

**TOWN OF NEW HAMPTON  
BOARD OF SELECTMEN  
MEETING MINUTES  
TOWN OFFICES  
NEW HAMPTON, NH 03256**

February 11, 2010

**MEMBERS PRESENT:**

Selectmen Paul Tierney and Kenneth Mertz were present.

**OTHERS PRESENT:**

Town Administrator Barbara Lucas.

**CALL TO ORDER:**

Chairman Paul Tierney called the regular meeting of the Board to order at 6:02 PM.

**WORK SESSION:**

Selectmen began by going over manifests, bills, requisitions, purchase orders, leave requests and time cards.

- Building Permit – None.
- Home Occupation – see below.
- Septic System Review
- Sign Permit – None.
- Intent to Excavate – None.
- Intent to Cut – *Steven Fariole, (Tax Map R-1, Lot 7)* was approved by the Selectmen.

A leave request, after the fact, was received from Alisa Schofield, Town Clerk/Tax Collector for the period January 25-29, 2010. She spoke with Mrs. Lucas last Friday, and will be in tomorrow. The Board still has no clear understanding of when she will be back at work. Mrs. Lucas will seek to get clarification for the Board.

Bills from Mitchell Municipal Law Group were reviewed and approved by the Selectmen for January work on a number of different issues.

Form 1099 for transmittals of billing information to the Federal Government regarding contractor work on federal projects was reviewed.

W-3 forms were received showing payments to the government for social security, federal taxes and Medicare costs for employees.

Selectmen reviewed a payroll change form for the hiring of Cain T. Davis as an on-call firefighter at a starting wage of \$7.75. The motion to approve was made by Mr. Tierney, seconded by Mr. Mertz and the motion was approved. Mr. Davis is a certified fire fighter, has a CDL and lives in Bristol, in addition to possessing other qualifications.

**APPOINTMENTS:**

Home Occupation

Application:

Elizabeth Short  
Tax Map U-2, Lot 7  
3 Fire House Lane  
6:15 PM

Ms. Short came before the Board proposing a beauty shop in the front room of the house and utilizing a bathroom. Living space is 2,000 square feet and a barn. The space will take 325.52 square feet, approximately 10% of the total square. It is a permitted use in the Village Precinct. There is ample parking, but concern was expressed that the parking may be in the town right-of-way. Mr. Tierney went over the requirements of signage, confirmed that the Fire Chief was made aware of the equipment, etc. However, as a result of the Town taking Planning Board duties over for the Precinct several years ago, it is required that such applications within the Village Precinct Zone go before the Planning Board for site plan review.

It was explained to Ms. Short that while the agenda for the next Planning Board had been set, she would be able to attend on February 16<sup>th</sup> at 7:00 PM. and be heard in the "Other Business" portion of their agenda.

David and Cheryl Herbert  
Question of snowmobiling on  
a town road.  
6:30 PM.

The Herberts live on Ackerman Lane and are looking for permission to ride their snowmobiles on a limited section (3/10<sup>th</sup>s of a mile) of Sinclair Hill Road to access snowmobile trails on the town-owned property. They used to utilize the Vernal Drake property but it has been posted by David Drake.

The Selectmen reviewed the trails that had come from Meredith into the Conservation land. They spoke with Conservation Officer James Kneeland of NH Fish & Game who advised the RSA which directed them to the Select Board. They have also spoken with Police Chief Salmon. Mr. Mertz noted that the RSA 215-C:XXI requires a duly noted public hearing. The Chairman advised that the hearing would be in 2 weeks and invited the Herberts to attend the Public Hearing. The Board will discuss the matter with the Police Chief who will do research on the matter and advise the Board in advance of the hearing. If it is found to not be safe or suitable, the Board can suggest the item not be passed at the Public Hearing.

Chief Douglas Salmon  
6:45 PM.

A repair quote from Meredith Auto for \$2,832.00 plus a 10% discount for replacement of the transmission was reviewed. Because the PD is down one officer right now, and have an officer on-call, losing this vehicle has made it difficult to schedule a vehicle for the on-call officer, and is adding strain on the other vehicles.

Selectmen asked Chief Salmon about the question of snowmobiles on Ackerman Lane to Kelly Pond Road intersection to connect to trails. They asked that the Chief clock the distance, and provide the Board advice as to the advisability of allowing snowmobile travel. The Chief asked if the complainant had asked the adjacent property owners for access which would shorten the distance on the road. The Chief noted that snowmobiles will do considerable damage to the asphalt. It was noted that if this was approved the snowmobiles could be travelling on someone's front lawn. The approval could open up travel by a number of snowmobilers from Meredith. Mrs. Lucas noted the difficulties she sees is the intersection at Kelly Pond Road which she feels is a dangerous intersection. Chief Salmon noted the difficulty of enforcement is significant. Chief Salmon will talk to

Conservation Officer James Kneeland of NH Fish and Game.

Selectman Tierney asked Mrs. Lucas to call the Heberts and advise them the Town needs more time to research the matter and will notify them of their decision regarding setting a public hearing date.

