

**BOARD OF SELECTMEN**

**NOVEMBER 10, 2014**

**MEMORIAL BUILDING**

**7:00 P.M.**

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

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

Others present: Bryan O'Day, Ed Belfield, Tom Duling, Bill Huntoon, Mike Lawlor, Peter Abair, Tim Julian and Justin Hastings.

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

Don reported the Selectmen met at 3:00 p.m. to handle the closing and Quit Claim Deeding of the two tax deeded properties.

Minutes of October 27, 2014: Leigh amends *Don brings up the Legal Woman's Voters wants the town to add them to their website to promote them. A request was received to insert a link to the town website to the League of Women Voters website, Vote411.org.* Motion by Leigh, second by George to approve with above correction. Unanimous.

Projects List: Leigh reviewed.

Don moved to add repair of men's room urinal to the list. Motion seconded and approved.  
Mason has been contacted.

The septic system at the highway/fire complex is complete and was covered on Thursday. Jim Berg from DES has granted operational approval.

Unfinished business:

Add signage for roads in Star Lake Easement.

Don distributed a picture of the signage that is used on the rail trail in Andover. It is a small sign and has language along the lines of what Star Lake would like. He will run the information by Todd and then it will be run by the Deer Hill easement holders as well.

Don reported Tom Duling went to a homeowner (renter) on Main Street, building a woodshed without a permit. The resident has come in and has taken a building permit applicant but has not submitted it, though they have been reminded a couple of times. Someone pointed out there seems to be smoke coming from a chimney in the building. Leigh recommended a letter be sent to the property owner advising of a permit or there are fines that accrue.

Leigh reported Sugar River Flooring has submitted estimates for replacing the carpeting in the upstairs of the meeting house. The total cost is \$3090.46. There is \$1069.89 in the trust fund from the Pulpits to Politics fundraising event of a couple of years ago, leaving a cost of \$2020.57. Leigh feels this is a good application for the trust fund money. Motion by Leigh to approve Sugar River Floorings bid to replace the carpeting, with \$2020.57 to come from town funds, and \$1,069.90 to come from the trust fund. George McCusker stated he does not approve of the purchase. The upstairs does not get used and the stairs are difficult. George noted there had been talk back when the foundation was replaced of an elevator for accessibility to the upper level. Leigh noted that repairs were recently made to the fire escape to make the upstairs available for use. People who are interested in renting the space are advised to take a look at it before. New carpeting will run down the stairway to correct the ripped carpeting and dangerous

situation that exists on the stairs. Motion by Don to proceed with carpeting with 1/3 of the cost coming from the trust fund. The motion was seconded by Leigh. Don and Leigh voted in favor, George opposed.

Leigh reported the Selectmen had agreed to look at Elderly Exemption Limits for this year. A report of surrounding towns was compiled. The Selectmen have reviewed and feel things seem to be in order for now. Leigh will leave this on the list to review again for 2016.

Leigh drafted a snowmobile ordinance at the recommendation of the NH Municipal Association Lawyer. Leigh reported he contacted the head of OHRV in Concord to find if there were similar ordinances in other towns. There is not. Leigh reviewed the draft with Tim Julian, Chief of Police. Don noted the draft seems to be clear and covers the spirit and intent, and the details seem to be there. The consensus was to send to Josh Worthen, and Todd Fleury of MVST to take a look. The draft will be run by legal counsel before the Board votes to approve.

#### New Business:

Letter from Verizon Wireless regarding receipt of Failure to File Notice. Selectmen advised to send to town counsel.

HealthTrust: Leigh noted the Selectmen need to reach a decision about coverage. A notice of Summary and Benefits Coverage must be sent to all employees, and others who may be eligible, including elected officials and anyone who receives a W2 from the town. Board discussed the renewal rate for the existing plan only increased 1.10<sup>th</sup> of a percent. Adjustments to coverage have been made in prior years to reduce costs while providing excellent coverage. In addition HealthTrust will be reimbursing \$6600.00 to the town. Motion by Don to maintain the existing insurance coverage plan with Health Trust, which is in essence flat, and sees no reason to change for this year. Motion was seconded by Leigh and unanimously approved. Motion by Leigh to request a contribution holiday from HealthTrust which will lower the insurance payments for 2015. Motion seconded by George and unanimously approved.

#### Historical Society- Donation of Safe.

Leigh reported the safe that was to be donated to the historical society and had been formally approved is reported to weigh 800 pounds. Discussion followed: moving it would be difficult. It is a lot of weight to have in one location. There are disadvantages to having it "just fill up space in a public place". Motion by Leigh to rescind acceptance of the safe due to the weight, with thanks and appreciation. Motion seconded by Leigh and unanimously approved.

