

**BOARD OF SELECTMEN**

**January 13, 2020**

**MEMORIAL BUILDING**

**5:00 P.M.**

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

Selectmen present: Dick Hendl, Chairman; Tamara Butcher and George McCusker

Others: Leigh Callaway, Keith Cutting, Susan Cutting, Chief Timothy Julian, Officer Michael Beaulieu, Sheridan Brown, Jim Burroughs, Gene Hayes, Peter Abair, Wayne Smith, Joyce Guinther, Whit Smith, Kevin Roberts, Christine White, William White, Justin Hastings and Peter Lacaillade

The meeting started with the pledge of allegiance.

Dick Hendl swore in the Springfield police department's new part time police officer, Jim Burroughs. Jim Burroughs will be retiring from his position of chief of police for the Newport Police Department at the end of the month. The town welcome's officer Burroughs.

Leigh Callaway shared the tally of the final deposit made to the 250<sup>th</sup> committee in the amount of \$5,393.92 on December 31, 2019. George made a motion to accept the donation to the 250<sup>th</sup> committee, seconded by Tamara, and unanimously approved.

**Scheduled Appointments:**

Lynn Bridges asked about the trucking activity on Sanborn Hill. Janet spoke with the owner of the property who stated the work has taken longer than anticipated but is almost complete. Janet also relayed to the owner that it might be the nice if they tried to minimize the use of the jake brake. He was going to talk to the person in charge of trucking. Lynn asked when the call was made because as of today the air brakes were still being used. Pete spoke with Conkey this afternoon, asking them to back off on using the jake brakes. Conkey will speak to the drivers. Lynn stated this work has been going on for over three years and asked if it is in any way beneficial to the town. Janet stated the benefit to the town will be a reclaimed piece of property that was left in bad disarray when Continental Paving got finished on the interstate. Lynn also asked when the bond expires. Janet stated to bond is still good; the last letter of credit did not have an expiration date. The owner will be asking the bank for a new letter of credit. Lynn asked if the bond would be renewed by the town. Dick said this would not happen automatically. The selectmen would have a talk with the owner of the property before doing so.

Dick turned the meeting to attorney Brown. Attorney Brown asked if there was any information relating to his clients and their situation. Dick stated he had spoken with Christine Fillmore and there is no new information since the last communication. Attorney Brown said he will have something headed to the selectman tomorrow. Gene Hayes asked about the status of 15-day appeal period from when the ZBA made their decision. Dick stated that has come and gone. Gene asked where the town now stands with this situation. Dick said there is still the matter of a

response to our letter from Select Shepards. Gene asked how much longer that will be, he wants to know why something isn't being done to follow up the procedure that is prescribed by law, which is to issue them a warning, put them under notice and start fining daily. Dick says there is still a difference of opinion between attorney Brown and attorney Fillmore but will not go into this now. Gene feels things couldn't be clearer. Dick stated he was not going to try to resolve this now. Tamara feels the selectmen need to wait for attorney Fillmore to give them the next step. Gene said the community on Hogg Hill is concerned, to the point they are developing a petition to bring to the town saying they want an abatement on their assessments because of this noise. Dick stated that as soon as the town attorney decides the town can take the next step the board will, but not before that. Gene wants to know when we will have that answer. Wayne Smith started by stating that in the 1987 ordinance it states use of the property will not impact the value of the surrounding homes. He spoke with an assessor who knew nothing of the barking dogs, which he stated was the fault of the property owners. They are breaking the ordinance of 1987. Wayne state he will hire appraisers and will go with the first one that says his property value is less because of the barking dogs. Dick assured Wayne and Gene that this matter is being pursued in the best way possible. Wayne again stated they are breaking the 1987 ordinance. Dick said that this is a weakness in the noise ordinance. Tamara added the selectmen are aware of the situations in town and the frustrations; stating the next step is what the attorney advises. Dick will contact attorney Fillmore tomorrow and relay tonight's conversation.

#### Zoning Permits:

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Monday, January 13, 2020.

Here is a summary of permit applications and Zoning Coordinator activity.

#### **Happy New Year!**

**Things continue to be rather quiet.**

#### Application for Permit – Acted Upon, APPROVED

None.

