

**TOWN OF CARROLL
CONSERVATION COMMISSION**

February 1, 2010

Town of Carroll Select Board
92 School St.
Twin Mountain, NH 03595

Dear Town of Carroll Select Board,

At our last Conservation Commission meeting, Mr. Tyler Phillips, from Horizons Engineering, presented to our board an outline for a project on Tuttle Brook that would replace an old culvert with a bridge. The project would be located on Town land and, we are told, would be fully funded by a grant.

After carefully examining the data from a study on the culverts in our Town and weighing the pros and cons of the project, the Commission voted unanimously in favor of support for the project.

We believe the new proposed bridge would remove the fish barrier now created by the perch height of the existing culvert and restore the natural flow of the brook. The width and height of the new bridge would create an easier passage between habitats for other wildlife in the area. In addition, the new bridge would provide better access by vehicles across the brook to the entire town property.

The Carroll Conservation Commission understands that protecting and restoring wildlife habitat ensures the existence of wildlife species in our future. Furthermore, we realize that there is an important economic link between tourism and our natural resources.

We thanked Mr. Phillips for bringing this project to our town and we look forward to its completion.

Sincerely,


Joan Karpf, Chair
Town of Carroll Conservation Commission

Cc: Mr. Dayton Goudie, Secretary, TU Ammo Chapter
Cc: Mr. Tyler Phillips, Project Manager, Horizons Engineering

OMNI RESORTS®
mount washington | new hampshire

January 27, 2010

Board of Selectmen
Town of Carroll
Town Hall
Twin Mountain, NH 03595

RECEIVED
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TOWN OF CARROLL

Dear Board of Selectmen,

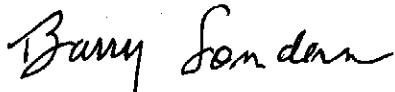
We would like to take this opportunity to notify the Board of the appreciation the Mount Washington Resort and Bretton Woods Ski Area has for the dedication and assistance of the Carroll Police Department and the Twin Mountain Fire Department. As you well know we often have need to call upon the police to assist in various situations. The Fire Department has too often responded to faulty alarms at the Hotel. Their assistance at Bretton Woods Ski Area is deeply appreciated when responding to ski incidents. Both chiefs are professional and courteous and a credit to the Carroll/Twin Mountain/Bretton Woods community.

As new management of the Resort we look forward to working closely with the town and in particular Chief Trammell and Chief Duncan to avert any safety issues for our guests, associates and community.

Omni Hotels & Resorts takes pride in being involved in our community and hope to continue the relationship that was previously established with fire, police and town.

If we can be of service please let us know.

Sincerely,



Barry Sondern
General Manager

Cc: Chief John Trammell
Chief Jeff Duncan



LAW OFFICE OF
GARDNER FULTON & WAUGH P.L.L.C.
A PROFESSIONAL LIMITED LIABILITY COMPANY

ADELE M. FULTON*
H. BERNARD WAUGH, JR.

SHAWN M. TANGUAY
*ALSO ADMITTED IN VT

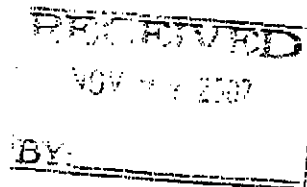
78 BANK STREET
LEBANON, NEW HAMPSHIRE 03766-1727

TELEPHONE (603) 448-2221
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G&F.LAW@GARDNER-FULTON.COM

LAURENCE F. GARDNER
(RETIRED)

PRIVILEGED AND CONFIDENTIAL



November 1, 2007

SENT VIA FACSIMILE AND US MAIL

Carroll Board of Selectmen
P.O. Box 146
92 School Street
Carroll, New Hampshire 03595

***Re: Town of Carroll
Review of Proposed Collective Bargaining Agreement with Carroll Police Dept.
Our File No. 1651***

Dear Board of Selectmen:

The Town submitted a proposed collective bargaining agreement between the Town and Carroll Police Department personnel as drafted by the Carroll Police Chief. In accordance with the Board's request for a legal opinion on this issue I provide the following:

Question: Can the Town legally enter into this proposed collective bargaining agreement as presented by the Carroll Police Chief?

Answer: No, the State legislature created, through statute, the Public Employee Labor Relations Board ("Board") which is provided with the exclusive authority to certify the appropriate bargaining units of all public employees within the State of New Hampshire. See *N.H. Rev. Stat. Ann. §273-A:2*. New Hampshire law prohibits the Board from certifying any bargaining unit with less than 10 employees "with the same community interest." See *N.H. Rev. Stat. Ann. §273-A:8*. The only method in which the Carroll Police Department may be recognized by the Town of Carroll as a collective bargaining unit is for said employees to seek such certification/recognition with the Public Employee Labor Relations Board. As I understand it, the Department does not possess 10 employees in order to qualify as a bargaining unit under the statute. Please note, the Department cannot include, within this bargaining unit, officers such as the Police Chief in that, "Persons exercising supervisory authority involving the significant exercise of discretion may not belong to the same bargaining unit as the employees they supervise." See *N.H. Rev. Stat. Ann. §273-A:8 II*.

Privileged and Confidential

Carroll Board of Selectmen

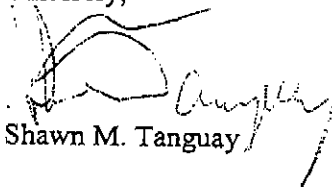
November 1, 2007

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Question: Can the Town take any action to provide the police officers with a written set of guidelines and description of benefits associated with their employment duties?

Answer: Yes, the Town is not prohibited from creating employment contracts with individual employees. The Town, if it so chooses, may produce employment contracts for each and every member of the Carroll Police Department including the Police Chief. Typically, towns do provide an employment contract to their police chiefs due to their inability to join the other police officers' collective bargaining unit. These employment contracts would be to each individual and would not constitute a collective bargaining agreement for any of these employees. If the Town does not wish to undertake this procedure, it could establish an employee handbook which may be applicable to all Town employees. This method allows the Town to set guidelines for benefits, conduct and disciplinary action without having to draft individual contracts. I urge the Board of Selectmen to present any contracts or an employee handbook for review by legal counsel prior to the execution of such documents. While such documents are commonly used, the language of such documents may create obligations or responsibilities of the Town which it had no intention to assume.

Sincerely,



Shawn M. Tanguay