Letter from Village District of Eastman. Eastman would like to expand their existing garage building and install some photovoltaic solar panels. They are unsure how to proceed due to the wetlands overlay, though they have been in existence prior to the creation of the overlay district. The letter originally went to Susan Chiarella, Chair of the Zoning Board. She indicated as a ZBA member, she could not make a recommendation and forwarded the request to the Selectmen. After review, the Selectmen felt it would be appropriate for them to meet with the Planning Board.

#### Board and Department Updates:

Conservation Commission: George reported there is a lot of blow down damage at the Kinsley Lot. The Town Forester, Brooks Weathers, does not have time to log there this year. The CC would like to get the blow down cleaned up while there could still be some money in it. The Selectmen can act as the forester to get the blow down cleaned up. George said there are a couple of local loggers probably willing to clean it up. Don stated a lot of people are cleaning up damage from the storm. Leigh asked if the

Conservation Commission would be willing to take over the reins and set up a scope of work and oversee the project without a forester. George will ask them. He indicated the CC is all for getting a local person in there to clean it up. Motion by Leigh to grant the Conservation Commission authority to have the Kinsley Lot cleaned up as long as they understand they are in charge of the whole process. Motion seconded by George and unanimously approved.

Cemetery Commission: Leigh reported the Commission is all finished for the year and will not be meeting again until April. They have prepared their 2015 budget. There have been many compliments on the appearance of the town cemeteries.

Don reported there will be a joint Planning and Zoning hearing on November 20<sup>th</sup> regarding Special Exception and Site Plan Review application from Natural Dharma Fellowship for Wonderwell. The October meeting was spent discussing wetlands and vernal pools. The concern is with how much buildable acreage is being impacted. Everyone wants to protect the water, while minimizing the impact from setbacks. Article VIII and Article X of the Zoning Ordinance need some work for amending at Town Meeting.

Leigh presented a purchase order for work that was done on the loader. The purchase order was approved and signed.

**Correspondence:**

Phone complaint taken at the office from a Main Street resident regarding Notice of Failure to File Annual Inventory and resulting penalty. Selectmen reiterated the Town follows State Statutory provisions for the Annual Inventory forms. A date certain is given on the form, and the forms are mailed in very obvious envelopes with fluorescent "warning" labels.

Selectmen reviewed draft of letter to Wonderwell Mountain Refuge with information about their exemption.

**Miscellaneous Business:**

George McCusker stated at the meeting with department heads recently, there seemed to be a fair amount of difference in opinion of what the trustees and librarian propose next year. He recommended they work it out between them, and come to the selectmen with what they want.

There will be a Capital Improvements Committee meeting on Tuesday, November 25<sup>th</sup> at 7:00 p.m.

A preliminary budget session will be held on Tuesday, December 9<sup>th</sup> at 7:00 p.m.

George stated he also recommended some consideration be given to the use of the meeting room, the need for more office space, and more storage space. The library would also like more space and room for a community center. He suggested the library use the town hall space during the time of year when the building is open. A comment had been made to "use what we have before we ask for more". Leigh noted a case could be made to keep the heat on at the Town Hall if there was enough use.

Don noted a representative from the State inspected the Town Hall on Election Day, and commented "what a beautiful space."

During Historical Society events it is not uncommon for the room to be filled.

Leigh reported the highlights of the CIP meeting with Department Heads was:

1. Space for storage
2. Re-wiring of fire/highway garage
3. Replacement Police Cruiser can be pushed
4. Push out SCBA replacement for Fire Department to 2016.

There will not be a Selectmen's meeting on November 24<sup>th</sup>. The next regular meeting will be held on Monday, December 1, at 7:00 p.m.

The Board discussed hopefully the State will have information for setting the tax rate. The Board agreed to continue this meeting to Wednesday, November 12, 2014 at 3:00 to discuss.

Then plan being if there is no information available from the State by then, they can at least discuss application of fund balance to a preliminary rate. Don stated, philosophically, the Board has tried to maintain the balance recommended by the State while applying funds to the tax rate.

George stated last year he wanted to use more than was used. Leigh noted possible impending liabilities, and last year the board was able to reduce the tax rate to keep the town rate flat. George suggested budget committee members might want to attend Wednesday's meeting.

At 8:10 p.m. the Board moved to go into non-public session, per RSA 91:A II.

At 9:00 p.m. the Board voted to seal the non-public minutes and entered back into public session.

The public session adjourned to Wednesday, November 12, at 3:00 p.m.

Submitted by,

Janet Roberts,  
Administrative Assistant

\*\*\* Draft of Ordinance for Snowmobiles on Town Roads and Lands is attached.

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## TOWN OF SPRINGFIELD NEW HAMPSHIRE SNOWMOBILES ON TOWN ROADS AND LANDS

Town Ordinance #

December , 2014

This ordinance is effective December \_\_, 2014 and remains in effect until revised or cancelled. Violation of this ordinance can lead to warning or penalty of up to \$\_\_\_\_ per occurrence.