**NON-PUBLIC SESSION I:**

It was moved to go into Non-Public Session under RSA 91-A:3 II (a) by Mr. Mertz, seconded by Mr. Tierney to discuss personnel matters with Police Chief Douglas Salmon at 7:03 PM.

**PUBLIC SESSION  
RESUMED:**

Motion to come out of Non-Public Session was made by Mr. Tierney and seconded by Mr. Mertz at 7:20 PM. The motion passed.

Mr. Tierney moved that with the Board accept the resignation of Patrolman John Evans effective February 1st, 2010 from the New Hampton Police Department with the explanation from Police Chief Salmon. This was seconded by Selectman Mertz and the motion passed.

**DISCUSSION ITEMS:**

*Grant Application  
Department of Safety*

Chief Michael Drake had completed paperwork for a grant application to replace the base radio at the Fire Station and submitted it to the Board.

*Campaigning at the Transfer  
Station*

Mrs. Lucas advised she received a request from a Bridgewater resident running for the school board asking for permission to campaign at the Transfer Station. If elected, they would be representing the entire District. The Board advised Mrs. Lucas they had no objections so long as they cleared the location with staff there for safety considerations.

*Vachon Clukay*

The Board received requests from Vachon Clukay regarding an audit engagement letter for year ending 2009 and the agreement to prepare the MS-5 financial report required to submit to the DRA. These were reviewed by the Board and signed by the Chairman, Mr. Tierney.

*Unpermitted Sign on  
Route 104*

Mr. Tierney noted his intent to take a photograph of a sign which did not have a permit, but his battery was dead. He advised he would get the photo this week and have it available for the next meeting.

*Unauthorized Access to  
Town Property*

A letter to a non-resident who was found on Town property had been drafted which advised the subject that he was not permitted to be on town property. It further advised if he were found there again he could be charged with trespass, and if found removing materials from town property could face much more serious charges. The letter was signed by the Selectmen.

*Robert Pollock Appointment  
to the Conservation  
Commission*

A letter of appointment for Mr. Robert Pollock to the Conservation Commission was signed by the Selectmen. He will be sworn in at the Town Offices to become a member of the Commission.

*Timber Tax Warrant*

Logging is complete and a Tax Warrant in the amount of \$178.88 has been issued to David Tessier of Old Bristol Road.

- Land Use Change Tax* Property taken out of Current Use valued at \$3,000 has a tax penalty notice of \$300.00 due from property owner Bruce Cote of Boynton Road.
- Comstar Rate Change Form* 2010 Rate Change Form was received from Comstar with rates effective immediately. The Medicare items in particular have changed rates. The Chairman will review this and complete the form so it may be returned.
- Wolfe Revocable Trust* After previous discussion by the Board and at the Planning Board meeting, a letter was drafted for property owned by the Wolfe Revocable Trust outlining violations for work done without a building permit, and encroachment within the setbacks and onto an abutter's property. The letter was approved and signed by the Selectmen.
- Health Officer Nomination* It was moved to nominate Rodney Bascom as the local Health Officer by Mr. Mertz, seconded by Mr. Tierney. The motion passed and the information will be forwarded to the Director of Public Services for the State of New Hampshire.
- NH Electric Co-op Appeal* A meeting with attorneys regarding the appeal has been rescheduled for February 19<sup>th</sup>.
- DirecTV* A meeting with George Sansoucy on this matter has also been rescheduled for February 19<sup>th</sup>.
- Mrs. Lucas spoke with Jae Whitelaw and the attorneys were unhappy with the delay, and felt DirecTV was dragging their feet. They did obtain the information they were seeking. But there were scheduling issues on their side as well.
- Mr. Tierney stated he had some other items to go over with the Mr. Mertz, but would reserve this for a non-public session regarding the litigation.
- Public Service* Notification by the Public Utilities Commission, via PSNH, has approved the license to construct and maintain electric lines at the Central Street Bridge.
- Central Street Bridge* A meeting with Winterset, SEA and Bristol town representatives to discuss outstanding bills and the issues with the sidewalk and rails will be scheduled sometime in the near future. Mrs. Lucas noted that Bristol is just heading into their budget hearing cycle and scheduling the meeting will be challenging. Mr. Mertz asked Mrs. Lucas to talk with Mr. Weston in Bristol to see what is tentatively possible. Mr. Tierney stated he prefers to speak with the parties with information analysis from Selectman Bartley regarding position statements by SEA and Winterset throughout the correspondence, as well as the analysis by DOT.
- Nursery Signage on Route 104* A resident of Carter Mountain Road asked about the Christmas Tree sign on Route 104 for the nursery which is now closed. There is little the Board can do, but a phone call will be made to the owner of the nursery.

*Dedication Photo from the Central Street Bridge Ceremony.*

Jane Vachon of the Public Affairs Division provided a copy of the Wildlife Journal article and photo of the presentation at the Central Street Bridge. The notation had some errors but provided a fine photograph of the dedication of the access site to former Conservation Officer William Phinney.

*Volunteers for Boards and Commissions in Town*

A Draft of a Volunteer Interest Form was prepared for the Board's review which could be filled out on the website and may encourage citizens to volunteer for the various boards.

