

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

February 18, 2010

MEMBERS PRESENT:

Selectmen Paul Tierney and Kenneth Mertz were present.

OTHERS PRESENT:

Town Administrator Barbara Lucas was present and Vincent Paul Migliore, At-Large Candidate for the Newfound School Board.

CALL TO ORDER:

Chairman Paul Tierney called the regular meeting of the Board to order at 6:00 PM.

WORK SESSION:

- Manifests, bills, requisitions, purchase orders and leave request forms.
- Building Permit – *Audrius and Carrie Pauliukonis, Tax Map R-4, Lot 73, application to tear down carriage house.* Approved by the Selectmen.
- *Fred Bailey, Tax Map R-6, Lot 23.* Drawings from 2006 and earlier were submitted without explanation. This item was rejected by the Board as incomplete.
- Septic System Review –
- Current Use Application –
- Home Occupation Form –
- Intent to Excavate –
- Intent to Cut –
- Veterans Credit –
- Elderly Exemption –
- Misc. Correspondence – A letter to G-10 LLC was approved by the Selectmen regarding signage which appeared on their property on Route 104 for a Meredith business called “Prior Attire”. The letter outlined that off-premise signs are prohibited by the ordinance, unless they are temporary; and that the size of the sign also exceeded ordinance limitations. The letter directed immediate removal of the sign to avoid further legal action.
- Misc. Correspondence – A letter to Richard and Julia Shea was approved asking they move a sign to their driveway.

A bill from LGC for \$2,249.95 for the 2010 Workman’s Compensation was approved and was noted \$500-\$700 more than originally budgeted.

A Fire Dept. requisition for the Fire Codes subscription was approved.

A Police Department invoice for repairs on ball joints, tie rods, bearings and winter tires was approved previously, but came in \$103.95 over the estimate. The overage was initialed by the selectmen.

APPOINTMENTS:

*Vincent Paul Migliore
At-Large Candidate for
Newfound School District
(no appointment)*

Mr. Migliore came to the Board meeting to introduce himself as member at large candidate for the Newfound School District. He advised he has served for 2 ½ years representing Bridgewater and has missed only 1 out of 75 or so meetings over that time period. He stated he is fiscally conservative and outlined instances whereby he believes his efforts have helped reduce the school budget. He shared some issues that have his attention in the future months.

The Board thanked Mr. Migliore for coming to the Board.

*James Boucher
Highway Department
6:00 PM*

In November 2009 Mr. Boucher came before the Board with a proposal to fix the 1989 International truck's transmission for an estimated \$5,300 which was tabled until the new budget was set. Currently the third gear of its standard transmission does not work. Mr. Boucher noted the vehicle was not suitable as a front line truck, but is used by the recycling station as a yard truck. With the repair, the truck could be used for light hauling to Portsmouth and Concord and would provide back up for the plow trucks. Discussion covered costs of hauling to Concord and Portsmouth and the increased number of trips anticipated in the summer. Mr. Boucher was asked what additional repairs might be foreseen for the vehicle and at what point would further repairs be deemed as cost-inefficient. Mrs. Lucas asked if there were any frame issues. Mr. Boucher said there were none and that it has a whole new body which has been primed, painted and the frame has no apparent rust issues. Mr. Boucher suggested the truck could be put out to bid and it was possible the Town might get some money for the truck in its current condition. The decision was made to wait until the end of the winter season and in the meantime Mr. Boucher will look at used or re-built transmissions and their cost to install. The Board will revisit the issue in the spring.

Mr. Boucher provided recycling figures for 2008 and 2009 to the Board. He highlighted the significant increase in tonnage. Despite the poor economy an increase in revenues from recyclable materials has been realized.

Mr. Boucher discussed road postings for the upcoming mud season and estimated the road grading would begin March 1st through May 1st, weather dependent.

Mr. Boucher advised the Board on the applications for hazard mitigation grants (on Shingle Camp Road for drainage \$700,000; on Straights Road in 2 locations and on Sky Pond Road). He will be meeting with Mr. Dick Verville of Homeland Security on February 25th. He noted the meeting doesn't mean any of the grants are awarded, but it is hopeful. He will report back to the Board after the meeting. FEMA work on culverts on Straights Road is already scheduled for the spring and is in different locations than those in the grant requests.

NON PUBLIC SESSION:

Mr. Tierney made a proposal to go Non-Public under RSA 91A:3 II (b), regarding the hiring of any person as a public employee. The motion was

seconded by Mr. Mertz, and the motion passed at 6:37 PM.

