

**Town of Chesterfield
Board of Selectmen
MINUTES
January 7, 2015**

CALL TO ORDER

Chairman Jon McKeon called the meeting to order at 6:05 p.m. Others in attendance were Elaine Levlocke, Jim Larkin and Rick Carrier, Town Administrator.

FOR SIGNATURE

- Manifest #52B & 2
- Selectmen Minutes – December 17 & January 2
- Yield Tax Certifications (4) – Forecastle Timber
- Yield Tax Warrant
- Assessing Contract – Commerford, Nieder, Perkins
- Employee Benefit Letters
- Rescue Inc. Contract
- Veterans' Tax Credit Application
- Tax Collector Abatement – Young
- Bokum Correspondence
- Cay Correspondence

APPOINTMENTS

- **6:15 p.m. Roland Vollbehr**

The board invited Vollbehr to discuss his interest in a ZBA alternate position. Vollbehr currently is serving on the Planning Board and would like to join the board. The board felt that he would be an asset to the ZBA.

- **6:30 p.m. Chief Chickering** – Nonpublic RSA 91-A:3 II (b)
- **7:00 p.m. Richard Diesl/Mike Bentley**

The selectboard reviewed Bentley's letter of December 6. Bentley expressed his concerns of action taken by the selectboard, based on complaints of only one property owner on Bennett Road and why the selectboard would be involved in the neighbor dispute of the private road. He added that Diesl had made changes to Bennett Road to improve the drainage issues.

McKeon stated that Bennett Road is a Class VI road. He added that during a town meeting in 1925, it was voted to discontinue that road and to be left to the judgment of the selectmen as to property rights. Since that meeting, there have been no records indicating that the selectmen have done anything to change that road. McKeon stated that a Bennett Road resident presented evidence to the board of work done to the road. The board consulted an attorney and his conclusion was the same as the research that was done. McKeon added that the board

is looking at removing private property in the town road or not having private alterations performed to the town road. The board has discussed that if plans are presented to the town by a resident and the board approves the plans, the resident would be given approval for the work. McKeon added that the town is under no obligation to do maintenance to a Class VI road.

Diesl stated that the Warhols added 3 inches of material to where the driveway meets the blacktop before they put in their driveway. McKeon stated that the selectboard have asked that personal belongings be removed from the roadway and to bring the road back to its original condition. That would include removing the drainage ditch.

Susan Campbell stated that she complained to the selectboard in 2003 because of runoff damage to her property off Route 63 due to poor drainage of Bennett Road after every storm. She was told that it was not a town problem and it was a state road. She took pictures and sent them to the State of the 3-4 feet of mud resting against her house and the debris that washed into the lake. She added that 80% of the runoff has stopped since Diesl put in a drainage ditch in the road.

David Gale owns property abutting Diesl and the Warhols. Gale complimented Diesl for his work to Bennett Road but had concerns with the swale that was created at the end of the asphalt, making the road difficult for some vehicles to drive over. Gale offered a culvert to be used in place of the trench.

Cliff Emery stated that it would be a shame to put the road back to the way it was.

Joe Warhol stated that his deed, dated 1991, stated that he had to bring up Bennett Road to town specifications. He did and has maintained it since then, including installing a ditch for drainage on the side of the road. He is asking that the road to be returned to a reasonable width.

McKeon stated that the selectboard makes the decision as to what needs to be done to the road. Property owners will receive notice and they will have input in what happens to their property. McKeon stated that plantings and stones are not allowed in the right-of-way. McKeon added that the town is not responsible to paying for repairs to Bennett Road. The selectboard will determine the process of removal of three issues being:

- Water bar near Diesl's driveway
- Width of the road and items that should not be encroaching on the road
- What happens with the drainage for that area

Larkin suggested a collective agreement that presents a survey to the selectboard that would show property lines, a layout of the road and a problem solution from a professional that can evaluate what needs to be done to the road to correct it.

Jeff Scott suggested that the road agent view the issue and make suggestions on how the drainage problem can be resolved.

The road agent stated that the water bar is functional but that it's difficult to drive over by some cars. He would like to have a further discussion with the selectboard as to a solution. The board gave authority for the road agent meet with Gale to discuss an alternative solution that would be functional.

The selectboard agreed that the "Private Way" sign should be taken down.

Tom Marstaller of Bennett Road inquired as to how to view the survey and boundary maps. McKeon stated that the board also has the deeded control points of the road.

