

BOARD OF SELECTMEN

May 24, 2021

MEMORIAL BUILDING

4:00 P.M.

The following are to be considered draft minutes only until approved by the Board at their next meeting.

The meeting was called to order at 4:00 p.m. and began with the Pledge of Allegiance.

Selectmen present: Tamara Butcher, Chairwoman, Dick Hendl and Amy Lewis

Others: Jim Bednar, Mike Lawlor, Whit Smith, Chief Michael Beaulieu, Pat Zullo and Art Conkey

Zoom: Janet Hendl

The meeting began with the swearing in of Springfield's new sergeant, Patrick Zullo. Sergeant Zullo was presented with his badge by the board of selectmen. Congratulations Sergeant Zullo.

Scheduled Appointments:

Jim Bednar was before the board following up on the idea of the Historical Society putting up a barn. Jim presented the board with a letter of support from the abutter. Tamara did some research on RSA's that talk about land use of governmental property, which is RSA 674:54. There was also an article that was written by Christine Filmore, whom we have used for our legal issues. It is stated that municipalities do not need to file for special exceptions and variances. Tamara is in favor of going forward with this project. Dick is also in favor of going forward. However, even though RSA 674:54 doesn't require a special exception or variance, it does recommend that you give written notification to the board of selectmen with a copy to the planning board and possibly even hold a public hearing. Dick's view is that it is only fair to the residents of the town to give them the opportunity to find out what the proposal is. Dick said the historical society should give a written proposal to the board of selectmen outlining the plans for the barn. Jim stated the historical society has every intention, at their general meeting in July, to present this information to the public. They will do a campaign to raise funds. Dick said the letter should be to inform the board of the plan for the historical society; and as long as the annual meeting is advertised that this will be part of it, that should satisfy the public disclosure. Whit offered to help Jim put the letter together. Tamara stated if the letter could be presented to the board prior to the July meeting it could be put into the select board meeting minutes and the people who read the minutes would be aware of the meeting.

Whit asked who the Springfield historical society is, is it an independent organization, is it an arm of the town government. Jim stated the historical society is a 501c3, an established charitable organization. That makes it independent from the town of Springfield. Whit's second question was since the town of Springfield owns the land where the historical society resides, is there a lease or a formal agreement, or just a handshake in perpetuity. Tamara imagines that's probably what it would've been. Whit said this is all leading to who has the authority to sign off on something for the historical society. This also helps shape what the historical society might present to the town. It is beginning to sound more like a request since they are an independent

organization operating with permission on a piece of town property in a town structure; and they want to put a second structure on that property and are making a request to the town to be allowed to do that. Whit said if the request is made properly then the town can function with the appropriate notices and hearings so that the idea is vetted without getting into setting precedent that the town is going through the standard permitting process.

Amy is in support of the project, but she's wondering if the land belongs to the town, would it make sense for the town to erect the building for the use of the historical society. Then we avoid the zoning, planning, all the attached paperwork; still do the general notice and the public hearing to find out how people feel on it. If that's town property, what's stopping the town from just saying ok let's build a barn. Janet thinks the fundraising would be an issue because they are a 501c3 so they can go ahead and raise the funds. Even though it's an improvement to municipal property we are going to have to show it somehow, just like we did with the lift. Amy asked if we have all these people volunteering time and materials what real expense is going to be put out for it. Jim said they are look at around ten to twelve thousand dollars' worth of materials, windows, roofing, hardware, and the pad. Even with all the other contributions there is still quite a good amount of money involved. Janet said that could be another development to run through the department of revenue or town counsel because you don't want to do something that will jeopardize that building. Tamara will contact Christine to find out her opinion on if it would be better to accept it as money and build it or accept it as a finished building. Janet also added that if there will be contractors there, they will have to provide certificates of insurance for the work they will be doing. Jim then asked if that would include volunteer carpenters. This would be another question for Christine. Jim will draft a letter of information on what their intents are for the historical society.

Art Conkey is before the board, per their request, to discuss the hauling on Sanborn Hill road. Art stated his hopes were to come to some common sense on the situation and try to get it done. Art said when the town let Continental reopen the pit, the town should have required Continental have a bond and a closure plan. According to RSA 155:E-5 Continental, when they were done hauling for two years, had one year to reclaim. If not, it was the town's responsibility to pull their bond and make sure it was done. The town did not do that, and they are the enforcer. Art gave a history of what happened when Joe Abbondanza bought the property. Joe was required by the town to have a bond. Art is unsure how the town made one person bond the road, but they let other people haul heavy trucks on the road without a bond. Joe ended up losing the property which was then taken over by Al Lindquist. Al brought Art on showing him the agreement, signed by the planning board, he has with the town, which is dated 2014. Art read from the contract which stated, "to haul as many truck loads as possible between the hours of 7am to 5pm" and "you must have it done 12 months after the hauling is completed". As of now the hauling is not completed. Art clarified that the letter stated Al anticipated being done in two years, not that he would be done in two years.

