

BOARD OF SELECTMEN

OCTOBER 26, 2011

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: Selectmen John Chiarella, Chairman; Don Hill, and Leigh Callaway.

Also present: Tom Duling, Ali Wheeler, Malcolm Patten, Brooks Weathers, Todd Fleury, Mike Lawlor, Daniel MacCreighton, Justin Hastings, Ed Belfield, Tamara Butcher, Tim Julian, Pete Abair, Paul Currier, Dallas Patten, Cynthia Bruss, Mike Beaulieu, George McCusker, Bill Huntoon and John Trachy. Members from Mascoma Valley Snow Travelers: Josh Worthen, John Anderson, Kevin Roberts, Ed Abair, and Don Lucas.

Mascoma Valley Snow Travelers (MVST): President, Josh Worthen stated he is aware there has been some tension between the town and some of the committees regarding the work that was recently done on Shad Hill Road. Josh reviewed MSVT's current agreement that runs through December 8th. MSVT usually meets with the Board of Selectmen on an annual basis to review projects and road use. Josh stated the club has prepared an amended agreement for the Selectmen to review.

Discussion: Leigh Callaway cited RSA 236:9 stating that no person may excavate or disturb the surface, shoulders or banks of any highway (Class IV, V, or VI) without a permit. Leigh suggested an annual agreement and permit. Don Hill stated the Selectmen and MVST have had a simple agreement. The Selectmen support MVST endeavors. All parties involved were not aware of the requirement. The agreement with MVST is to use and groom as they see fit. In the future it would be advisable to check with the road agent prior to beginning work. He would support allowing annual permitting with the condition that such work be reviewed by the road agent. John Chiarella recommended the snowmobile club trails on Class VI roads be highlighted on their map that accompanies the permit. The permit needs to be renewable before trail work begins in the fall. Planned work would be vetted through Pete. Josh noted that this was not work that had been planned. Hurricane Irene destroyed the road. The gullies in the road would have made the road impassable for winter use without repair. The club received a donation of equipment and labor for these repairs. Dan MacCreighton, abutter, stated the road was impassable after the storm. The repairs are an improvement. He gave the club permission to clean out ditches on his property. Mike Lawlor stated the road was not passable and the fire department could not have gotten through there for fire protection. The snowmobile club has taken care of making the road passable. John Trachy stated the Selectmen may want to check the scope of who owns the land under these Class VI roads to see if landowner permission is needed for these repairs. Don and Leigh agreed there would be no charge for the permit required under RSA 236:9. John abstained from voting.

Josh requested since the town is enforcing RSA 236:9, that they also reinforce RSA 231:21a subject to the locking of gates and bars. According to the RSA gates and bars have to be unlocked and available for public use, unless on private property. Josh requested that this be

done favorably through town. Don Lucas noted that MSVT makes improvements and have been told by the Selectmen in the past a gate would be removed if it is locked. Gates at Fowler Road are kept locked.

Josh noted the storm also damaged portions of Fowler Road and Prescott Hill Road that need to be repaired. A letter from Brandon Lee and Jenny Paquet supporting the snowmobile clubs efforts was read.

Selectmen reviewed the amended agreement and the terms were read into the minutes. Permission will be granted to the club for use and maintenance of the Class VI roads from mid August to April. The Selectmen delegate the oversight authority to the road agent. No bond will be required. The Selectmen verbally agreed to allow MVST to perform the work on Fowler Road and Prescott Hill while the agreement/permit is retyped, as read, and signed. Motion (Leigh) to approve the agreement, seconded (Don) and approved 2 in favor, 1 abstained (John).

Pete noted there are some old used culverts stored at the highway garage that need to be thrown away. Perhaps the snowmobile club could make use of them.

Class VI Road Repair: Request from Brandon Lee and Jenny Paquet to perform work on the section of Prescott Hill Road to repair access to their property that is now impassable due to the storm. There is about 500' of road with a 6' deep ditch caused from run-off. Motion (Leigh), second (John) to issue permit to maintain and repair per the request. Motion unanimously passed.

Building Permits:

Ali Wheeler – request to knock down and rebuild shed attached to the house. The shed will be smaller than the existing shed. Tom has reviewed concerns with new state law requiring updated septic designs. Mrs. Wheeler has a letter from DES indicating that this renovation does not require new septic construction approval since there will be no increased load on the septic system. Selectmen approved the permit.

Heather Moffitt – Lamson Lane: Property has received zoning variance approval. Permit is per zoning requirements. Shoreline impact permit is in place. Application appears to be in order. Selectmen approved the permit.

Old Business:

Appointment to Lake Sunapee Water Shed Committee to study sub-region land use requirements to protect the watershed. Motion (Leigh); second (John) to appoint George McCusker and Bryan O'Day. Motion unanimously approved.

Selectmen reviewed list of properties due for tax deeding. Motion (John) to send second notice with same course of action as last year with a due date of November 28, second (Leigh). Motion unanimously approved.

Cemetery – tree removal: Quote from Fox Tree for removal of trees in old cemetery.
Discussion: they are a hazard for the stones. Money was appropriated in the cemetery budget. The brush will be chipped and hauled away. Frank will take the wood. Pete has asked for other estimates, but they have not been received. Motion (John); second (Don) to accept the bid. Motion unanimously passed. A Certificate of Insurance is required.

