

BOARD OF SELECTMEN

March 25, 2024

MEMORIAL BUILDING

4:30 P.M.

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

Selectmen Present: Poul Heilmann, Chair; Amy Lewis, Vice Chair; Steve Dzubak

Others: Timothy Bray, Zoning Coordinator/Health Officer; Jen Roberts; Neal Huntoon; Annika Munholand, Town Clerk/Tax Collector; Jeff Milne; Ken Jacques; B Manning; Tim Hayes, Road Agent; Kevin Roberts

Amy and Poul welcomed Steve Dzubak to the Selectboard.

Steve made a motion to nominate Poul as chair of the Selectboard. The motion was seconded by Amy. Steve, Amy and Poul voted in favor of the motion. Poul made a motion to nominate Amy as vice chair. The motion was seconded by Steve. Poul, Steve and Amy voted in favor of the motion.

**Scheduled Appointments:**

Grader Task Force – B Manning stated the person that came up to evaluate our grader has been in the business for 57 years, the company has a very good reputation. They did not receive a comparison between our machine and the one the company has available for purchase. The task force along with Tim Hayes met with Bob Winmill, from Winmill Equipment Company last Wednesday and he said he would provide a quote for the work needed to be done to our grader; there was no charge for the evaluation.

A quote was received late this afternoon and has left the task force with several questions to be answered; they will try to get those answered tomorrow. Looking at potentially purchasing the machine he has there with our trade-in, the cost comes out in the \$132,000 range; swapping our tires onto this grader, if purchased, may be an additional charge. The task force is asking the Board if they were to recommend purchasing this grader at \$132,000 where does that money come from? Poul informed everyone we had allocated in the budget \$100,000 for asphaltting for next year that we were going to carry over; as a group they identified that \$100,000 as being an opportunity to do something with the grader. Initially, when this was discussed it was just to fix the motor. This gets more complex if we are thinking of buying new equipment; if we use those funds, we are still going to be short \$32,000. Ken is unsure we as a town went through all the motions necessary to purchase new equipment, though it may be the better option. This is Poul's concern as well. The Board will need to investigate to see how this can be accomplished. There has been no plan to finance this purchase, and you don't need a bond hearing if you have the funds in the budget.

Jeff Milne stated the investigation the task force is doing is trying to find out if these two options are equivalent and if they aren't which makes the most sense long term; they will make a recommendation based on the information they get and then the Board can make their final decision. The question right now is would we be able to afford the \$132,000 so the task force

can continue their assessment. The Board would say yes, they will find a way to satisfy that extra \$32,000.

To fix our grader the estimate is \$35,000 to do the motor, \$35,000 to do the general repairs on it including rust repair so it is a functional machine. The unknown here is the brakes, if they need to be done that will be another \$10,000. To rent a grader for three months while repairs are being done will be a total of \$18,000; all this gets us to \$98,000.

Poul asked if we have a sense for longevity on the rebuild versus longevity on purchasing refurbished. Ken said they have gone through everything on the refurbished grader and there is a one-year warranty on everything but the drive train and that is a two-year warranty. It is a new cummings motor in the refurbished grader. It was said that ten to twelve thousand hours is not an unrealistic possibility if we repair our grader. We currently have 7000 hours on ours. The distinction can't be made on which direction to take until they have several questions answered.

There was a lot of discussion on value and equality between the two pieces of equipment. Kevin explained the refurbished grader warranty covers everything except for normal wear and tear like hoses, bolts, filters, etc. Neal Huntoon said if you open this box of whether to buy one all rebuilt or rebuild ours, maybe looking into a different brand is an option; CAT and John Deere are out there. Kevin looked at some of the used CAT and John Deere graders, with 11,000 hours they were right in the \$98,000 range. Neal is thinking of future repairs to the equipment down the line, CAT and John Deere will be there for a long time. This company has been there for a while, will they be there the same amount of time as the larger companies; just something to consider.

Poul recommends the task force get all their questions answered and decide on their recommendation; if the Board has to meet to make a final decision they can do that. In the meantime, the Board will review the budget, where we could identify an extra \$32,000.

