

BOARD OF SELECTMEN

MARCH 10, 2014

MEMORIAL BUILDING

7:00 P.M.

The following are to be considered draft minutes until approved by the Board.

Selectmen present: Don Hill, Chairman; Leigh Callaway and George McCusker.

Others present: Bryan O'Day, Justin Hastings, Bill Huntoon, Health Officer Tom Duling, Ali Wheeler, Road Agent Pete Abair, John Trachy, Police Chief Tim Julian, and Sergeant Mike Beaulieu.

Meeting called to order at 7:00 p.m.

Roland Follansbee and Anne Quirion present at the request of the Selectmen. Roland reported, Tom Duling closed down the trailer after receiving a complaint from the tenant. There was no water in the trailer because the tenants were not living up to their rental agreement and were not keeping the trailer heated. The first time the water froze, Roland made the necessary repairs. Roland presented a letter to the Selectmen explaining the rental history and the rental contract and tenant responsibilities. He has been unable to get into the trailer to make necessary repairs, as the tenants were not available or not willing to let him in. They have subsequently left the premises and he is going to have to put a lot of work into the trailer before it is able to be rented again. Roland stated that he has had the trailer on site since 1994. He has a legal business and provides homes for people who otherwise have no place to go. He reported he was told there was no zoning when he purchased the property (1991). Don noted there have been issues with the property back to 1985 with the former owner and several attempts (1984, 1997, 1998, 2010 etc.) to get the situation under control, deal with enforcement issues and be compliant with planning and zoning. Roland was advised to schedule an appointment with the Planning Board on March 20th to start with a consultation to find out how he should proceed. He was told he may also be referred to the Zoning Board. Leigh noted that if an attempt toward resolution is not made within 30 days, he may be subject to fines or be forced to remove the trailer. Leigh asked that the Health Office and Police Department follow up on this. Leigh noted that there are a lot of people who do not conform to home businesses that the selectmen are looking into. Roland will call the office to schedule a time at the Planning Board's March 20th meeting.

Public Comments: Bill Huntoon asked if the sand business is still open and how the [Selectmen] can give two raises with the case is still open and there is a possibility that someone did something wrong that could be subject to a Class B felony. Leigh stated the issue of the sand is still out there and needs to be resolved once and for all and not turned "into a witch hunt". He does not feel comfortable with continued conversation and conjecture without legal counsel. Don stated conversations about the sand issue have all been done in front of the public at Selectmen's meetings. The RSA is clear about perceived wrongdoing. He has spoken with LGC legal counsel and Chief Tim. If warranted, the case could be referred to

the County Attorney. The process is proceeding as it should. Leigh stated due to the laws of NH requiring business to be conducted in a public meeting, the process takes time. He agrees with the frustration and would like to be free of the issue. Don noted the only conversation that can take place outside of the public forum is with legal counsel. A motion was made by Leigh to sit down with Chief Julian, and town counsel (Shawn Tanguay) after town meeting. Motion was seconded by Don. Leigh and Don voted in favor. George abstained as he is involved with the issue; he does not want to attend. Don noted the Selectmen are a Board of three and all three members should be present. He stated that George can do what he wants but would encourage him to attend the meeting. Janet was asked to contact Shawn and set up an appointment.

Minutes: Leigh moved to accept the February 24, 2014 minutes as written. The motion was seconded by George and unanimously approved.

Don noted the office has received some inquiries as to how a candidate may have gotten e-mail addresses of the public. Don noted in the past an e-mail went out with addresses unshielded and the use may not have been illegal but seemed unethical. E-mail addresses need to be shielded when using List serve for privacy.

Leigh asked the Board to look over the invitation to bid for the carpentry work at the town hall. He would like to firm it up at the next meeting and get it advertised.

Board discussed who would present each warrant article at Town Meeting.

Board and Department Updates:

Leigh reported the Conservation Commission is planning green-up day for May 3. Peter has consented to pick up the trash bags.

The Conservation Commission will host a presentation on Vernal Pools on March 19th at 7:00 p.m. at the Town Hall.

