

**Town of Chesterfield
Board of Selectmen
MINUTES
September 21, 2016**

CALL TO ORDER

Chairman Jon McKeon called the meeting to order at 6:05 p.m. Others in attendance were Brad Roscoe, Norman VanCor and Rick Carrier, Town Administrator.

McKeon opened the meeting by welcoming those in attendance. He requested that they raise their hand for their questions, comments or concerns to be directed to the board members. He also requested that they state their name for the record.

FOR SIGNATURE

- Manifest #38
- Selectmen Minutes – August 31, 2016
- Yield Tax Abatement – Chickering
- Yield Tax Abatement – Chickering
- Yield Tax Warrant
- Hueber Correspondence
- Intents to Cut (2) – Scranton & Lussier
- Payroll Change Notice – Highway Dept.
- Forest Fire Bill

APPOINTMENTS

- **6:15 p.m. Frank Richter**

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

Roscoe moved to come out of nonpublic. VanCor seconded the motion, which passed unanimously.

Richter reported on the code enforcement activities.

431 Atherton Hill Road – Aaron Roof Property: A final inspection will be done on October 10 for the after-the-fact permits for the sheds, which will also include the removal of the carport that is within the setback.

Highlander Arms: The sign will be set up within a week, as of today. If not, Richter will issue the owners a letter of violation.

South Shore Road Shed: A site visit was made this week for an accessory structure that was built within 50 feet of the road that does not have a dwelling.

Lanoue Property: Richter did a site visit this week when he saw excavating taking place on the property. The workers indicated that they were not expanding but regrading to stop the washout on the back part of the property. The added a layer of gravel to keep the water from running off site. Carrier will provide the Manny's site plans to Richter when they are available.

Junk Yards: Richter will write a letter of violation for the Spring Street property. Bob Duso reported that he didn't see a violation issue on Stoddard Road. Richter will recheck that property. There are 5-6 unregistered vehicles at a site on Morts Road which needs to be addressed.

Shoreland: Code Enforcement has been receiving DES violations calls. Richter will attend the Conservation meeting on September 29 to discuss violations and enforcement.

Kray/Crofut – Rt. 9: Richter has not visited the property since early summer. There is a wetland area at the bottom of the property. The resident should have vacated the trailer by the end of June 2016.

New building permits have generated \$23,100 in 2016.

Richter asked how long old permits are kept active. McKeon noted that substantial process should be made on the projects annually.

- **7:00 p.m. Nonpublic RSA 91-A:3 II (a&c)**

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

Roscoe moved to come out of nonpublic. VanCor seconded the motion, which passed unanimously.

McKeon moved to seal the nonpublic minutes. VanCor seconded the motion, which passed unanimously.

FOR DISCUSSION

- **Suggestion Box**

A suggestion was submitted to issue a cease and desist order to Mark Lanoue to be delivered by our Chief of Police. If Mark Lanoue does not comply, it was suggested that he be arrested and/or fined. No action was taken on the suggestion.

- **Selectmen Minutes Review**

VanCor moved to include a line item on meeting agendas for discussion and approval of public and nonpublic meeting minutes. The motion was seconded by Roscoe. Motion passed unanimously.

VanCor moved to approve the minutes of August 31, 2016 as amended. McKeon seconded the motion, which passed unanimously.

- **Building Permit Fees**

The building permit fees were reviewed for Chesterfield, Hinsdale, Swanzey and Winchester. The fees are determined by the Board of Selectmen and any changes would take effect on April 1. The fees will be discussed at the October 5 select board meeting.

- **Forestview Road Property Bids**

The sealed bids for 69 Forestview Drive in Spofford were opened and read as follows:

\$ 72,000 S.S. Baker's Realty Co., LLC

\$ 81,300	David Gale
\$ 83,651	Joann and Craig Pearson
\$ 106,000	M&W Winchester Properties, LLC
\$ 80,000	Corwald, LLC
\$ 85,100	Evan James Deutsch
\$ 106,000	Brad Chesley
\$ 165,100	Andrew & Jacqueline Cullen, Robert & Christina Furlone

Roscoe moved to award the bid of \$165,100 to Andrew Cullen et al for the bid of 69 Forestview Drive. The motion was seconded by VanCor and passed unanimously.

