

**BOARD OF SELECTMEN**

**DECEMBER 9, 2008**

**MEMORIAL BUILDING**

**7:00 P.M.**

*The following are to be considered draft minutes only until approved by the Board at their next meeting*

Present: Donald Hill, John Chiarella, and Neal Huntoon.

The meeting was called to order at 7:00 p.m.

Tom Duling met with the Board to discuss a complaint regarding someone living in a shed on property on Lorent Drive. Compliance issues were discussed. Tom will meet with Tim Julian to review options.

Minutes: The Minutes of November 25, 2008 were unanimously approved as written.

Department updates:

Darrin Patten spoke to Neal regarding cemetery tree removal. Mr. Lamphear, an abutter, has asked Darrin to cut down some trees on his property. There are two trees along the wall at the cemetery that need removal. Mr. Lamphear is willing to let the trees fall on his property while he is having cutting done. Brad has agreed to work with Darrin removing the cemetery trees. The Board unanimously approved the tree removal.

Don reported snow fence has been installed on his property on Nichols Hill Road.

Highway Department: The Board discussed the schedule for replacement of highway equipment. Neal questioned if a new truck purchase could be postponed. John addressed his concern with this putting the town in a difficult financial position if something were to happen and H3 became too costly to repair. The Board discussed the possibility of updating H3 with another used truck. The Selectmen felt this might be a good time to find a used truck, and would assist in their efforts to keep town costs down. Neal will speak to Brad.

Selectmen's meeting schedule: Board members agreed they would like to be present at the School Board's Public Hearing on December 16<sup>th</sup>. The Board agreed to reschedule department head evaluations to December 22. There will be no meeting December 23. The Board will meet on December 30 to work on 2009 budget proposals.

Conservation Commission: Present: Cynthia Bruss, John Trachy, and Todd Richardson. John Trachy explained in 2008 the New Hampshire Legislature passed SB 381 to allow towns to contribute conservation funds to non-profit agencies, such as land trusts, without holding legal interest in the property. The bill adds language to RSA 36-A, allowing contributions from conservation funds to assist with the purchase of property interests and/or associated transaction costs. In order for a Conservation Commission to be able to expend funds for land outside of town boundaries, they need to request the following warrant article on the 2009 warrant.

**Warrant Article - Text**

*"Shall the town vote to adopt the provisions of RSA 36-A:4-a, I(b) to authorize the conservation commission to expend funds for contributions to 'qualified organizations' for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property?"*

John Trachy stated, if passed, this would allow the Commission to spend their funds for this purpose without further permission from the Selectmen or Town. This would enable the Conservation Commission to identify candidates who might be interested in pursuing conservation easements but may not be able to afford all the costs associated with obtaining these easements. Neal questioned where the Conservation Commission's funds come from. John Trachy explained that in the past it has come from excess money in the Conservation Commission's operating budget or donations.

The Selectmen addressed their concerns. Neal stated he would like to see the town's money available to help with town property costs. John Chiarella stated he is concerned with spending tax payer dollars on outside sources. There may be other avenues for funding this type of project. The Board agreed the tax payers should have a voice in how this money is spent. Todd Richardson recommended that the Selectmen put the warrant article in front of the voters and let them decide. John Trachy indicated that the warrant article needs to be approved in 2009 or it remains a grey area. Don stated he would like to do more research and table a decision until their next meeting. The other Selectmen agreed. They would also like this reviewed by town counsel.

Zoning Board: Present: Cynthia Hayes, Gene Hayes, and Bill Sullivan

Neal stated he had spoken to Ross Stevens regarding the costs for his review of the plans for the Miller property. Consulting engineering fees from the Town were within a few hundred dollars of the entire amount the Millers spent on engineering for the project. Ross indicated the plans originally submitted were very vague, and a lot of coaching needed to be done to be sure everything the Zoning Board needed to see was shown on the plans. Neal also discussed concerns regarding compliance with conflict of interest policies and other allegations. The Selectmen felt it was in the Town's interest not to pursue reimbursement. The Zoning Board recognized the Selectmen's reasons for not seeking reimbursement. Bill Sullivan indicated that the Zoning Board tries to work with the applicant or their agent to obtain plans that would protect the town and the applicant. He stated, in the future, the Board's response might be to deny applications if plans are not adequate. The Selectmen and the Board discussed ways to avoid problems such as these. Steps need to be taken to keep an applicant informed of the review process and any costs associated with the review. Engineering fees need to be billed more timely. Reimbursement of costs for professional consultations needs to be a condition of approval. Complex plans might require an amount to be held in escrow by the Town. The Zoning Board agreed to consider these options.

Correspondence:

The Selectmen reviewed the audit report.

Signatures were obtained for Intent to Cut Timber forms, a building use application and Municipal Data Assessment Sheets.

The roofing and insulating has been completed and found to be satisfactory. The Board agreed to release the final payment.

With no further business, the meeting adjourned at 9:00 p.m.

Respectfully Submitted,

Janet Roberts,  
Administrative Assistant