RESUMING PUBLIC SESSION:

At 6:50 PM, Mr. Mertz made a motion to come out of non-public session and Mr. Tierney seconded. The motion passed. Mr. Tierney made a motion to offer Jason Bernier a full time appointment at the Highway Department at a rate of \$14.50/hour starting Monday, February 22nd, with a six-month probationary period. Mr. Mertz seconded and the motion passed.

DISCUSSION ITEMS:

*Central Street Bridge
Email from Paul Weston*

A memorandum prepared by Mr. Tierney regarding the Central Street Bridge and the guard rail issues was reviewed. Recommendation is that it is reviewed by the Town Attorney. Mr. Mertz agreed. After review and any changes or suggestions from the Attorney, Mr. Tierney would then ask the New Hampton Board of Selectmen to authorize Mr. Tierney and Mrs. Lucas to meet with Paul Weston to present the final letter. The Bristol Board of Selectmen would then have to authorize the presentation, either in a meeting or by letter, with the contractor and engineer. Mr. Mertz was in agreement with the stance outlined in the memo. Mrs. Lucas suggested the letter be addressed to the Bristol Select Board from the New Hampton Board. Mr. Tierney suggested it go to the attorney as is, and then the letter would be revamped for Paul Weston.

An email from Paul Weston, dated 2/16 was reviewed by the Selectmen.

*Louise Tilton
Campaign Signs
(No appointment)*

Ms. Tilton stopped in the office during the meeting to ask about the legality of posting campaign signs on town property. Mrs. Lucas advised her they were not permitted. Ms. Tilton noted some of her signs were taken down within two hours of putting them up. Ms. Tilton also noted signs were removed from along Route 104. She would like them back. Mrs. Lucas advised she will ask the road agent if he removed the signs.

Ms. Tilton also asked about coming into the Town Clerk's office to get a walk through of the position. Mrs. Lucas suggested she speak with the Deputy Clerk and noted there may be some aspects of the job that she will not be able to view prior to the election for confidentiality reasons.

*Non-Resident Request for
Transfer Station Access*

A resident's son has asked for permission to haul cardboard for his parents' New Hampton business to the Transfer Station. Mrs. Lucas advised she felt she could not authorize a full year permit for the transfer station without authorization from the Board. Rather than a permit, she suggested a letter authorizing just the cardboard and household rubbish for this particular residence. Mrs. Lucas will draft the letter for the Board's review.

DirecTV Motion

Atty. Jae Whitelaw sent a notice dated 2/15/10 that the motion for a revised schedule was granted. The meeting for tomorrow has been cancelled. Mr. Tierney stated that Atty. Whitelaw should not agree to an amendment to the current case to include the 2009 tax appeal. Mr. Mertz agreed. Concern was this would cause further unnecessary delay in the case.

Janan & Wesley Hays

Previously the Board asked the Hays for a letter from their surveyor showing the property is smaller than what the Town shows. The Board reviewed a letter on behalf of the Hays received from Associated Surveyors and the survey from the Town's registry. Some of the information from the surveyor is based on a survey done in 1931 and it was evident to the Board that some of the information does not show what is on the ground. A phone call to the Town assessor will seek to get measurements with the landowner's approval and the information will be brought back to the Board. The tentative appointment with the Hays will be rescheduled.

Landfill Groundwater and Gas Monitoring

A letter and report from Emery & Garrett Groundwater, Inc., dated 2/12/10 was reviewed. The monitoring report for the closed landfill will be forwarded to the State as per requirements.

Wetlands Permit Application for Brook Road Bridge

Notice was received that the application for a Wetlands Permit was submitted to NHDES for the emergency repairs on the Blake Brook Bridge on Brook Road.

Metrocast License Renewal

Meeting needs to be held prior to the renewal process of Metrocast's license in New Hampton which expires 9/11/2012. There is up to six months to schedule public hearings for the public to comment on Metrocast's service, and provide an opportunity to discuss expansion of service to areas not covered at this time. Mrs. Lucas spoke with the Metrocast representative and requested a new map that shows their service area and proposed expansion. Mrs. Lucas will touch base with the Town Attorney regarding the renewal process. She spoke with other town administrators regarding their experiences in this process and found a franchise fee was not opted by some towns because they felt fees would translate to higher fees to citizens. Other towns, like Bristol, have hired a communications person with a portion of the funds from the franchise fees but they have a twenty-year contract as opposed to the usual ten.

NH Dept. of Motor Vehicles Retail Vehicle License Kevin & Cheryl Drake

A request from the NHDMV sought input on any possible conflicts with local zoning and ordinance requirements for a license to sell vehicles from the Route 104 location owned by the Drakes. State requirements note 1,200 feet of indoor garage space contiguous to the business are required. That space is not available at the Plaza. Selectmen noted the idea of selling vehicles was never brought up at the meeting the Drakes had with selectmen previously. It was determined the Board could not support the license application.

