

**BOARD OF SELECTMEN**

**OCTOBER 13, 2014**

**MEMORIAL BUILDING**

**7:00 P.M.**

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

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

Approximately 25 people were present either for the opening of the sealed bids for two tax deeded properties, members of Mascoma Valley Snow Travelers, Deer Hill residents, and other usual attendees.

Don called the meeting to order at 7:00 p.m.

Don reported since the last Selectman's meeting, an emergency meeting was called to meet with Brian Call of Route 4A. The Selectmen had denied a building permit as there was no record of a septic design for the property. Brian wanted to move his house 50' from the road on a new foundation. Further discussion with the State DES determined since the property is more than five acres and there was to be no increase in size of the structure or septic loading the house could be moved without septic design approval unless there is a specific town ordinance that otherwise prohibits it. The Selectmen deferred to the State and approved the building permit. Don has begun researching other towns for their ordinances.

Don and Leigh participated in a conference call organized by the Department of Emergency Services, and the Department of Health regarding Ebola and Enterovirus D68. The procedure for the public is to call 911 if there is a medical emergency. 911 Operators are being provided with intake protocol. Good hygiene and hand washing is the current line of defense. The State has provided links to information and precautions.

Sealed Bids:

Leigh noted since it has been less than three years since the town tax deeded these two properties, the former owners were notified of their right to repurchase. Neither party responded within the stipulated time frame. This whole process has been done with supervision by town counsel.

Parcel 1: Bowman Road

Three bids received. \$1,000; \$2,000 and \$5,300.

Parcel 2: Old Croydon Road

Six bids received. \$10,001.99; \$11,200; \$12,000; \$15,200; \$16,750; and \$20,000.

Parcel 1 discussion: Selectmen reserved the right to refuse any and all bids. Decision needs to be made about amount needed to make the town whole or whether to get the property back on the tax logs. The Bowman Road parcel is vacant, not generating taxes, and is just sitting there. Leigh stated calculating the back taxes and interest, without including the 15% penalty the former owner would have to pay, amounts to approximately \$6,900. Leigh commented the primary objective is to get the properties back on the books and generating taxes. The bid of \$5,300 is in the ballpark.

Parcel 1 - Bowman Road; Leigh moved to accept the bid of \$5,300; motion seconded by George and unanimously approved. Successful bidder is William Huntoon.

Parcel 2 discussion: This parcel is an improved lot with a structure. The town is paying insurance on the property and will continue to do so if a bid is not accepted. Back taxes and interest without the 15% penalty is \$16,100. The highest bid on the Old Croydon Road covers the costs.

Parcel 2 – Old Croydon Road; Leigh moved to accept the bid of \$20,000, seconded by George and unanimously approved. Successful bidder is Dallas and Laura Patten.

Mason Wheeler was present to provide information regarding replacement of the heating system at the town office building. Mason noted there had been a strong case made for oil, but he still recommends propane. The existing oil tanks are close to 50 years old and need to be replaced. The boilers are about 25 years old and nearing the end of their life, and the chimney is in need of repair. There is more maintenance on oil versus propane. With interior oil tanks there is more risk for contamination and spillage. Running out of propane, as was previously voiced as a concern, is not likely. It makes sense to move in a direction to be as efficient as possible if the furnaces are going to be replaced. A bigger propane tank would be necessary. Propane boilers would be direct vented outside. They have an outdoor reset that adjusts boiler temperatures based on the outdoor temperature. On demand hot water was also discussed versus running a boiler all year round for hot water. Hot water usage in the building is minimal.

Leigh stated propane is cleaner and the fuel is stored outdoors. Getting rid of the interior fuel tanks would free up a little more space for the Police Department. Propane is needed for the generator anyway.

Following discussion Don recommended going with propane.

Mason has talked to Pete about removing the oil tanks. Mason will provide estimates for removal of the tanks and provide two estimates, one with on demand hot water, and one without.

Mascoma Valley Snow Travelers/Deer Hill Road: Many members of the MVST present, Residents from Deer Hill Road present were John Trachy and Cynthia Hayes. Bob and Donna Ruel from Stoney Brook Road were also in attendance.

Don asked Josh Worthen for an update. Josh reports letters have been sent to the landowners and he personally has not gotten any responses. Phil Lebrecht, Trail Administrator has reached out to the Hayes Trust.

Don asked John Trachy for an update. John read a letter that the he and his Deer Hill Road neighbors composed on October 10<sup>th</sup>. (Attached).