The Board is in receipt of 4 applications for abatement of taxes; Fairpoint, NH Electric Cooperative, PSNH, and Natural Dharma Fellowship (Wonderwell).

Leigh stated he has spoken to the town's assessor George Hildum regarding the applications.

Motion made by Leigh to contact legal counsel, Gardner, Fulton & Waugh regarding Natural Dharma Fellowship. Motion was seconded by Don and unanimously approved.

Don reported the cases with PSNH, NHEC and Fairpoint are ongoing, and the town, along with many other municipalities has been involved with a team of legal representation for the previous appeals. Motion made by Don to "stay the course" with the process. Motion was

seconded by Leigh and unanimously approved. George McCusker questioned if there was any limit to how long this goes on. Don noted part of the problem is lack of clear guidance from the State on taxation and values of utilities, and the State need to fine tune the law.

Selectmen received a copy of an Appeal from an Administrative Decision filed with the Zoning Board by John Trachy regarding the Selectmen's approval of the building permit for Durgin & Crowell that was approved on February 24th. Don noted legal counsel at LGC was contacted and the issue is out of the Selectman's hands and the case moves forward to the Zoning Board.

Don read a letter dated March 5, 2014 (received March 10th) from Scott Seekamp, a resident on Deer Hill Road regarding issues he has with the snowmobile use of the road.

George McCusker stated he has been over there and the snowmobiles do not stay on one side of the road, it appears they ride the banks on both sides and are back and forth across the road. Bryan O'Day stated that is difficult for a snowmobile to ride along the slope of a snowbank. Pete Abair stated that he has tried to shelve the snowbanks for the snowmobiles but it is hard in narrow places.

Leigh suggested Chief Tim spend some time there, run some radar, and give out tickets. He expected that most of the users are respectful, but there may need to be some enforcing. He suggested calling MVST to let them know what is happening and perhaps someone should talk with Mr. Seekamp.

Building permits:

Mike Howard, Carter Brook Road - two permits for two lots for a small shed on each lot. Tom Duling noted that these are agricultural to be used shelter for his horses and are not for business use. Applications approved and signed.

Tamara Butcher – renewal of a permit issued last year for a small shed on Webster Pass. Tom had not seen the permit but once he approves, Leigh will sign it.

Invoice received from NHVT Computers for renewal of the e-mail domain administration fee. Leigh reported chances are the \$50.00 will be owed, but he would like to hold off paying the invoice until he has a chance to talk to NHVT Computers.

Invoice for Town Hall Cleaning. Don read list of issues that were found. Leigh reported at the last meeting the Board agreed to ask if Mrs. Julian would clean. She notified us her fee for spring cleaning was \$40.00 per hr. Leigh stated at that point the options were to do nothing, have the cleaning done, or have the road crew do it. The building needed to be cleaned before the pancake breakfast and the elections. There was little time to get that amount of cleaning done. He appreciates the road crew offering to clean up. The invoice was approved for

payment. Don noted the work was well done in time for the breakfast and the building looked great.

Leigh stated a decision regarding the cleaning needs to be made. Melissa Julian agreed to clean the office for us temporarily about a year or more ago. There is still an issue with regular cleaning at the Town Hall and Fire Station. The whole picture of buildings and grounds maintenance needs to be looked at and a decision made. George McCusker stated he didn't have an issue with the cleaning, he was surprised by the jump from \$20.00 to \$40.00 per hour. Tim Julian noted there is a difference between weekly maintenance and spring cleaning that includes cabinets, and appliances and contents, etc. Leigh noted there needs to be a system in place to check on the buildings before and after use.

A building permit for adding more hardware to the tower on Oak Hill was approved at the last meeting but had not been signed. There is no change in tower height.

Don noted the e-mail he received from Attorney Paul Sanderson from the LGC (now New Hampshire Municipal Association) will be left on file at the town office. He has redacted any e-mail addresses for privacy concerns.

Leigh reported he would like to set up a time to invite a representative from Virtual Town Hall to give a brief presentation regarding the product that they offer. He will try to arrange something for a Wednesday, perhaps a noontime meeting.

Meeting adjourned at 8:12 p.m.

Submitted by,

Janet Roberts