Art said they will continue to haul and when the bond the town runs out, they will shut down and prolong in until another bond comes up. Art is not the one carrying the bond, that is Al Lindquist; if he doesn't carry the bond then Art is done. Tamara said in a recent email from Al

he said that his bond is still current. Janet said the letter of credit is good for sixty days following the time when the roads were unposted. Art said part of the delay is the fact that 50% of the stuff up there is large ledge, which is not very marketable. Another 25% of it is asphalt, which again, is not very marketable. So, you have 25% of the stuff that is marketable, that has already been removed. Most of the asphalt has been removed. They are moving a chunk of the large ledge, which again most of the time is an expense.

Tamara asked what it was that the board needs to do at this point. Art has spoken to the truck drivers about slowing down on the road. Art stated, though he is very much against it, he has told his drivers to shut the jake brakes off after they go down the big hill. He understands people on the road don't like the noise, but it's a safety device that saves lives. Art said he doesn't want to keep on prolonging, making this thing last for years and years; the pile is the pile. The only way the pile shrinks is to haul it out. Tamara stated that Art is not doing anything that he can't do according to the agreement signed by the planning board.

Tamara asked what Art sees going forward. Art said in an ideal world, there is probably 1500 truck loads left. They have already hauled about 700 loads of ledge away; the other materials have been hauled out which was about 80,000 yards. They have brought in close to 1000 loads of topsoil to recover and reclaim the property. The problem is finding someone to take the materials. Dick asked Art how many truckloads he operates on average a day. Art said they do about 42 to 48 loads a day, and that is only because they are hauling it right down the street to Kennebec. Art said Kennebec only needs material for three more days, about 150 loads. The trucking will then stop until Art finds another customer to sell the materials to. Tamara requested the town be informed when the hauling will start up again so a notice can be put out to the neighbors.

Whit doesn't understand the term of the notice of planning board approval; how long is it good for. Whit had a hard time reading a couple of the lines that had been highlighted. Tamara read the lines to Whit, which were the hours of operation allowed and how many loads were allowed. The property owner may utilize as many loads as possible during the hours of operation; Monday through Friday 7am to 5pm, Saturday 8am to noon, with no Sunday operations. It has been determined that buses do not travel on Sanborn Hill. Whit said there seems to be an inference that this is going to go on for two years, which is in the letter. Whit said the letter suggests that they anticipated they had a two-year time in which to do this. Art believes that is RSA 155 E, and it says that after it sits vacant for two years you have twelve months to reclaim property. Whit didn't interpret it that way. Whit thinks there is need for some research on this, possibly with the prior planning board chairperson. Tamara thanked Art for his time.

Zoning Permits:

Whit provided a brief report of the approved applications. Under other matters, Ms. Foley (A), who's interested in the property on Woodland Heights, has been referred to the planning board for consultation. Ms. Foley is frustrated as she has run in to a brick wall with Grantham. Janet just spoke with her before the meeting. Her husband spoke with the planning board on Thursday night. He had a consultation, and the Springfield planning board has no idea of what is needed

as they didn't create that subdivision, it was created in Grantham. She wants to know about trucks, hauling logs as her husband is a logger. She has spoken to the homeowner's association manager who said they don't want truck traffic on their road because it wouldn't hold up. They are at a loss. They called Grantham town office, per the advice of the Springfield Planning board, and the woman was very abrupt and said there will be no advice given out of consultation with their planning board. Ms. Foley was informed by Janet that our planning board does not have the answers she is looking for.

Whit has been in contact with Leah Greene. Ms. Greene has been working on a plan to build a garage next to her house off of Stoney Brook Road. There have been a number of issues, all of which have been resolved. She appeared at the zoning board of adjustment in May. The ZBA members, minus the chair of the zoning board, went to the site and as a result of the site visit and their deliberation they granted the variance as requested for a 26 x 26 garage allowing 15 feet of relief, so the garage can't be any closer than 20 feet to the lot line. Whit gave background on the lot line location. After the decision was rendered by the ZBA Ms. Greene presented Whit with the idea that the garage would be better suited if the garage were 26 x 28 feet, going two feet further down the hill, but not any closer to the rear lot line of the property. After some thought Whit realized the ZBA had really focused on the size of the garage and the location. Whit consulted Christine Fillmore and agreed that Ms. Greene needed to do an amended application. The board agrees that Ms. Greene needs to go back to the zoning board with an amended application. Janet informed the board that Leah brought in an application, which she noted was an amended application.

