization or government entity has a record indicating that the person claiming to be a volunteer is a volunteer for such organization or entity; and
- (b) The volunteer was acting in good faith and within the scope of his official functions and duties with the organization; and
- (c) The damage or injury was not caused by willful, wanton, or grossly negligent misconduct by the volunteer.

I-a. [Repealed.]

II. Liability of a nonprofit organization for damage or injury sustained by any one person in actions brought against the organization alleging negligence on the part of an organization volunteer is limited to \$250,000. Such limit applies in the aggregate to any and all actions to recover for damage or injury sustained by one person in a single incident or occurrence. Liability of a nonprofit organization for damage or injury sustained by any number of persons in a single incident or occurrence involving negligence on the part of an organization volunteer is limited to \$1,000,000.

III. Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization against any volunteer of such organization.

IV. Volunteer activity related to transportation or to care of the organization's premises shall be excepted from the provisions of paragraph I of this section.

V. In this section:

- (a) "Damage or injury" includes physical, nonphysical, economic and noneconomic damage and property damage.
- (b) "Nonprofit organization" shall include, but not be limited to, a not for profit organization, corporation, community chest, fund or foundation organized and operated exclusively for religious, cultural, charitable, scientific, recreational, literary, agricultural, or educational purposes, or to foster amateur competition in a sport formally recognized by the National Collegiate Athletic Association, and an organization exempt from taxation under section 501(c) of the Internal Revenue Code of 1986 organized or incorporated in this state or having a principal place of business in this state.
- (c) "Volunteer" means an individual performing services for a nonprofit organization or government entity who does not receive compensation, other than reimbursement for expenses actually incurred for such services. In the case of volunteer athletic coaches or sports officials, such volunteers shall possess proper certification or validation of competence in the rules, procedures, practices, and programs of the athletic activity.