

**Town of Chesterfield  
Board of Selectmen  
MINUTES  
November 18, 2015**

**CALL TO ORDER**

Chairman Jon McKeon called the meeting to order at 6:08 p.m. Others in attendance were Brad Roscoe, Dan Cotter and Rick Carrier, Town Administrator.

McKeon opened the meeting by asking the public to raise their hands to be called upon when requesting to speak.

**FOR SIGNATURE**

- Manifest #47
- Selectmen Minutes – November 10, 2015
- Intent to Cut – Northeast Timber (at Pisgah Park)
- Highway Winter Holiday Overtime Pay
- Deputy Fire Warden Appointment
- Appointment Paper – Economic Development Committee

**APPOINTMENTS**

- **6:15 p.m. Library Trustees – Library Budget**

Present: Jane Anderson, Dave Smith, Jeff Stoff and Ken Walton

Walton noted that the main difference between this year's budget and last year's budget increase is 7%. Approximately 2% increase is due to the longevity pay for people who have worked at the library for 10 years or more. McKeon noted that the reason that longevity pay was not provided in the past was because it has only been a few years since the library has gotten onto the town's pay raise process. Prior to that, the library had provided more vacation and holidays, the pay scale was different and step raises were given whereby the library staff was given compensation that other town employees had not received. Pay scales for other library staff from comparable towns will be provided to the board for review.

Anderson noted that there is an increase in the mileage line item used by the library employees to travel to conferences, workshops and monthly meetings.

Cotter suggested that the building maintenance should come out of the expendable trust. McKeon noted that the Capital Maintenance Plan is town wide and should include the library. He added that the Library Trustees can be the sole holder of the care and custody of the library building and its grounds or have that ability to go into the town as a whole. Walton stated that the Library Trustees would prefer to maintain a separate fund.

The library will be requesting a Warranty Article of \$5,000 for the Library Building Expendable Trust.

- **6:30 p.m. Chris Lord – Nonpublic RSA 91-A:3 II (b) & (a&c)**

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

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

The board hired Barbara Chamberlain as the part-time Transfer Station attendant.

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

*Cotter moved to close the non-public session. McKeon seconded the motion, which passed unanimously.*

*McKeon moved to seal the Nonpublic minutes. Roscoe seconded the motion which passed unanimously.*

The Chesterfield Police requested that the road agent place “No Parking on Town Maintained Roads” signs by Madam Sherrie’s. The board approved the road agent to post the signs.

*Cotter moved to approve the Town Highway Department to set up “No Parking on Town Maintained Roads”. Roscoe second the motion, which passed unanimously.*

Lord noted that there was a question on the buffer of the Gateway Preserve project. Lord took measurements earlier today for the 50 foot buffer it is as presented in the plans.

Travis Davenport requested approval to extend the culverts on Old Chesterfield Road for the snowmobile club to access the snowmobile trails. Davenport will provide the fill for the culvert extension. Lord noted that the existing culvert condition would allow for a ten (10) foot extension to be added to both 15” and 18” culverts. The board noted that the Town will not provide any materials.

Davenport also requested approval for cutting the bank down on the Old Chesterfield Road vacant lot to reduce the pitch to the lot. The pitch is currently 20 feet at an approximate 55-60 degree slope. It was requested that Davenport come to the board to discuss options.

Lord discussed options for Highway Department overtime for the winter, one being a trade of overtime for compensation time. McKeon noted that there are concerns to limit hours because of safety issues. Emergency service is exempt from the DOT regulations on working hours.

Lord reported that he did a site visit on the driveway application for Santo on Atherton Hill Road and noted that it crosses a side setback. McKeon noted that the side setback is not allowable.

- **7:15 p.m. Andrew Bauer – Argent Communications**

Present: Andrew Bauer and Dan Murdough

Roscoe noted that the franchise agreement needs to ensure where the town wants to be five years down the road and he is working with a committee to put together a longer term plan for improving broadband coverage for the town.

Roscoe asked how Argent to get more coverage for the town. Murdough stated that Argent is covering 13.1 houses per mile. Roscoe noted that he would like to see the franchise agreement state that they will cover 10 houses per mile or have Argent offer more proposals. Murdough

stated that Argent is limited to where they can provide coverage in town because of the cost to prepare the poles. Roscoe noted that Argent's current service is 20 megabytes and that is max. service. That is becoming on the edge of what the federal government considers broadband, with 25-40 megabytes being the standard within the next 5-10 years. Bauer noted that the cables and electronics can be upgraded and Argent is making investments in the infrastructure and are looking to get faster speeds all the time.