Don notes he has received several phone calls, e-mails, and letters. The point has been made that the Conservation Easements allow snowmobiles on those former Class VI Roads in perpetuity. Things have taken place so the spirit of the agreement seems to have been set aside. Star Lake Farms has said they are more than willing to work on finding a solution for through traffic as much as they can. Everyone is

in agreement it is best to keep snowmobiles off roads. However, it is not out of the ordinary for use of these roads to keep trails open. It would seem there is no closer solution than there was two weeks ago.

John Trachy states the spirit of the agreement has not been set aside; the club is not performing to maintenance requirements. Per the agreement, the club is to provide the owners of the former Class VI road, (School House Road) with a Certificate of Insurance. John also states the Deer Hill residents did not receive their letters from MVST until October 11<sup>th</sup>, the day after the residents drafted their letter to the Selectmen. Josh stated the State has been asked to send Certificates of Insurance and he will look into this. Josh asks if it would do any good to table tonight's discussion while the residents look at the proposals MVST MADE. John indicates that he has not seen the other residents letters, but based on the request they (Hayes Trust) received, the answer is no.

Don notes that Perry Hodges contacted him today and said that John Trachy was coming to the meeting with a proposed solution for this year. Don asked John if there is a proposal. John states the landowners looked at the problems. There were 5 solutions, each involving the pond. Four out five didn't "make the cut." The last is not ideal but Baptist Pond Trust is hesitant but willing to give permission for one year; conserving the right to assess for damage or other influences. The trail to come off the pond next to Keeler property, immediately adjacent to Stoney Brook Road. The trail would remain unmaintained, with no cutting of trees, perhaps some brush, and be barricaded at the close of season to dissuade those who might make their way to the pond. To enter and exit the other side of the pond, Star Lake has offered use of a road to the pond, getting there by the use of School House Road.

Josh Worthen states they have been working with the New London Springfield Water Precinct to get off Morgan Pond. His concern is Baptist Pond is "moving water" and is subject to unstable conditions. This would also open up the pond for snowmobile access, for which the Selectmen do not have the authority to regulate or post speed limits, and would subject residents to noise off the pond. Donna Ruel stated that there are snowmobiles on the pond now, and she does not notice the noise. It was mentioned that existing snowmobile use is largely for ice fishing.

Ed Abair notes concerns if the weather conditions do not make the ice safe for travel then there is still a need to use Deer Hill Road. Two trails also might break up the traffic on Deer Hill. John Trachy states the understanding is this is an either or offer, not both.

Don states one of the residents he spoke to didn't object to neighbors and townspeople using the trail, but did not like the idea of opening up a "route to the world".

Don is delighted that owners have reached out to the club. It makes the most sense to come up with a permanent solution near the I 89 Deer Fence, getting the trail in the woods to mitigate noise, stay off frozen water, and off roads. Leigh wondered if the parties might come together and look at maps of the area and come back next week with a possible solution. It is noted the season is coming right up and it is already late for opening a new trail.

Josh states the spirit of the original permit by MVST was to communicate with the Selectmen annually. Technically the trails open December 15<sup>th</sup>. MVST has been trying to find other options to Deer Hill

without success. At the September 22 meeting there were a substantial number of landowners, snowmobilers, and taxpayers present. He would urge the Selectmen to sign the permit, without change.

Leigh states he would like to table this meeting to a week from tonight, to enable the club and residents to perhaps get together with a brainstorming session. Many club members present state they are not in favor of riding water bodies.

Josh states MVST is thankful to the Deer Hill Road owners for coming together as one to try to find a solution, but riding on a body of water is not the best solution. There is no speed limit on bodies of water and the Selectmen have no authority to regulate a speed limit. The sheer volume of trail work the club volunteers have to take care of from summer blow down, etc., makes it difficult to establish a new trail this season.

Don states he is not in a position to sign anything tonight without more consideration being given to an alternative.

Leigh states he does not want to shut down access to 140+ people. There are specific RSA's to deal with snowmobiles and motorists and details of responsibilities that release the town from liability. His tendency is to be in accordance with the RSA and continue the use of Deer Hill Road.

Dallas Patten, Forest Fire Warden states a lot of work MVST has done to keep the trails and Class VI roads open allows for vehicle access for fire control. Without their work, trails would close in and result in a "hike in" situation for fire fighters. The Town is getting the benefit of the MVST volunteers, money and time.

Josh states snowmobile registration and gas taxes go to funds used to reimburse clubs for trail maintenance. How much each club gets is based on how sustainable the trails are to the State trail system. If Springfield became a "lollipop" instead of having a way to get through town, the reimbursement would decrease and the club could have difficulties in a very short time which would be unfortunate for the numbers of trail users in town. MVST has been a member of the NH Snowmobile Association for 35 years. The loss of Deer Hill, would alone isolate approximately 14 families on Stoney Brook Road.