#### Open Application - In Hand, But NOT Acted Upon.

1. Chris & Melissa Gaherty, 242 Sanborn Hill Road; application for 18' x 24' pole/storage barn behind house. No setback issue, no wetland issue, structure less than 35' tall. It appears that construction was begun prior to obtaining a Zoning Permit. Request direction from the Board of Selectmen.

2. Kara Zaleskas, 164 Four Corners Road; No change in status on this matter.

#### Other Matters.

A. Inquiry from property owner on Hogg Hill Road regarding history of Springfield Zoning Ordinance and amendments thereto.

B. Scan (to digital format) all Town of Springfield Zoning Ordinance materials (including amendments) 1987-2017 and review the same in light of concerns over dog kennel/breeding business on Hogg Hill Road.

C. Visit to Old Grantham Road to determine where “snow plow trucks turn around” and to note utility pole identification for future reference.

D. Prep for and attend Planning Board meeting (Twin Lake Villas, Nick Cote, Site Plan criteria)

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Whit read through his report. Regarding Chris Gaherty’s pole barn, Whit asked for the opinion of the selectmen on whether it seemed this is an after-the-fact application, and if so, the fee should be doubled. Dick and Tamara both feel it is after the fact, construction began before the application was complete. Dick made a motion that the board decides it is an after the fact application fee is double the normal, seconded by Tamara and unanimously approved.

Whit addressed Gene Hayes’ inquiry of a second cut for a driveway for property on Stoney Brook Rd. and he is investigating that. Whit will get back to Mr. Hayes with some conclusions on that. Whit stated that the current zoning ordinance allows for two curb cuts, and any driveway requires a driveway permit by Peter Abair.

Whit received an inquiry from a Trevor regarding high speed internet, wanting to know why it wasn’t available in town. Whit told him he would mention it to the selectmen. This is the third time he has seen the response from Comcast stating they do not have a franchise with the town and are unsure why. Dick stated Mr. Wayne Smith has spoken to Mildred Pierce at Comcast who would not talk to him unless the board of selectmen contacted them. Dick contacted Mildred Pierce and had a lengthy conversation with her, collected all the data she requested and sent it to her and have not heard a word since. Dick stated it is not the town that is not interested it is Comcast.

Whit shared that the planning board will be meeting Thursday to review site plan criteria. Janet stated it is a checklist review not a review of the site plan regulations.

Whit added that he has digitized all available documentation in the ordinances from 1987 through 2018 and the most recent is also available in searchable form. Whit will make these available to the town.

2020 Budget Discussions with Department Heads:

Fire Department – Peter Lacaillade would like to add an additional \$4,000 to the communication line for the new radios; bringing this to a total of \$7,000. All other budget items are basically the same.

Highway Department – Dick asked Peter Abair about the casual labor line. Pete said that is for Eddie Abair’s compensation. Pete said the backhoe line will need to be increased if they plan to

keep it because it needs tires. Pete said for the paving line, the money from last year can be carried over and plans to add Nichols Hill and Cemetery Road for a total of four roads. Janet stated that Pete wants to keep \$80k in the budget to keep it level and withdraw \$100k which will now be in the unreserved fund balance back out for a warrant article to do the other roads that didn't get done in 2019. Dick asked if paving four roads in one year is realistic. In Pete's opinion, yes, it is. George asked Pete if the Freightliner line should be increased, he feels it should be increased. Pete said it could be bumped up to \$2,500, on the green freightliner. Dick mentioned shop expenses, it was decided to bring that up to \$5,000. Tamara asked why communications was so high. Janet stated that it was because of the encumbered funds for new radios.

Library - Dick started off by explaining about Laura Pauling's husband Brian's ski accident. He is slowing improving. Joyce requested an increase in the wage lines equivalent to the 3% increase typically given to employees each year. The operating expense line will remain the same. Joyce said the library has a few older computers that are not needed, should they be given back to the town, or can they be sold? Dick mentioned that the Sunapee transfer station will take municipal computers at no charge. Leigh stated there is an RSA mentioning that the Library is its own entity. Leigh also mentioned a business in Windsor that accepts old computers and refurbishes them to sell at a very low cost. Dick asked for the information on this company, Leigh will send a link to the website.