- **Emergency Management Performance Grant**

Roscoe moved to accept the terms of the Emergency Management Performance Grant as presented in the amount of up to \$6,000 for the update of the community's Local Emergency Operations Plan. Furthermore, the Board acknowledges that the total cost of this project will be up to \$12,000, in which the Town will be responsible for a 50% match (up to \$6,000 of in-kind match). McKeon seconded the motion. Vote called: Roscoe – Yes; McKeon – Yes; VanCor – No. The motion passed by majority vote.

The Emergency Management Performance Grant amounts will be discussed at the October 5 select board meeting.

- **Selectmen October Meeting Schedule**

The board will be meeting every Wednesday through October. There will not be a meeting on September 28.

- **Lake Level Drawdown**

The water level drawdown at the lake is normally done the weekend before Columbus Day. Because it is already down 24 inches from the top of the dam, no decision will be made until the next board meeting on October 5. NH Fish & Game will be notified.

- **Town Center Tree Inventory**

The tree inventory will be posted on the Town's website and located under the Selectmen's site. VanCor noted that only two or three trees will be removed.

- **Routes 9 & 63 Road Safety Audit Draft**

The NH Dept. of Transportation provided a copy of the preliminary Road Safety Audit to the select board for the intersection of Route 9 and 63. That report will be posted on the Town's website and located under the Selectmen's site. The report will be discussed at the October 5 select board meeting and NHDOT has asked for select board feedback. VanCor suggested that NHDOT hold a public forum on the topic.

- **Asbury Church Town Hall Rental**

A request was made to have the 2nd consecutive day fee reduced for the use of the town hall for an Asbury Church event. The select board requires the full day rental fee for the use of the hall, as stated in the Town Hall Rental Policy. The policy states that a non-profit organization will be charged a \$100 full resident/\$200 non-resident rate for back to back days' use of the hall. The hours for using the town hall are 9:00 a.m. to 11:30 p.m. The Asbury Church has exceeded the

three free rentals during this calendar year. The board waived the \$10 fee, which would have been required of the church if the back to back days are used for this event.

- **Larkin Way Update**

Jim Larkin has agreed to notify Carrier when the monuments are in place. The board will hire Wendy Pelletier to do the as-built survey after receiving Larkin's notification. The town is waiting for Attorney Bentley to resolve the easement plan and the revised deed issue.

- **McKenna Way Report**

Present: Rob Hitchcock of SVE Associates

Backroad Land Use LLC provided the board with a preliminary report for McKenna Way, dated September 8, 2016, for compliance with what the Planning Board had approved on that road. 19 items were observed. The findings were passed on to Hitchcock and Hitchcock provided the board with his response to the comments of the report today.

Items for the board to be discussed with Hitchcock:

Item 5 – Engineer's certification of the road was provided in 2015.

McKeon noted that Item 6 needs to be addressed as to whether guardrails need to be on the side of the road. The slope of the road will help to determine.

Hitchcock will follow through with the as-built record drawings.

Item 6: McKeon asked if guardrails would be needed for the steep slope areas. Hitchcock stated that the slopes are well stabilized. McKeon noted that the plan didn't require any barriers.

Item 7: The report noted minor erosion along portions of the roadway. Hitchcock noted that the erosion is in the gravel, which can be racked out.

Item 10: Slopes extend beyond the right of way limits of the road. McKeon agreed with Hitchcock that the town would gain nothing for having easements for that slope.

Item 11: General drainage – The Town was not willing to accept responsibility for the drainage system beyond the right of way. The property owners are responsible for the maintenance of the drainage system. This is covered in each lot owner's deed.