Amy asked if this company provides a preventative maintenance schedule; Ken said they would but doesn't think the work happens here, it would have to be trucked to Windham or Rutland. Ken thinks they can provide that service, but we've never done that before with our equipment. Amy feels if we buy a machine for \$135,000 let's do the maintenance on it. Kevin stated Tim Hayes has started doing the oil samples on the trucks. Tim Hayes does not believe this company has an on-the-road crew that would come and do any of that work. If there were preventative work to be done it would have to go to them.

Ken stated they will get in touch with the company tomorrow and try to get these questions answered then the task force can meet again to discuss everything.

Neal Huntoon asked, before there was an issue with the motor, what was his long-term evaluation of the grader. The four-wheel drive, brakes and the leaks were the issues addressed. He didn't say anything would be catastrophic, but those are things that are important. The task force has a high level of confidence in this dealer, he clearly knew what he was talking about.

Steve asked how long it would take them to do the swap-over, if we were to purchase the grader; the task force didn't have that answer, but they will ask that. There was discussion on items being swapped over, if we purchase the refurbished grader, at a later time when the grader isn't needed on the road as much. The grader will need to go back to the company to have items swapped over.

Poul stated everyone knows what they need to do next and if they need to hold a special Board meeting when the task force is ready to reconvene, they will do that.

Kevin Roberts informed the Board that the new fire truck is now in service. The Board will need to decide what they want to do with the old fire truck, whether it's putting it up for sale or auction. Tamara will contact the auction company we have used in the past. There was discussion on other options to unload the truck. Tim Hayes informed the Board that he had some items that could be added to the auction list. Tamara will also check with other departments to see if they have any items they are looking to get rid of.

Poul asked Tim Hayes, road agent, what year the refurbished grader is. The grader is a 1993, same year as ours. The towers and the plow could be swapped later, if we were to make the purchase. Tim's main concern is getting a grader, one way or the other; the roads need to be addressed. Tim stated his opinion on the grader is that the Board dig deep and find the funds to purchase the grader because you have a brand new motor versus a remanufactured motor. It is Tim's understanding the refurbished grader has the same number of hours as our current grader. Tim Bray asked what the cost of a new grader would be; Tim answered around \$313,000 up to \$385,000. Tim stated the nice thing about the older machines is they don't have the emissions and they don't have the electronics, so they last longer.

#### **Zoning/Health Officer Report:**

**REPORT: ZONING COORDINATOR** *Select Board Meeting, Monday, March 25, 2024*

#### **Applications for Zoning Permit – APPROVED**

Montcalm & Brunette, 206 Town Farm Rd., application to construct a 60' x 40' barn for storage on a 5.9-acre lot. Barn was staked out by applicant. There are no setbacks or wetlands issues, and the barn will be less than 35' tall. No business or commercial activity observed, and the applicants have represented the same on the application.

#### **Other Matters**

Provided consultation at Planning Board Meeting 3/21/2024.

**REPORT: HEALTH OFFICER** *Select Board Meeting, Monday, March 11, 2024*

#### **Applications -APPROVED**

Callaway, Oak Hill Rd. West, application seeking local approval of a 4-bedroom septic design due to the conversion of a first-floor room to an additional bedroom. No change in the existing house footprint.

Design will be held as an “on the shelf” DES approved plan to be constructed only if there is a need to replace the current system in the future.

#### Other Matters

Received by email, a DES Approval for Construction of Individual Sewage Disposal System (ISDS) for a 3-bedroom house at 3133 Main St. (previously Huntoon). The design was by Micheal Carbonneau (Littleton) for Dmitry Feoktistov. No local approval from the Town Health Officer was issued for this presumed replacement system. Of further concern is that this design is on a 0.75-acre, non-conforming lot. I have not seen the design and am unaware of any setback issues. The approval expires on May 20, 2024, unless approved for operation by DES.

#### Plan by Local Health Officer:

1. Contact Mr. Carbonneau on 3/25/2024 and request he submit an application for *Local Approval for Construction of an ISDS* for this project. Process through Town Adm, Asst..
2. Contact Mr. Feoktistov to arrange a site visit and discuss the timeline for construction.
3. Inform Mr. Feoktistov of the need to receive *Local Approval for Operation of an ISDS* in addition to DES approval.