Carrier stated that the Town Offices has been losing service frequently, since the changeover this summer. Two service complaint letters were handed to Bauer and Murdough from Spofford Lake residents.

McKeon had spoken with Murdough at the informational seminar about wireless at the last half mile runs. Bauer stated that Argent did not have success with the tested wireless runs and they have not been able to keep that service and would offer wi-fi service.

Roscoe stated that the town has a franchise agreement with Comcast for a portion of the town. Cotter noted that the Comcast agreement should be the same as Argent.

## **FOR DISCUSSION**

- **Suggestion Box**

There were no suggestions in the suggestion box.

- **Bennett Road Report**

The board received a report from David Mann with Joe DiBernardo's letter to David Mann attached. Mann indicated that he and DiBernardo do not agree on the plans. They both explained in their letters how they got to where they were and what they used and the practices that were used. Mann suggested that the board contact legal counsel for a legal opinion regarding the right-of-way. Mann also suggested that the board utilize RSA 231:27 and RSA 228.35 to "Re-establish the boundary lines, limits and location" of Bennett Road for the Board of Selectmen to declare what the right-of-way limits are on the road. Mann will revise his plan to correspond with the declaration of the board's decision.

Carrier noted that the board has not formerly accepted Mann's right-of-way boundaries for Bennett Road. McKeon stated that two monuments may or may not be reset, and the third monument would not have to be reset. Cotter would like legal opinion as to what case law would support that.

*Cotter moved to have legal counsel review. McKeon seconded the motion, which passed unanimously.*

McKeon noted that the boundary that is established would be the most southerly boundary there to establish the layout for the Bennett Road right-of-way. The outcome will be discussed at a board meeting and all residents of Bennett Road would be notified of any road changes. McKeon added that the board is not establishing property boundaries. Dianna Warhall requested a copy of the information from the two surveyors.

Jill Diesl inquired as to the purpose of the paint markings on Bennett Road. McKeon replied that the paint marks are delineation of the town's right-of-way.

- **McKenna Way Request for Inspection**

Rob Hitchcock from SVE Associates sent a letter to the board requesting an inspection of ravine stabilization and of McKenna Way. The inspection should be done by an approved designated representative of the board after SVE provides documentation from the Land Use Regulations such as compaction tests, soil samples, pavement thicknesses and layout and record drawings. McKeon noted that the town road agent and David Mann could inspect the road and Holden Engineering could inspect the ravine.

- **Spofford Village Former Police Building Demo**

The board received a proposal from Pat Rawson Construction on the demolition of the building. It was noted that no dumpsters were included on the proposal. An estimate for removal and inspection of asbestos is needed for an expense item for the budget. McKeon will use the square footage of the building to determine the tonnage and the number of dumpsters required. The cement foundation can be hauled to the highway garage to be crushed.

- **Tax Deeded Property – Wildwood Road**

The town attorney recommended that the closing for the sale of the property occur in a reasonable time frame from the bid opening to insure the demolition has been completed. The board discussed adding a clause in the notice to reference whether the foundation would be salvageable, depending on its condition. A notice will be sent to the last known owner at their last known address of the sale. A draft Notice of Sale was reviewed by the board.

- **Rescue Inc. Contract**

Carrier noted that the Chesterfield Fire Precinct has had concerns with Rescue Inc. Commission Rick Cooper may be looking to form a committee in the spring to look at ambulance options for the entire town. Roscoe noted that Rescue Inc. has not returned Chesterfield Fire Department phone calls to invite them to attend a meeting to discuss their quality of service. He added that their services need to be reevaluated. Rescue Inc. will be invited to a Selectmen's meeting. The current contract ends June 30, 2016.

- **Town Salary Scale Review**

The board will review the 2015 town employee pay rates. Carrier will add the library staff salaries to chart for the board to discuss. McKeon noted that it should also include the employee benefit package.

- **Code Enforcement Resignation**

Chet Greenwood provided a letter of resignation, effective January 1, 2016. The board will revisit the job description to make any changes. The position will be advertised as soon as possible. John Koopmann suggested that the Planning Board be allowed to have some input of the job description. Carrier noted that the job description includes septic approvals and being deputy health officer. The Board wanted to extend their gratitude to Chet for his service and offer to extend the date to help accommodate the filling of this former position.

- **Holiday Tree at Town Hall**

The board gave approval for the Friends of Chesterfield School to put up a tree at the Town Hall. The board also approved to allow the Town Office staff to put up a tree at the Town Offices.

- **Town Report Dedication**

This will be discussed at the next meeting.