Police Department – Tim Julian said the only change he has is to line 133, which has already been taken care of.

Town Clerk/Tax Collector – Pixie has submitted a letter requesting an increase of pay by 3% to the tax collector/town clerk and deputy tax collector/town clerk that has been given to the town employees. The increase of salary for town clerk needs to be approved at town meeting as they are elected positions. Dick stated that will be added to the budget request at town meeting. Dick asked if the Fire Chief's wages should also be increased. Tamara will discuss this with Pete Lacaille as he would have to request this increase. Janet would also like the emergency meals line moved to the fire departments budget so they can manage it.

Minutes of December 13, 2019

George made a motion to accept the minutes as written, seconded by Tamara and unanimously approved.

Old Business:

Keith Cutting asked the status of the petition he submitted to have a warrant article to establish an agricultural commission. Janet said that all signatures had been verified, and it will be on the list. Keith then asked about the status lock on the class VI road. Dick will be approaching Ken with a recommendation that he hopes he will agree with. Keith stated that they now have an agreement with the state and Mason now holds a key to that gate. Dick will talk to Ken to try to resolve this amicably. Keith stated he will pursue this until some sort of action is taken, in his favor or not. Keith has presented the board with two resumes for the Emergency Management Director deputy position. Keith recommends the board appoint both gentlemen as deputies so when Keith's registration becomes final the board will have two deputies available to take his

place. Keith feels they are both well qualified. The board thanked him for his opinion. Dick read the article that Keith provided on Range ways, and still doesn't know who owns them. Keith said the town owns the range ways, then went on to explain what a range way is.

Dick reviewed the Schoolhouse Rd. easement. Todd Fluery send Dick a copy of a letter that was signed by the board to the Hayes Trust and requested the board send an updated letter to the Hayes Trust. Dick feels, after reading the easement, is a reasonable request. Dick stated that a follow-up letter will be sent. Related to that, MVST noted that the gate on Star Lake Rd is not open yet. Dick spoke with Todd Richardson, and he hadn't opened the gate yet because he felt there wasn't enough snow to allow snowmobiling.

George spoke with Jeff Evans and said that Jeff will not be able to complete the project. His computer has crashed, and his software is gone. He has no way to do anything in the immediate future. Tamara asked if Jeff was able to recommend anyone that could take over. George said he didn't ask that question. Janet stated this warrant article ends at the end of 2020. Dick will call Lou Caron for suggestions.

Dick spoke with Shawn Tanguay, who has requested a site visit at Kennebec Lumber. Dick is planning to attend this visit. Dick is also planning to visit Olivia's house after the site visit, so everyone can hear the noise from there. Dick will go out a few days before the visit to take a few readings.

Dick is attending court tomorrow, January 14<sup>th</sup>, on the Stone property. Matt suggested the board give Dick the authority to negotiate with Mr. Stone and his attorney to hopefully come to an agreement. Tamara made a motion to allow Dick to negotiate terms and conditions of possible agreement with Mr. Stone, seconded by George and unanimously approved.

There has been a request from the Conservation Commission to appoint Dan Saulnier to the commission as Bruce is leaving town. Dick moves to appoint Dan Saulnier to the Conservation Commission to replace Bruce Allen, seconded by George, unanimously approved.

Concerning the request from Newport Community TV, Dick personally is not ready to have a camera present. Dick made a motion to decline the offer of Newport TV, seconded by Tamara, unanimously approved.

New Business:  
None

Board and Department Updates:  
Tamara stated the fire department will be meeting on Tuesday.  
Dick stated the Library trustees are temporarily moved their meeting from Tuesday at 1pm to Thursday at 1pm.

Correspondence:  
None

Signatures:

None

Miscellaneous Business:

Janet went back to the budget, does anyone recall what was put in for engineering/consulting in the executive budget. Dick has no notes on this at all. Janet will also be moving conference costs in the Town Clerk or Tax Collectors line just to be more transparent. Legal fees have been bumped to \$45,000 but now think that needs to be bumped up more.

Tamara made a motion to adjourn the meeting, seconded by George, unanimously approved.

Meeting adjourned at 6:54pm

Jill Hastings

Deputy Administrative Assistant