Cynthia Hayes states she has no problem with snowmobilers, and other users, but has a hard time with the use of Deer Hill Road. The camp and road were moved, and they [Hayes] moved the road that used to go between their home farm and the barn to get away from the road. They bought their farm 57 years ago for the peace and quiet. They provide an easement for snowmobiles on their land, as well as the easement that allows full snowmobile access on School House Road. The noise bothers them and their animals.

Bryan O'Day states that many years ago, before the road was plowed beyond the camp, the road was used as a snowmobile trail. Josh states the Hayes easement is in the area of I 89, known as corridor 351 which was granted to the Sunapee Snowmobile Club. The trail through Springfield is 349 and is not a main corridor. Corridor 5, which used to run through Springfield, has detoured around Springfield and is one of the busiest trails systems in the State.

Don states it was his hope that an alternative could be found in the last three years. One option was brought forward, but there have not been any other options. MVST has been walking potential trails, and exploring alternative routes that have not been successful. Todd Fleury states cooperation near the underpass on Deer Hill Road could create a trail that parallels the interstate, back in the woods and would minimize noise and other issues for everyone involved. Josh states the properties involve Hayes, Rifkin, and Charpentier. A trail could be used for owner's own purposes, and would be gated, all at the club's expense. Typically at least 8" of snow is needed to maintain trails. Travel is generally less than 3 months of the year. Owners would get the advantage of the insurance policy and mitigation of noise and safety issues. He has walked most of the area. There are not a lot of trees to be cut and they might be able to get something done this year, if that was available.

Don wondered if a "break out" session between the landowners and MVST would be helpful to get something agreed for this year or the foreseeable future. Leigh noted the Selectmen would be willing to accommodate a meeting between landowners and MVST, but they have no standing to participate or officiate in those discussions. Don states the Selectmen want to do everything in their power to be sure the snowmobile club is not shut down or land locked. The letters the Selectmen received were not sent in time to do something with all the other deadlines looming. If they had a year, perhaps something could be worked out. It is not because of lack of effort.

Leigh states if the landowners review the correspondence they received from MVST and could get together with Josh, it would be in the best interest of both parties. If they come back next week and there has not been any progress made or an agreement reached, he is not in favor of shutting the snowmobile club down from using Deer Hill Road.

Motion made by Leigh to move the Deer Hill Road discussion to a special meeting to be held at 7:00 p.m. on Monday, October 20<sup>th</sup> for a decision. Motion seconded by Don and unanimously approved.

Those present for the remainder of the meeting: Mike Lawlor, Bill Huntoon, and Brian O'Day. (Laura Patten stayed until the Purchase and Sales Agreements were executed.)

Todd Fleury, Springfield's Kearsarge Regional School Board member updated the Board on the proposed school budget. The preliminary budget was proposed for a 4.5% increase. The Board whittled it down to 2.75%. The majority of the increase is from the voted increases in teacher's salaries, insurance, non-discretionary, and special ed. The budget was able to be decreased by using capital expenditures of old capital trusts. There will be warrants to replenish those funds.

At 8:40 p.m. the Board voted unanimously to enter into non-public session per RSA 91: A: 3 – Financial.

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

Received \$2,000.00 from Laura Patten for the 10% required for the tax deed sale of property on Old Croydon Road. (Map 25; Lot 330-406). A Purchase and Sales agreement was executed.

Received \$600.00 from William Huntoon for the 10% required for the tax deed sale of property on Bowman Road. (Map 23; Lot 550-120). A Purchase and Sales agreement was executed.

Closing date for completion the sale will be Monday, November 10<sup>th</sup> at 3:00 p.m.

Projects List: Leigh shared the list. He noted some concerns that Marie Patten brought up.

Postcard notification of the revaluation have been sent out.

Don noted the Selectmen held an emergency meeting on October 7<sup>th</sup>. After talking with the DES he has been researching language for an ordinance for local enforcement of issues like those that came up with the Brian Call property.

Minutes of September 22, 2014: Leigh moved to approve the minutes as written, seconded by George and unanimously approved.

Signatures:

Annual Maintenance Contract for Controlled Power for the generator at the fire station.

Notice of Failure to File Annual Inventory Form signed and will be mailed this week.

Building Permit – Bradly and Pam Butcher – George Hill Road. Variance granted by the ZBA on October 7<sup>th</sup>.

Timber Yield Tax Assessments approved and signed for Peterson and Lindquist.

At 9:30 p.m. the Board voted to go back into non-public session per RSA 91: A: 3 Personnel.

At 9:50 p.m. the Board voted unanimously to seal the non-public minutes, entered back into public session and adjourned the meeting.

Submitted by,

Janet Roberts