Respectfully submitted,

Tim Bray

Zoning Coordinator / Health Officer

<<March 25, 2024>>

Tim Bray reviewed his report with the Board. Tamara had notified Tim of a DES approval for the construction of a septic system at 3133 Main St. Nothing has happened yet, but it does expire quickly. Tim contacted the designer, Mr. Carbonneau, explaining our local regulations and is waiting to hear back from him. Tim stated what he and Tamara can do is once applications are received, they will automatically send the contractors the local regulations. Tim stated what we don't have is if someone fails to follow the regulations and does the work, what is our recourse? Right now, Tim doesn't want to penalize the applicants because they don't know the rules and regulations, they depend on the designers to advise them. The designers don't seem to be advising applicants to get local approval. Tim stated it is coming up on a year now that we've had this local regulation in place, Tim has not penalized anyone but has tried to educate people on the regulations; at what point do we say if you don't follow local regulations there will be a penalty. Who is the right person to penalize, the applicant or the designer; something to think about. Tim will follow up with Mr. Carbonneau.

Poul made a motion to accept the report of the Zoning Coordinator/Health Officer. The motion was seconded by Steve. Poul, Steve and Amy voted in favor of the motion.

**Minutes of March 11, 2024:**

Poul stated the minutes clarified for people what the Board is trying to do and thanked Jill for capturing it very well. Amy made a motion to accept the minutes of March 11<sup>th</sup> as written. The motion was seconded by Poul. Amy and Poul voted in favor of the motion; Steve abstained.

**Unfinished Business:**

- a. Personnel Manual – Amy informed the Board the updates are almost complete. She will provide a draft to be reviewed prior to the next meeting so it can be voted on.
- b. Revaluation RFP Status – There are no updates to report. The Board would like to invite George Hildum to a meeting in May to discuss what our options may be. Amy asked if there is any recourse from the State that we know of; Tamara is not aware of any recourse by the State and from what George has said it doesn't sound like we do.
- c. Grant Pursuit Update on George Hill Rd. – Tamara met with Stu Arnette, and he has a company that assists towns who are going to pursue grants through this Northern Boundaries. After speaking with him it was determined our project is nowhere near what they do. He provided a link to the NH State Parks Land and Water Conservation Fund Grant. Tamara will continue to pursue this, and Amy will assist her.
- d. Short-Term Rental – Compliance with Local Requirements – It was discovered that Airbnb requires renters to be in compliance with local requirements. Poul received some information from someone who has friends in Tennessee, that operate a business in the Airbnb space. The simple question was is it standard for Airbnb to require the renters to comply with local regulations? They said yes, they are very strict about that, and with some municipalities Airbnb requires the permit number to be placed on the owner's listings. As businesspeople who run these rentals, they want to see those kinds of places that are not in compliance shut down.

We have one particular STR who has been asked to come in multiple times. Poul was going to send one final letter to come in and meet with the Board or the Board will contact Airbnb. Tim Bray asked if it might be a question for attorney Johnston, if there would be any liability to the Board or the town by informing Airbnb. Poul felt that is a good suggestion. If it is determined to be appropriate, Poul would like to see this become part of the STR process and make it part of the ordinance. Steve thinks it would be more beneficial to the town if Airbnb itself was enforcing this; they need to be made aware that anyone in the town of Springfield has to be compliant with local regulations so they can handle the enforcement. Poul stated that is the suggestion, but the Board is just giving him one more opportunity to be in compliance. Poul thinks it would benefit the town to contact Airbnb and inform them we do have STR regulations and an approval process in the town of Springfield.

Tim Bray also suggested checking with Christine to find out if there would be any problem with the town issuing a permit at the end of the process.

**New Business:**

- a. Assignment of Board and Department Representatives –  
Poul: Highway Dept, Police Dept, Planning Board, Library and Personnel  
Amy: Fire Dept, Zoning Board, Recreation and Agricultural Commission  
Steve: Budget Committee, Conservation Commission, Energy Committee, Buildings & Grounds and Cemetery
- b. Noise Ordinance – At the planning board meeting it has come up again that people want to know what we are doing with the noise ordinance. We chose to table the ordinance last year; it is now time to readdress it. Tamara will send out the current noise ordinance that was provided to the Selectboard last year. The critical piece to the noise ordinance is that it is a commercial noise ordinance. The Board will review it prior to the next meeting then decide what they want to do to push it forward.