Item 12: Fire Storage Tank -The W. Chesterfield Fire Chief accepted the cistern more than a year ago. The board will get the documentation for cistern approval from the fire department.

Item 13: Drainage along cul-de-sac - Lot not developed – No culvert shown on plan.

Item 17: M&W did the pavement thickness and compaction for the gravel report. The gravel report was received.

A draft warranty deed was submitted to David Mann on September 1, 2016. Mann needs to approve the deed description before it is reviewed by the town attorney.

Susan Masiello, resident of McKenna Way, inquired as to what is needed for the town to take over the road. McKeon noted that SVE will provide the select board with a record set of drawings of everything that is in place, as it is now. SVE will also address the gravel on the shoulder. When Hitchcock conveys to Carrier that those items have been taken care of, the select board will send someone out to confirm that the items have been taken care of. The select board will review the record drawings to be sure that everything is in place. The warranty deed needs to be approved by the town attorney. When all of the above items have been approved, the town can accept the road and a maintenance bond will be required. The time frame could be one month for the town to accept the road at a public meeting.

Tom Masiello asked the select board for an exception to not have to wait another year for the town to begin maintaining the road. McKeon stated that the town road policy can only be changed at the town meeting and the select board can't made exceptions to the policy.

- **Gateway Preserve Report**

Present: Dan Ketola, Owner of Gateway

The Bell Engineering inspection report of September 20 was reviewed of items needing to be completed for Phase 1 and items that have been completed for Phase II at Gateway Preserve. A correction to the report was noted in that the pavement was not 100% completed on Phase I. McKeon noted that inspection of the fire pond needs to be done by the fire department and that should be added to Phase II. The bonding amount for Phase II was set at \$96,200. Carrier will review the letter of credit, based on the original document, before the next select board meeting.

Roscoe moved to approve the letter of credit from Mascoma Savings Bank for the Gateway Preserve, Phase II construction for \$96,200, based upon a positive review of Rick Carrier as to the original Phase I. Once that has happened, it will be released to the Phase I letter of credit. VanCor seconded the motion, which passed unanimously.

- **Coachman Road**

The select board reviewed an email that was received from Attorney J.R. Davis on September 2 regarding Coachman Road. His request to waive the bonding was denied. He was instructed by Carrier to not record the deed for the town. A bill has been sent to Davis to pay for the inspection of the road performed by David Mann on February 9, 2016. The town's road agent will be instructed to do another inspection of the road to determine if the work has been completed from Mann's report.

- **OEM Director Stipend**

The budget and expenditures of the past five years for OEM/Emergency Management was reviewed. The town will receive a lump sum payment of RERP money over the next three years.

Roscoe moved that the stipend be \$1,000 per year to be paid \$250 quarterly. VanCor seconded the motion, which passed unanimously.

Carrier reported that the current OEM director position will be vacant as of October 1.

- **Veterans' Tax Credits**

The passage of HB430 for "all veterans" tax credit is optional for towns. If the town adopts the tax credit for the newly adopted RSA 72:28-b, the town cannot adopt a two-tier system. Any proposal to increase veteran's credit must be done through town meeting.

McKeon moved to propose to increase the tax credit to \$500 from \$300 for current eligible veterans. The motion was seconded by Roscoe.

The vote was called: Roscoe – Yes; McKeon – Yes; VanCor – abstained

The motion passed by majority vote.

- **Revenue Update**

The select board can appropriate an amount of money to use to lessen the tax burden.

McKeon moved to use \$220,000 to reduce taxes for the year. Roscoe seconded the motion, which passed unanimously.

Carrier stated that the tax rate for the town will drop approximately 10%. He noted that the 2015 tax rate was \$4.36 for the town portion.

- **Code Enforcement Full Time Costs**

The board will budget for a full time code enforcement officer and a part time deputy position.

- **Fire Precinct Response Time**

The select board requested response time data for the first eight months of the year. Frank Underwood, Chesterfield Fire & Rescue Commission and Spofford Fire Chief Michael Fuller were not able to provide the information for this meeting.