Minutes of May 10, 2021:

Dick made a motion to accept the minutes of May 10th as written. The motion was seconded by Amy and unanimously approved.

Court Status:

There is no change in the status of the court case.

Unfinished Business:

Dick has rewritten the notice to offer the sale of town properties in Eastman by sealed bid. There are five properties that will be listed and the deadline to receive sealed bids is July 12th.

The board members received the plans on the sand shed and wondered what the next step was. Tamara said Darrin and Ken will come in June with an update to the board.

Amy went back to Sanborn Hill to clarify something. The existing bond has about thirty days left, will they apply for a new bond or extension when the time comes. This might be a good stopping point to regroup and redo the contract that he is leaning on from 2015. Janet said that is a planning board approval and is not sure how that would work.

New Business:

Skate Board Park incident- As everyone probably knows, just over a week ago Tamara noticed that it looked like the railing part of the far ramp looked like it had come off. The ramp itself had been pushed the entire length of the ramp. Tamara took pictures and sent them to Chief Beaulieu. The ramp was removed from the park as it was now a hazard. The board is looking in to getting it fixed. Dick emailed Frank Sparrow with no response yet. Tamara said there is a lot of interest on the Springfield Community Page from residents volunteering to repair it. Tamara appreciates their interest, but feels the repairs are more than a DIY type of fix. Pixie suggested to tell them to hold a fundraiser so we can pay to have the repairs done. There are some cracks in the other ramp, but in Dick and Tamara's opinion it didn't look too bad, but they will have it inspected. Janet added that with the insurance company, when we find out what the cost will be, we have a \$1,000 deductible, but they will probably cover over that.

Fire Station update- Tamara shared that there was an oil leak on the boiler, the shut-off valve failed. This is another insurance claim we are handling. Mason has repaired the boiler. Janet said we are still waiting for Clean Harbors to come and pump out the tank. Janet left another message today and emailed that this needed to get done as soon as possible as the fumes are a health and safety hazard for the people that have to be in the building.

Janet forwarded a request to the board from Nancy D'angelo who claimed she did not receive her annual inventory form because she moved and failed to notify the town of the address change. Nancy would like a copy of the form emailed to her and have the penalty waived. Dick made a motion to deny Ms. D'angelo's request to have the penalty waived for submitting a late inventory form. The motion was seconded by Tamara and unanimously approved. Dick has volunteered to inform Ms. D'angelo of the decision made by the board.

Old Business:

Janet shared that the insurance company is ready to settle on the damage to the cruiser and they need to know what the board has decided to do with the decals. The board decided unanimously that repairs will not be made to the cruiser. Janet said the insurance company will cut a check to the town.

Board and Department Updates:

Tamara shared that the highway truck we are purchasing for the highway department will probably not be here until the spring of 2022. According to Pete the body is on order and the truck is being built. Unless the truck they have is not sold before the body shows up, then we will get the truck that is sitting there. Tamara asked Pete why this was all of a sudden not until the Spring of 2022 and he said because we did not sign a purchase order. Tamara said we never received a purchase order from them until now, and it has been signed.

Pete and Troy are mowing the cemeteries. There have been some issues with the lawnmowers, but repairs have been done.

Dick said the library trustees will meet a week from Thursday and they will be reviewing all the scholarship applications.

Amy attended the planning board meeting which Art Conkey attended. An issue that came up for discussion was the liability of the land once he clears it. One concern is with all of the sediments and things leaching into the soil up there, how is that affecting the soil, to present it as a salable piece of property. The second was the condition of the ground water. It was suggested to Art to have the water well board for DES put in a ground monitoring well up there to see how deep that contamination is.

Correspondence:

Janet received an email from a local resident hoping the board could answer some questions about vaccine mandates.

1. Does the town currently have a vaccine mandate for its employees and residents? No
2. If no to question one, do you plan to have a vaccine mandate in the future for your employees and residents? No
3. Have you requested any businesses or schools in the area to require vaccine mandates for their employees and/or their students? No

Please understand I'm a local resident and I'm just gathering information on where some of the area towns and larger businesses stand currently on this topic?

The letter was sent to us from Dan MacCreighton who is a Springfield resident.

Signatures:

MS-535

Miscellaneous Business:

At 5:40 p.m. Tamara made a motion to enter into non-public session to discuss legal and personnel per RSA 91-A:3. The motion was seconded by Dick. By roll-call vote this was unanimous.

The board moved back into public session at 6:17 p.m. Tamara made a motion to seal the minutes discussing personnel. The motion was seconded by Amy. Dick, Tamara and Amy voted in favor of the motion.

The meeting was adjourned at 6:17 p.m.

Jill Hastings

Deputy Administrative Assistant