McKeon stated that the road agent will meet with Gale for suggestions for the selectboard to further discuss Bennett Road, review layouts and constraints and discuss how to proceed. The road agent suggested a cold patch, and not stone, be put in the swale to allow cars to pass more easily. McKeon stated that the town will put the cold patch in the ditch. McKeon added that property owners move all personal items out of the right-of-way and out of the road.

FOR DISCUSSION

- **Town Office Snow Removal Position**

McKeon reported that his prospect for this position will not be able to fill the position. Larkin will contact another prospective candidate and report back at the next meeting.

- **Town Report Dedication**

The selectboard made a decision on the dedication of the Town Report.

- **Library Parking Lot Project**

McKeon stated that he will contact John Hodgins to discuss the project. A value is needed for testing and contingency money will be needed going forward. There may be ledge removal required as well.

McKeon made a motion to move forward with a value of \$51,000 for a warrant article for replacement of the replacement of the library parking lot. Levlocke seconded the motion, which passed unanimously.

McKeon made a motion to move forward of awarding the contract to Hodgins and Sons for the library parking lot replacement, contingent on the positive town vote at the March meeting. Levlocke seconded the motion, which passed unanimously.

- **2015 Budgets**

The board agreed to lowering the Streetlight figure from \$21,500 to \$16,500 due to the SmartStart program ending in February. The board agreed to lower the petroleum products budget to \$3.00 per gallon. There will be a warrant article for \$5,000, which will come from capital reserve fund, for architectural and engineering review for the town hall annex.

- **Trustees of Trust Funds Investments**

The board reviewed a letter from the Trustees of the Trust Funds explaining the investments of the Common Fund.

- **Town Meeting Dates & Voting Time**

Public Hearing: February 7 at 1:00 p.m. for the town
February 7 at 3:00 p.m. for the school
School Meeting: March 7 at 7:00 p.m.

Voting Day: March 10 at 10:00 a.m. to 8:00 p.m. (there will be no voting booths)
Town Meeting: March 14 at 10:00 a.m.

- **Elected Planning & Zoning Board Members**

The selectboard agreed to leave the process of appointing planning and zoning board members, after reviewing input from both zoning and planning members.

- **Notification Postcards**

The board discussed information that will be included on the postcard mailings to the residents for times and dates of the upcoming school and town public meetings and voting dates. The mailings will go out by January 30.

- **Town-Owned Property – Old Chesterfield Road**

An asbestos inspection must be performed prior to the building being razed.

- **Pet Policy**

Levlocke suggested adding a section to the policy stating that pets must remain in the non-town vehicles and posting such at the transfer station.

- **Town Office Entryway Mat**

The board agreed to purchase an entryway mat to cover slippery floors when entering the town office building. Carrier will provide options to the board to consider.

- **Parks & Rec License Agreement**

The board reviewed a sample license agreement provided by town counsel for P&R to use for vendors on the town owned beaches.

PROJECT LIST

Enclosure for Transfer Station Cardboard Bales: Larkin reported that Ron Bell has provided plans to Leon Dunbar an enclosure.

OUTSTANDING ISSUES

Spofford Place: Carrier reported that the town did not get the grant for clean-up.

Wares Grove Cottage: Levlocke will discuss with P&R on how they want to move forward on the cottage and storage building.

Board Appointments: ZBA members, Davenport and Evans, will be sworn in at the January 13 ZBA meeting.

Complaint Policy: McKeon will customize the process.

OTHER BUSINESS

McKeon reported that there was a conceptual at the recent Planning Board meeting for manufacturing facility on Mill Road which includes 45,000 sq. ft. and 200 parking spaces.

Carrier reported on CAI Technologies requested digital tax maps.

The board reviewed the warrant articles to be presented by the Library Board of Trustees.

Levlocke moved to go into Non-Public per RSA 91-A:3 II (b). The motion was seconded by Larkin, which carried.

Larkin moved to adjourn from Non-public session and seal the minutes. The motion was seconded by Levlocke, which carried.

Levlocke moved to go into Non-Public per RSA 91-A:3 II (a&c). The motion was seconded by Larkin, which carried.

Larkin moved to adjourn from Non-public session and seal the minutes. The motion was seconded by Levlocke, which carried.

With no other business to conduct, Levlocke moved to adjourn at 10:17 p.m. The motion was seconded by Larkin, which carried.

Respectfully submitted,

Patricia Grace, Secretary to the Selectboard

Approved by:

Jon P. McKeon, Chairperson

Date

Elaine H. Levlocke

Date

James M. Larkin

Date