Tim Bray stated the proposal from the planning board is that we make it part of site plan review regulations; it would be incorporated into the planning board process of reviewing a new commercial business that comes into town. Tim added we are changing what the ask is now of attorney Johnston; we are changing it from a free-standing ordinance to incorporate into our current site plan review regulations. The planning board will hold a public hearing and then it will be approved by the planning board. Being commercial, it would also be involved in the site plan review of short-term rentals. Jen Roberts asked if this would affect existing businesses; only if they are required to come in for a new site plan review as a result of changes to the business. Steve also feels the noise ordinance that was proposed will require a fair amount of editing to become what we are discussing now. Poul asked Jen Roberts to ask Mike Howard and Dan Saulnier to make those edits so the Board and attorney Johnston can review it and move forward. Tim stated that the way the noise ordinance is being proposed is a land use issue making it a planning board issue and it only requires a public hearing and planning board approval. The planning board is not asking the Selectboard to adopt anything, they are just being asked to connect with attorney Johnston and tell her what the Board has in mind.

- c. Transfer Station – Because of the increase in cost in 2024, it has prompted a lot of questions about our relationship with the Sunapee Transfer Station. Theoretically, we own 25% of that transfer station. The big bump was explained to us as requiring capital improvements there, yet we don't have a say in anything. It is unclear whether we have a contract with Sunapee. We need to do some investigation into the contract, and the process for determining the budget. After some discussion on the history of the transfer station, Poul asked Steve to contact Angela, the treasurer, to see if she could investigate our finances with the transfer station.

**Legal Status Update:**

Poul read the following update into the minutes:

Audrius and Sue-Ann Kazenas have appealed to the superior court the ZBA's denial of a special exception for a dog kennel including the sale and training of dogs on their property on Hogg Hill

Road. Although the appeal was filed in Sullivan County Superior Court on October 5, the State recently changed the system for court appeals of land use decisions and the case was transferred to the new Land Use Docket in Manchester. All land use board appeals are now automatically transferred to Hillsborough County North Superior Court, where they are heard by a special land use superior court judge.

The hearing for this appeal will occur on Wednesday, April 3, 2024, at 10:00 a.m. in Hillsborough County North Superior Court, 300 Chestnut St., Manchester. The hearing will take place in person at the court. While the judge has granted special permission for the parties to the appeal to observe the hearing via videoconference, this permission only includes the ZBA and the Kazenases. All others are free to attend the hearing in person. There will be no testimony or participation in the hearing by anyone other than the attorneys.

As part of the new Land Use Docket rules, decisions on land use appeals are supposed to be issued by the court within 60 days after the hearing is held.

**Board and Department Updates:**

- a. Agricultural Commission – No updates to report
- b. Buildings/Grounds – No updates to report. Tamara will try to get an update on the doors.
- c. Cemetery – No updates to report. They will meet in April.
- d. Conservation Commission – No updates to report. They will meet in April.
- e. Energy Committee – No updates to report.
- f. Fire Department – Jen Roberts is our newest licensed certified EMT. Amy is hearing everything at the Fire Department is going smoothly, and everyone seems happy. They will hold their election of officers at their April meeting.
- g. Highway Department – Cody Osgood has now been with us for just over six months, Tim has done his evaluation and is requesting his pay increase take effect. Poul stated Cody received an offer letter that didn't give a specific number. The Board will discuss this.

Tim would like the Board to consider allowing him to hire part-time help for the summer as he has someone interested in the position. Amy asked Tim to draft up a proposal with a calendar of when he would expect him to start, hours worked per week, what he will be doing, etc. This will give the Board an idea of what is necessary. Tim will draft something up for the Board to review. The applicant would like to see if at some point the town could come up with a third full-time position, not necessarily this year. Poul feels it would be beneficial, going forward, to identify what a third full-time person would do to be able to justify the position. Poul suggests tracking, on a daily basis, the activities that are going on each day. That provides hard data for people to respond to. Tim will work on that but would like the Board to consider a part-time position now. There was some discussion from a budget standpoint on a part-time position, the Board will review this. The other thing to consider is where does this puts Warren George. Poul said that is part of the justification. Tim also wanted to know why cemetery and

buildings and grounds wages comes out of the highway budget. Jill explained it needs to be specified where Warren worked during those hours; he needs to identify where he worked on his timecard. Tim will provide the information requested to the Board prior to their next meeting so they can make an informed decision.

