

**Town of Chesterfield
Board of Selectmen
MINUTES
August 26, 2015**

CALL TO ORDER

Chairman Jim Larkin called the meeting to order at 6:03 p.m. Others in attendance were Jon McKeon, Brad Roscoe and Rick Carrier, Town Administrator.

FOR SIGNATURE

- Manifest #35
- Selectmen Minutes – August 12, 2015
- DRA MS-1 Extension Request
- Intent to Cut – Bassler & Ricci/Cassin
- Yield Tax Certification – Furlone
- Timber Tax Warrant
- Cemetery Deed - Bolles

APPOINTMENTS

• **6:15 p.m. Robert Bradbury – Swanzey Road Trail Logging**

Robert Bradbury, representative for landowner Andrew Dennen, presented a letter to the board requesting permission to use the Class A trail portion of Old Swanzey Road (at the Swanzey town line) to access their abutting property for forestry purposes for approximately 240 acres. Bradbury stated that the Swanzey side of the property is flooded. He also assured the board that the roads would be maintained and the owner will supply a bond. The board is requesting more information on how much timber is expected to be cut and what is written in the bond. Bradbury noted that Green Crow is interested in purchasing the property. Larkin stated that each owner would be handled as a different application. McKeon added that the current board cannot make a decision for a future selectboard.

• **6:45 p.m. Chris Lord – Bennett Road Update & Nonpublic RSA 91-A:3 II (a&c)**

Lord stated that he was approached by a White Birch Drive resident inquiring what requirements were needed for the town to take over that road. McKeon replied that in order for the town to take over the road, the White Birch Drive residents would have to bring the road up to town road standards, as of today's standards and to follow the steps required.

Lord noted that, during his inspection of Bennett Road of August 13, everything had moved out of the town's right-of-way with the exception of a small portion of a retaining wall by the garage at the bottom of the road. He added that the swale has been paved and is diverting the water into the culvert and the water bars have been removed by David Gale's property. McKeon asked if the direction of water flow from Gale's driveway is flowing across the road to the catch basin. Lord will revisit that area to see what can be done to make that happen. Road foreman, Bruce Adler, noted that Gale had planned to slope his driveway away from Richard Diesl's property. Lord felt that more problems could occur if the pavement is removed. Nina Abelardo, of Linfield Lane, noted that the original road was composed of rock and dirt for many years.

Sonny Abelardo stated that the Bennett Road runoff is now washing out his parking area on Route 63 and Linfield Lane.

Diesel suggested that the State clean out the culvert located on Route 63. Larkin stated that more work needs to be done by David Gale's property, which is Gale's responsibility, to help prevent the water damage being done to properties along Route 63. McKeon added that the State will need to do any repairs needed along Route 63.

Road Agent Lord will revisit Bennett Road to be sure that nothing is being placed in the town's right-of-way. Lord, Adler and Gale will review and evaluate the water flow from Pinnacle Springs to Gale's property to come up with a possible solution.

McKeon moved to go into nonpublic for RSA 91-A:3 II (a&c). Roscoe seconded the motion, which passed unanimously.

Larkin moved to adjourn from Non-public session. The motion was seconded by Roscoe, which carried.

Larkin stated that the board just came out of a non-public session and he felt that the information should be shared with the public and added that the vice-chair called Larkin an inappropriate name and Larkin accused the vice-chair of violation RSA 41-8. McKeon replied that he did not call Larkin an inappropriate name but was asking him to stop the line of discussion and McKeon stated that he was sorry that Larkin took it that way. Larkin stated that he did not accept McKeon's apology.

- **7:15 p.m. Nonpublic RSA 91-A:3 II (c)**

Upon Mark Lathrop's request, he would like to waive the non-public session and to discuss his topic in public session. Attorney Michael Bentley, representing Lathrop, stated that the issue of Lathrop losing his property was due to nonpayment of the second half of the 2012 property taxes, even though Lathrop has received his notices from the tax collector. Lathrop assumed that he had to deal with the total tax problem, as opposed to the 2012 tax problem.

Bentley requested that the selectboard waive the 15% administrative penalty from the total obligation and he stated that the selectboard has that discretion, of which Bentley read RSA 80:42 V aloud to the board. Bentley added that this case is an individual one, based on Lathrop's financial circumstances and if the penalty is waived, Lathrop will agree to pay all the taxes and penalties occurred, outside of the 15% administrative penalty. Lathrop stated that he has a bank that is willing to work with him to set up a direct deposit, direct withdrawal and include escrow for paying the taxes.

Roscoe moved to waive the 15% penalty on the property until November 1, 2015 if all taxes, interests and costs are paid, as calculated by the tax collector. Larkin seconded the motion, which passed unanimously.

FOR DISCUSSION

- **Suggestion Box**

A letter was received from Pam Chickering indicated that the West Chesterfield cemetery gate at two separate occasions were closed before 7:00 p.m. in August. Chickering suggested to

have the time posted of when the gates will be open. The letter will be forwarded to the Cemetery Commission who has care and custody of all the town cemeteries.

- **Monthly Chesterfield Happenings Email**

Roscoe noted that all of the broadband providers will be on hand at the Town Hall on Thursday, October 8 at 6:00 p.m. to discuss broadband options for residents and businesses in Chesterfield.

- **Town Emails**

Carrier reported that one local town has their own webmaster and another town uses their town administrator to administer their emails. Carrier will work on the set up of the new email addresses for the town employees.

- **Inspectors of Elections Changes**

Town Clerk, Barbara Girs, provided written information on recent law changes regarding Inspectors of Elections, whereby if the two political committees do not appoint inspectors for elections by July 15, the appointments shall be made by the selectmen of the town for the two political parties. This change was effective August 1, 2015. A request for more information will be made to the Secretary of State.