- **Town Hall Annex Report**

The board received the structural, electrical and architectural report last week of the Annex. McKeon noted that the report indicates that the building is in poor condition. The restrooms need upgraded and must be ADA accessible. McKeon suggested that the board look at the project in chunks, making fewer requirements for the upgrades. Cotter suggested getting information on how the Annex and kitchen are being used. McKeon stated this is in the compiled for the RFP to architects.

- **Next Week's Manifest**

The manifest will be ready for board signatures on Tuesday, November 24.

- **Right To Know Law Workshop**

The December 3 workshop will be held at the Town Hall and not the Town Offices, due to the increased number of attendees.

## **OLD BUSINESS**

Wares Grove Cottage: Members of the selectboard will meet at the cottage on November 21 at 9:00 a.m.

Rudolph Junkyard: There was only one unregistered vehicle on the property during the site visit. All other items were placed behind the fence.

OEM Siren: Roscoe met with the fire departments and they do not want to hook up the sirens and they do not want to pay the maintenance fee. The sirens would be used by OEM only.

Economic Development Committee: Kevin Blake Amacker has volunteered to work on the committee.

## **ZONING ISSUES**

Salz Junkyard: The owner has installed a fence and the truck has been moved.

Doug Foster's Canoes: McKeon spoke with the Planning Board and the PB will be looking into this.

Highlander Arms: Owner will file with the ZBA by December 19, 2015.

UNFI Sign: Code Enforcement sent a letter to UNFI with copy to James Loney.

Forest Ave. - Driveway: A notice of violation letter was sent to owner.

Manny's Appliance: Site work/drainage – Owner to install stabilization ASAP.

Gold – Propane Tank: Code Enforcement sent a letter to the owner of tank violation.

Hallelujah Farm/Daly: Charging fees to use their “farm” for overnight stays. Owner has gone to Planning Board for consultation. Letter sent to owner by Code Enforcement.

LP Tanks in Setback: McKeon sent Code Enforcement the property information. Assistant Code Enforcement was instructed to look out for tanks in violation.

## **OTHER BUSINESS**

Cotter reported that the Budget Committee met with the Police Department and Chris Lord for their presentation of the budgets

McKeon reported that the Planning Board had an application review with Gateway Preserve on the cluster housing project on Route 63. The plans are mostly the same as in 2012 with all buildings being single story living and two will be two story. The outside elevations have slight changes. PB also discussed changes to the sign ordinance due to the feedback from business owners. There will be a public hearing to allow a 3x5 foot open flag on the outside of the building that will not be counted in the allowable square footage for the lot. Bob Brockmann asked if the businesses will be allowed to put up the flags before the end of the year. McKeon replied that the BOS cannot alter a zoning ordinance.

McKeon reported that the Zoning Board of Adjustment will be looking at an amendment to present to the PB as a proposed change. The last date to hold a public hearing by the PB is the end of January to get items on the ballot for town vote in March.

Roscoe asked if he would need to post the Broadband Committee meetings. McKeon noted that they do not need to be posted if the BOS or another municipal board is not overseeing or directed those meetings.

Bob Brockmann reported that Blake Amacker has been having difficulties in getting his business license through Concord. McKeon will contact the Concord office to get background information.

John Koopmann noted that there was a significant adjustment of 7% to the director's salary at the library several years ago. A study was done and an adjustment was made and the director's salary was brought up to that level.

Koopmann noted that he will be filing an appeal on the Forest Avenue on the driveway. He requested a copy of the Cease and Desist order. He is gathering documentation on the DES and the violations on that project and he will be working with the Conservation Commission.

Koopmann inquired as to whether the BOS would be forming a search committee for the Code Enforcement position. The board felt that they have enough knowledge within the BOS to work on the replacement.

Koopmann suggested that someone look at the erosion mitigation for the Gateway project with the number of wetland sections on that property.

Koopmann asked if other health coverage options are being considered for the town employees. Carrier noted that he has contacted Duane Goodell of Optimal Financial.

McKeon excused himself from the remainder of the meeting.

**Nonpublic RSA 91-A:3 II (a&c)**

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

*Cotter moved to come out of Nonpublic. Roscoe seconded the motion, which passed unanimously.*

*Cotter moved to seal the Nonpublic minutes. Roscoe seconded the motion which passed unanimously.*

*With no other business to conduct, Cotter moved to adjourn the meeting at 10:03 p.m. The motion was seconded by Roscoe, which carried.*

Respectfully submitted,

Patricia Grace  
Secretary to the Selectboard

Approved by:

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Jon P. McKeon, Chairman

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Date

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Brad Roscoe

\_\_\_\_\_  
Date

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Dan Cotter

\_\_\_\_\_  
Date