Mr. Mertz asked if there was any information on the function of the various Boards on the website. Mrs. Lucas advised there was a listing of members, their terms, as well as agendas and minutes for most groups.

*DES, Dredge & Fill Permit*

A copy of the DES letter to PSNH regarding an emergency dredge and fill permit approval was received and reviewed by the Selectmen.

*LRGH Healthcare*

LRGH notified the Town that DOT was offering a Commercial Driver refresher course March 25. This information will be forwarded to Mr. Boucher. Mr. Mertz suggested it be given to Chief Drake as well as the fee is substantially reduced if sufficient number attend.

*Septic System Question regarding building permit on Winona Road*

NH DES provided information that the septic system was adequate for the trailer on a property on Winona Road was sufficient owned by Robert Merrill. Mr. Merrill provided a copy of the documents showing the septic was sufficient for the residence and the trailer.

*Excavation/Trench Permit Form Draft*

A draft Excavation/Trench Permit form was provided to the Board. The statute requires any work on town roads requires written permission from the Town. The form will make this process easier. Mr. Mertz noted that copies of this should go to the Precinct Commissioners for their information and Mrs. Lucas suggested the Precinct Certificate of Insurance should be on file. Mr. Tierney noted that something regarding emergency situations should be noted on the form. Mr. Mertz noted that perhaps some advisement to notify the Police Department in the case of emergencies after hours could be worked into the form.

*Comstar Write- Off Report*

A Cumulative Request for Write-Offs Report for ambulance service was received by the Selectmen. This will be reviewed. A listing of transfers for items for collection will be approved by the Board Chairman.

*DES Wetlands Permit*

The Board received notification that Jason and Emily Eaton of Winona Road and Sanborn Road received a Wetland Permit with conditions.

*NH Dept. of Revenue Administration*

Sam Greene of the DRA met with Mrs. Lucas and Mr. Mertz on 2/10 and went over Equalization Study and comparative sales. Mrs. Lucas will review the comparative sales, which appear to include all of 2008, and see if there is anything to question, but she noted it was a very informative meeting.

*NH Dept. of Environmental Services*

A memorandum of Closure/Release of Administrative Order regarding drinking water issues at Bobby's Girl was received. The issues were resolved by the new owners prior to reopening as the Route 104 Restaurant.

*New Hampton School Gables House*

A copy of a memo to Chief Drake from Kirk Beswick confirmed installation of combination CO2/Smoke Detectors on all floors is complete and labeled the electrical panel in the basement. He further advised a faculty member is residing in back apartment and the front, or main portion of building, is not currently occupied.

A copy of a second memo to Chief Drake was also reviewed which noted the upcoming family weekend and basketball tournaments He asked to schedule the annual occupancy walk-around prior to scheduled events and asked if Monday the 22<sup>nd</sup> was good for the Fire Department personnel to meet and greet students.

*LRGH Heathcare*

DOT Occupational Hazard Training certificates of completion for supervisors were received for Jim Boucher and Harry Cote.

*NHDOT I-93 Resurfacing Project*

A notice regarding a pre-construction conference regarding pavement and bridge rehab on I-93 was sent to the Town, inviting representatives to attend.

*New Hampton Auto Signage on Route 104*

Mrs. Lucas advised Kevin Drake called to ask about a temporary banner placement on Route 104 because his permanent sign was not ready to be installed on the kiosk. He does have permanent signage on the building. Mrs. Lucas suggested he make an appointment with the Selectmen. Mr. Mertz noted a banner for the new pizza place at that location was in addition to the permanent sign.

*Political Campaign Signage*

Mrs. Lucas provided statute information to several Town Clerk candidates regarding political signage and town regulations.

*Class VI Road Maintenance*

Unless they are fire lanes, Class VI roads are not maintained. Chief Drake will review a list of possible roads to consider for maintenance. Examples of some roads which will be on the list are Cross Road, a section of Ox Bow Road which is Class VI, and the Pemi Extension also known as Old Route 104. Old Palmer Road off Dana Hill is an example that does not have any houses on it and maintenance provides no public value.

*Belknap County Delegation*

An announcement of a Public Hearing notice for Feb 16<sup>th</sup> at 6 PM was received at the Town Offices.

*Sample Newspapers Received*

NHBR newspaper and the Rural Hitch newspapers were received.

**NON-PUBLIC SESSION II:**

At 8:10 PM, Mr. Tierney made a motion to go into Non-Public Session at under RSA 91-A:3II-e regarding pending litigation with DirecTV.

**PUBLIC SESSION RESUMED:**

Mr. Tierney moved to come out of Non-Public Session at 8:20 time. Mr. Mertz seconded and the motion passed. Motion to seal minutes until the end of court case moved by Mr. Mertz, seconded by Mr. Tierney. The

motion passed.

**OTHER BUSINESS**

There was none.

**PUBLIC COMMENT**

None was heard.

**ADJOURNMENT**

It was moved by Selectman Tierney to adjourn, seconded by Selectman Mertz. The vote passed and the meeting adjourned at 9:05 p.m.

Respectfully submitted,

Kristin J. Harmon

DRAFT