Poul asked Tim about the Meetinghouse/Historical Society steps. Tim stated they will work on that, but he just called Dig Safe and they are going to come and mark the roads, so he can't do anything with the steps right now. Tim is still looking at pieces and parts of what he needs to make the railings.

- h. Library – They will meet on Wednesday.
- i. Planning Board – A merger was done. They discussed the noise ordinance and STRs. There was an extensive discussion tonight on permits for food trucks and permitting in general. Research needs to be done on what other towns are doing. There was also discussion on expanding the application to rent town building rentals to cover town property rentals as well.
- j. Police Department – A new printer was ordered today. The new cruiser is here. April 2<sup>nd</sup> they are taking the old cruiser to get stripped. We received \$3500 for the Explorer. We will be down to one cruiser for two months while the new cruiser is outfitted.
- k. Recreation Committee – The easter egg hunt was postponed to April 6<sup>th</sup>.
- l. ZBA – No updates to report. They will have a meeting on April 2<sup>nd</sup>.
- m. Administration – Tamara had two meetings with FEMA about the damage done by the July rainstorms. The damage that happened here in Springfield happened after their two-week time period and we have no documentation for anything that happened when the previous road agent was employed by the town. Tamara informed everyone that any work done from July 21<sup>st</sup> on does not count. The two weeks that FEMA declared the disaster were July 7<sup>th</sup> through July 21<sup>st</sup>. Tim Hayes tried to get documentation from the prior road agent but never heard back from him. Jen Roberts will see if they have any pictures/documentation from the work Kevin Roberts did for the town during that time. Tamara stated if we discover pictures from that time she will continue to work with FEMA.

Tax deeding letters went out. The individuals on the list have been invited to come on Tuesday, April 9<sup>th</sup> at 5 pm if they do not pay before that.

Tamara made the changes to the zoning ordinances, updated the front cover, and added that it had been amended this year on page 47.

Capital Alarm is coming tomorrow to inspect all the alarms.

Dave Heckle met with Tamara on Tuesday to go over all our IT needs. He provided a quote.

On Tamara's listserv group there was a question about scanning checks for the deposit for the town office. Several towns already do this, and many are asking how this works. Tamara has talked with Angela to see if it could be something we do and what the cost would be. Currently, Annika or Pixie drive the deposits to New London or Grantham multiple times a week. Scanning checks would be checks deposited nightly and the cost



would be \$25 per month for the scanner. Amy said this is something she does, but she does not have to pay to have the scanner. If we were to start scanning checks all the town clerk would have to do a deposit once cash reaches the maximum level we can keep in the office. It's an ongoing discussion with Angela. The Board thinks it sounds very convenient. Annika said currently, twice a week, either she or Pixie goes to the bank to make a deposit. This would be a timesaver. Even if there is a monthly fee, even if they went once or twice a month to deposit the cash they would be saving money. Monique, our auditor, is still working on the tax collect audit which is a requirement with the change in positions between Annika and Pixie.

**Correspondence:**

Betsy from Fish and Game contacted Tamara and has given her a draft of a quick claim deed for the Barden Cemetery.

**Signatures:**

- Appointment approvals for Pixie Hill and Annika Munholand
- Pixie Hill wrote a letter saying she spoke with Poul Selent, he had three write-in votes for trustee of the trust funds, and he is interested in filling the seat if the Board is willing to seat him. Poul made a motion to accept Poul Selent for the Trustee of the Trust Funds seat. The motion was seconded by Amy. Poul, Amy and Steve voted in favor of the motion.
- Signature Cards
- Designation of Deposit Authority
- Rental form for use of Meetinghouse for a square dance.
- Veteran's Tax Credit

**Miscellaneous Business:**

At 6:49 p.m. Amy made a motion to enter non-public session per RSA 91-A:3(II)(a). The motion was seconded by Poul. By roll call vote Amy voted aye, Poul voted aye and Steve voted aye.

Amy made a motion to exit non-public session at 6:56 p.m. The motion was seconded by Poul. By roll call vote Amy voted aye, Poul voted aye and Steve voted aye. Amy made a motion to seal the minutes under RSA 91-A:3(II)(a). The motion was seconded by Poul. By roll call vote Amy voted aye, Poul voted aye and Steve voted aye.

Meeting adjourned at 6:56 p.m.

Jill Hastings

Deputy Administrative Assistant