- **Town Meeting Business Portion Follow-up**

The Annual Town Meeting date was confirmed by the board to be set on Saturday, March 12 with the election day of March 8, 2016, as noted in the August 12 meeting minutes.

- **Town Hall Roof Repair**

Three quotes were received for leak repairs to the triangle section of the roof. The quotes were as follows:

1. Marvin Smart - \$2,500
2. Castine Customer Construction - \$3,850
3. A.L. Johnson & Sons - \$14,365

McKeon moved to hire Martin Smart to provide the labor and materials to fix the Town Hall roof area of 21 ft. x 19 ft. Roscoe seconded the motion which passed unanimously.

- **Budget Preparation – COLA & Fuel Oil**

The board reviewed the Northeast Urban Region CPI-U chart for COLA and fuel oil.

McKeon moved to stay with the Cola figures as presented with the 0 percent and not the negative percent. The motion seconded by Roscoe. The motion passed by majority vote.

The board agreed to stay with the \$2.20 price for fuel oil for the 2016-17 year.

- **NHMA On-Demand Programs**

Hinsdale, Winchester, Marlborough and Walpole selectboards have provided suggested workshops that they would like to attend for the NHMA programs. It was suggested that the first

workshop be the Right-To-Know Law course and to have the Selectmen's Role course be offered after the town meeting.

- **Economic Development Committee Membership**

Dutch Walsh has resigned from the committee, due to business obligations. It was noted that his term would have expired at the end of this year.

- **HealthTrust Medical/Dental Surplus**

The board agreed to return a percentage of the HealthTrust surplus to the town employees who paid weekly into health insurance. The total return to those employees is \$2,234.65.

- **911 Street Numbers Ordinance**

Chet Greenwood recommended using the standard 4" high reflective lettering. Roscoe noted that most of the local hardware stores carry either 3" or 5" high letters. He suggested that 3" letters be used on the mailboxes and a minimum of 4" lettering be used on the buildings. No decision was made to change the requirements until further investigation is made on availability of lettering sizes.

- **Spofford Hall Status**

A complaint was received on noise coming from the Spofford Hall building at 271 Route 9A. Building Inspector Greenwood reported that plywood has been removed from some of the windows, of which many are broken. It was noted that the owners of the building are in violation of the 2011 Settlement Stipulation between the Town of Chesterfield and Nine A LLC. A notice will be sent to the owners and their attorney of the violation of their agreement of not keeping the windows boarded up and not inspecting the property at least once each month. Roscoe suggested that the owners provide the board with inspection records of the building.

- **Town Car Bid**

Carrier noted that there were no bids were received on the car by the deadline date of August 25.

- **Next Week's Manifest**

The manifest will be available on September 2 for selectboard signatures.

PROJECT LIST

Broadband Meeting: Roscoe has contacted all of the suppliers and confirmed the meeting date with them of Thursday, October 8 at 6:00 p.m. at the Town Hall.

Enclosure for Transfer Station Cardboard Bales: Larkin requested that this project be taken over by Chris Lord, if he decides to take the position of managing the Transfer Station.

Town Buildings CIP: McKeon noted that the Budget Committee is meeting on September 1 at 7:00 p.m. in the town offices.

OLD BUSINESS

Wares Grove Cottage: Larkin reported that a contractor has been in touch with one of the P&R Commissioners in his interest in working on the cottage.

Library Parking Lot: McKeon reported that a parking lot overlay is complete in the employees parking section to rid the ponding issue. The town is holding a 10% retainer.

GS Precision Development Agreement: McKeon stated that GS Precision has pulled out of the project in Chesterfield.

Town Center Tree Committee: Roscoe announced that Steve Robarge, State Forester, made recommendations regarding the tree plantings in the center of town during a recent meeting with the Conservation Commission. An audit will be done of the trees and their condition.

OEM Sirens: Roscoe reported that a decision was made at a recent joint fire department meeting to have OEM take responsibility of the sirens.

ZONING ISSUES

EJP: Larkin noted that paperwork will be submitted to the Planning Board by EJ Prescott for a change of use where they had one occupant and now they have two at 564 Route 9.

OTHER BUSINESS

Roscoe reported that the Library Committee has requested information on the budget cycle/time frame. Carrier reported that he will send emails out to the department heads after he has received the COLA and the heating oil budget numbers. Carrier noted that each department puts their budgets numbers together to present to the Board of Selectmen. He added that the library usually has their budget material to the board by November.

Roscoe reported that Pam Walton had questions on what type of commercial businesses are allowed within the Spofford Lake District. More information on specifics are needed.

Roscoe noted that individuals need to be contacted to serve on the Broadband Committee and asked for suggested names of individuals to be contacted. McKeon will provide a list of names from the Economic Development Committee to Roscoe.

Larkin stated that the Transfer Station Hiring Committee has not been established until a decision is made on how the Transfer Station will be managed. The deadline for accepting applications for the Transfer Station position is August 31 at noon.

McKeon moved to go into non-public per RSA 91-A:3 II (c). Roscoe seconded the motion, which passed unanimously.

Roscoe moved to adjourn from non-public session. The motion was seconded by McKeon, which carried.

McKeon moved to go into non-public for RSA 91-A:3 II (a&c). Roscoe seconded the motion, which passed unanimously.

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

With no other business to conduct, Roscoe moved to adjourn at 10:41 p.m. The motion was seconded by McKeon, which carried.

Respectfully submitted,

Patricia Grace, Secretary to the Selectboard

Approved by:

James M. Larkin, Chairman

Date

Jon P. McKeon

Date

Brad Roscoe

Date