Snowmobiling has been a popular wintertime sport in Springfield for many years because of our rural and attractive natural environment. The Town encourages property owners to open their lands to the sport. This follows the spirit and intent of New Hampshire RSAs 212:34 and 508:14 which were enacted for that reason.

### **AUTHORITY**

This Ordinance is enacted pursuant to RSA 215-C:31 which authorizes the Board of Selectmen to regulate the operation of snowmobiles within Town limits. In the event of conflict between this Ordinance and State statute or case law, the State mandates shall apply. Operators of snowmobiles are required to be aware of, understand and conform to all provisions of this Ordinance and State law, including but not limited to RSA 215-C.

### **APPLICABILITY**

With the exception of law enforcement, this Ordinance applies to all snowmobile operators regardless of place of residency/domicile or club affiliation. It applies to all roads, lands, bridges and water bodies owned by the Town of Springfield or portions thereof.

### **GENERAL PROVISIONS**

- Limitation of Liability

Within the provisions of this Ordinance, the Town of Springfield authorizes use of its roads and lands free of charge for the recreational purpose of snowmobiling by operators and spectators. Pursuant to RSA 508:14, the Town accepts no liability for personal injury or property damage resulting from the use of snowmobiles on its roads, lands, bridges, water bodies or any portions thereof.

- Non-Recreational Use

Non-recreational use of snowmobiles (e.g., hauling building materials to areas accessible only during winter) on Town roads, lands, bridges, water bodies or any portion thereof is not authorized except on an ad hoc basis by permission of the Board of Selectmen and recorded in meeting minutes.

- Responsibilities and Rights

Snowmobilers shall operate their machines in a courteous, respectful and responsible manner. They are encouraged to positively promote snowmobiling for their own best interests and for accord in the community at large. Best practice noise abatement procedures shall be followed, although modification to snowmobiles is not required by this Ordinance. Along with this responsibility, the Town recognizes the right of snowmobilers to take advantage of Town resources for their outdoor enjoyment.

- Safety  
Operation of vehicles on Town roads is governed by basic rules laid out in RSA 265:60. Within the provisions of this Ordinance, the Town authorizes the use of its roads, lands and water bodies for snowmobiling on the premise that safety is first and foremost the responsibility of individual operators. In the absence of a hazard that could not be discovered while traveling in a reasonable, prudent and lawful manner, there is no such thing as an “unsafe” road. In the event that a road is deemed insufficient, it shall be closed immediately to all vehicular traffic by the Road Agent, Police Chief or the Board of Selectmen.
- Maintenance and Signage  
Except on Class V roads, the Town of Springfield accepts no responsibility for maintenance of snowmobile trails, including but not limited to grooming or clearing of vegetation. The Town will not install or maintain snowmobile traffic signage. The Town reserves the right to remove signage on its lands, roads, bridges and water bodies or portions thereof which it deems inappropriate or does not apply to safety of snowmobile operation.

### **SNOWMOBILE USE ON CLASS V ROADS**

Except when crossing a Class V road (RSA 215-C:8X), use of snowmobiles on Class V roads is not authorized without a signed application which in turn is approved and co-signed by the Board of Selectmen. “Blanket” application will not be authorized. Instead, written application and approval shall be made for specific and clearly defined segments of Class V road. When a segment of a Class V road is to be considered for snowmobile use, the public will be notified in accordance with RSA 91-A:2 II. Snowmobile speed on Class V roads shall not exceed ten (10) miles per hour. Authorizations to use segments of Class V roads shall be for indefinite periods and shall be reviewed every three (3) years. On a case by case basis, the Board of Selectmen may impose additional restrictions including but not limited to during snow clearing, during school bus operation and during certain hours of the day.

### **SNOWMOBILE USE ON CLASS VI ROADS**

Snowmobile travel on Class VI roads is authorized subject to applicable State law. No application is required for access by individual segments. Class VI roads will not be maintained without authorization and permit by the Board of Selectmen pursuant to RSA 231:21-a II and RSA 236:9 and recorded in Selectboard minutes. Approved road maintenance permits shall be for an indefinite period and will be reviewed every three years.

### **SNOWMOBILE USE ON TOWN LANDS**

Pursuant to RSA 215-C:49, the use of snowmobiles on Town lands is authorized but only on designated trails with approval by the Board of Selectmen and recorded in meeting minutes. Such approval shall be for an indefinite period and will be reviewed on an as-needed basis. Before clearing or grading begins for new trails on Town lands, approval must be obtained and recorded in Selectboard meeting minutes.

### **REVOCATION AND MODIFICATION**

The Board of Selectmen reserves the right to revoke or modify previously authorized snowmobile operations on any of the Town’s lands, roads, bridges and water bodies or portions thereof without notice and for any reason it deems appropriate.

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Selectman

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Date

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Selectman

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