Junk Vehicle Removal

A letter dated 1/7/10 from Monica Stevens & Bruce Garant was received by the Board with an update on the removal of junk vehicles requested by the Town. Mrs. Lucas will go by the property to verify the information provided and will report back to the Board.

NH DES Waste Management Division

The 2009 Annual Solid Waste Facility Report was reviewed by the Board.

Email from Police Chief

An email from Police Chief Salmon to Mrs. Lucas regarding events on the Saturday of Parents Weekend at the New Hampton School was reviewed. The School authorized Newfound tournament on their grounds which was scheduled at the same time as Parents Weekend. The grounds were utilized by 18 teams rather than the 14 the school had expected. Parking issues created a jam on Dr. Childs Road and numerous vehicles were subsequently ticketed and some vehicles had to be towed, causing a number of complaints.

The meeting afterwards was attended by Mrs. Lucas, Kirk Beswick, Jamie Arsenault, Jill Duncan, the Police Chief and Fire Chief. It was agreed that a parking plan of spaces available for such events would be drawn up and would include temporary parking available to better direct attendees. The School will now request a special police detail to help with such events. Fire Chief Drake expressed concerns about occupancy numbers at the gym. The School will have counters who will limit the number of persons and will ensure people do not block emergency exits.

George Sansoucy

A mediation meeting with NH Electric Coop scheduled for 2/18 has been rescheduled to 3/17/10. Mr. Tierney will schedule to attend, but may miss this meeting if he is required to be out of town.

Supervisors of the Checklist

Supervisors of the Checklist will be working on the Checklist on February 27th.

Water Precinct Meeting with Board of Selectmen

Mrs. Lucas advised of an appointment with Bob Barry of the Water Precinct which is scheduled for late April. He wants to discuss the Fire Department's use of precinct water. Currently the pipe in the fire station is not metered and no fees are paid to the Precinct. This is a matter he feels that needs to be reviewed. Joel Powers told him the Drake Road fire used 60,000 gallons of water. Additionally, Fire Department use of water to clean vehicles for State Police and others is potentially problematic for the Precinct. Mr. Barry observed a 2 inch hose used to wash down the driveway at the Fire Station. It is expensive to install a meter, but they would like to develop an agreement so the water is paid for next year. The Board will ask Chief Drake to sit in on the meeting and to have some figures if he can on what his water use was and from what source. Mr. Tierney asked if Kermit Frasier might be asked to provide an estimate for the plumbing costs associated with a meter. The meter itself is an installation by the water company, but information on the related expenses would be helpful.

Another topic that will be discussed is the waterline replacement on Wolfe Den Road. The Town would like to see it installed outside the travelled portion of the road (even though it is currently gravel, there have been discussions of paving that portion of road). Also, an Excavation Permit will now be required.

*David and Cheryl Herbert
Question of snowmobiling on a town road.*

Regarding the request for permission to use snow mobiles on a town road, the Police Chief will be meeting with Fish and Game Officers for their input. Selectman Mertz looked at the area and noted the area to be very narrow to support what is proposed. He also noted that the field which had been

posted was covered in snowmobile tracks. Other properties in the area are posted to keep snowmobiles off. Mr. Tierney noted that some property owners did give the subjects permission. Chief Salmon will go over the issues of the intersection and driveways which will require stop signs. The question of this potentially becoming a trail is a consideration. The Heberts have requested a hearing. More information is required by the Board before it can determine any hearing date, if it is required.

Bristol Nursery School at the Thomas Tapply Community Center.

The non-profit nursery school that serves surrounding communities has asked for a link on the town website. Mr. Mertz viewed this question as setting a precedent. He recalled an article on this subject whereby a town won a court case that upheld the Town's right to exclude persons and businesses from access to the town website. He will try to get the article for the Board.

After discussion, the Board decided it would be more appropriate that the Nursery School apply for a link on the TTCC web site. In the interim, the Board will develop a policy for the Town's website to clarify. Mrs. Lucas will see if other towns have policies.

MINUTES:

Minutes will be on the next Board agenda.

OTHER BUSINESS:

Select Board Meeting of March 4th Rescheduled

Mr. Tierney noted that he has business out of town that requires he miss the March 4th meeting. The Board will reschedule the meeting to March 3rd at 6:00 PM. to accommodate Mr. Tierney.

PUBLIC COMMENT:

None was heard.

ADJOURNMENT

Motion to adjourn was made by Selectman Mertz, seconded by Selectman Tierney. The vote passed and the meeting adjourned at 8:20 PM.

Respectfully submitted,

Kristin J. Harmon