- **Gold Medal Olympian Tessa Gobbo**

The August 17 meeting minutes on Tessa Gobbo should be clarified in that she is a rower and not a runner.

- **Meeting Room Window**

Carrier thanked Jeff Scott for determining that the hardware is broken on the meeting room window. McKeon has offered to get the hardware for the window to have it repaired. There is another window in the Code Office that will require the same repairs. McKeon will reach out to the window manufacturer. Scott stated that a couple of cement sills on the west side of the building are pulling away from the building and allowing water to get in. He added that the sills need to be pushed in and all the windows need to be caulked.

- **Meeting Room Table**

John Koopmann suggested replacing the meeting room table with a U-shaped table to allow the public to hear what is being said during meeting discussions and presentations. No action was taken.

Koopmann stated that the Dead River issue at the Planning Board will be a contentious hearing, regarding propane issues.

OLD BUSINESS

Ambulance Options Comm: VanCor reported that the committee is meeting on September 22 to finish options for pros and cons. They will make a recommendation to the select board.

Old Town Office Building: VanCor and Roscoe will contact Carrier to schedule a time for them to meet with Warren Stevens for a walkthrough of the building.

Overtime Rule – Salaried Employees: The board is working with Erik Barnes.

Economic Development Committee: Lance Zinn will be at the EDC meeting on September 22.

OTHER BUSINESS

The select board requested that Carrier send another letter to Bill Bryce regarding Wayne Dingmans concern about gravel on the road. Roscoe suggested that a copy of the letter be sent to Commissioner Jeffrey Rose.

The Lions Club is interested in donating at least \$10,000 to the town for the Town Hall kitchen. VanCor noted that he will have to get the information for the donation process to the Lions Club within two weeks.

VanCor noted that the Spofford Lake Association is seeking a State grant for matching funds for in-kind service for work that is done by the Town, the Conservation and the SLA. They are asking for support approval of the select board. The State has approved the Spofford Lake project to assist in the grant. VanCor will request to draft a letter from SLA's President Steve McGrath that can be discussed with the board at a future meeting.

Roscoe reported on the broadband meeting in September with FairPoint to discuss their capabilities and what they would be willing to do to improve broadband. There are upgrades going through town so that more people will have ten more megabytes per second. FairPoint will be requiring money from the town for any further work. Roscoe received a report from the broadband consultant on the wireless plan for moving forward.

The first budget committee meeting was held on September 20. Carrier noted that the school reported that 47 more students are enrolled this year. Ege Cordell was the representative for the school.

The board discussed that individual groups have not been following the policy rules for the start time of 9:00 a.m. for using the town hall. The board noted that any groups or individuals who do not follow the Town Hall Rental Policy will no longer be allowed to use the hall.

Police Chief Chickering provided a report on complaints on Bennett Road of items being placed in the towns right of way. Photos were included on what the items were and where they were placed. The road agent will go back to Bennett Road to check on whether the items have been removed from the right of way.

The Zoning Board met on September 20. A hearing request by Mark Lanoue was granted to rehear for cleaning of vehicles outdoors. That rehearing is scheduled for October 11, 2016.

Carrier applied to have the lighting changed to LED lights for the police department and most of the outside of the Town Office building through the Eversouce Start program. More information will be available at the October 5 meeting.

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

McKeon moved to schedule a meeting for October 2, 2016 at 9:00 a.m. for nonpublic per RSA 91-A:3 II (a&c) to discuss department reviews. VanCor seconded the motion, which passed unanimously.

With no other business to conduct, McKeon moved to adjourn the meeting at 12.37 a.m., September 22. The motion was seconded by VanCor, which carried.

Respectfully submitted,

Patricia Grace
Secretary to the Selectboard

Approved by:

Jon P. McKeon, Chairman

Date

Brad Roscoe

Date

Norman W. VanCor

Date