The cemetery trustees are looking into perpetual care arrangements for repair of vandalized property.

Property maintenance list reviewed. Highway department has made repairs on salt shed. Pete will look at trimming the trees behind the old highway shed and town hall. Landowner permission may be required as the property line is very close back there.

Repairs to the Meeting House need to be looked at very carefully for next year's budget or possibly through a warrant article. Leigh will contact Newbury to inquire as to what was involved in their process.

Light carpentry projects will be bundled into one project. Notice will be placed on the bulletin board and website. A selectman to work on scope of work before the notice is given. Painting projects will be handled the same way.

John Chiarella will look into drainage and parking issues at the recreation field. Discussion regarding repairing both backstops or removing the upper one. This will be determined once repair costs are known.

Budget Prep: Preliminary Budget Committee meeting scheduled for December 5th.
Selectmen will start meeting with department heads on November 14 and 28.

Minutes of October 10 unanimously approved as written. Minutes of October 20, 2011 approved as written, 2 in favor, 1 abstained (John).

Board and Department Updates:

Conservation Commission: Brooks Weathers reported the logging was completed in the town Brooks Lot last week. Van Web hired and paid for Ken Lyman to touch up the areas as needed. Brooks is satisfied with the results. Cynthia Bruss has seeded the lot. Brooks will be reviewing the final totals but estimates the revenue to be in the vicinity of \$25,000.

Cynthia Bruss stated she has met with Pierre Bedard regarding the property lines on the 2 town lots at the north end of town. Pierre is interested in the documentation and he has offered to do preliminary review of the documents on his own time.

Leigh reported the Cemetery Commission will be meeting on Friday, October 28, 2011 at 5:30 p.m.

Planning Board:

Don reported the subdivisions for Trudy Heath and Malcom Patten were approved and the mylars signed.

Planning Board has had ongoing discussions regarding making adjustments to wetlands setbacks, using the wetlands maps provided by UVLSRPC as wetlands demanded to be protected. To simplify the setback regulation, if the wetland is not on the map they are not going to demand them. How to proceed with delineation of other wetland areas is under discussion and review.

Don reported Pete Abair brought the Planning Board up to date with what has transpired in regards to the trailer. The Planning Board agrees there is nothing in the regulations that allows for a temporary structure and determined the Selectmen have power to waive certain regulations under certain circumstances. The Planning Board recommended that Selectmen review the septic design and under the circumstances, issue a permit that would expire in three years. At the end of three years they could determine whether to extend the permit. Pete agrees to remove the mobile home when the circumstances change. Don stated that Pete needs a building permit application and a septic design for the current house and trailer. Discussion: Malcolm Patten questioned if the selectmen were approached about this before it happened. They stated that they were not. Don noted that he had been asked the steps that would be required for someone to do this, but he had not been aware the trailer was being moved. John Trachy suggested the Selectmen check the zoning ordinance because they might not have authority to grant a building permit as this does not meet the definition of an accessory structure but a second residence. George McCusker asked that as septic regulations are governed by the State and in order to obtain a building permit wouldn't there need to be a State approved septic. John stated the Selectmen have asked Pete for septic information. Bill Huntoon questioned if Pete is going to be made to in a slab. John stated the slab is a State issue.

New Business: Leigh reported that he has found a grant writer who is willing to work with him on research and application of grant funding that may be available to get a back-up generator for the town office building. He stated he is willing to pay for this himself, donating his Selectman's salary. He has spoken to counsel at LGC about the legality of this. They do not see any conflict of interest. Don thanked Leigh for his generosity. Motion (John); second (Don) to approve of Leigh's donation and working with the grant writer. Motion approved, two in favor, Leigh abstained.

Report from Joint Board of Selectmen's meeting. Majority of meeting was discussion with Jerry Frew, Superintendent of Schools. The proposed school budget for next year is \$363,000 less than last year's proposed budget, of which \$400,000 of cuts were made. The Town of Sutton still recommends a resource officer. This has been turned down 3 times by district voters. The School Board will likely propose a warrant article for this. Vacant positions are not being filled. Dr. Johnson's will be retiring at the end of this school year and his position will be handled by existing staff. Money has been appropriated for performance based teacher evaluations.

Several Selectmen had just come from the area meeting at New London Hospital to review preliminary results of the ambulance study. MRI, the firm hired to perform the study presented their initial findings and gave several options that might be considered.

Correspondence:

Letter from UVLSRPC requesting a letter of support for a grant application to allow for more frequent and local household hazardous waste collections. Selectmen agreed to send a letter.

Leigh reported a Scrivener's Affidavit is being drafted by legal counsel for James and Linda Powell due to a typographical error that was made on a tax deed when they purchased the property from the town in 1997.

Signatures:

Purchase order: Ossipee Mountain Electronics to replace & program 3 radios for the highway department as budgeted. Due to FCC regulation changes, updates are required by 2013.

Purchase order: Dingee Machine for emergency repair for one of the fire trucks.

Pete reported portions of Bowman Road and George Hill Road were shimmed today.

Intent to Cut Timber: Meadowsend on Four Corner's Road.

Intent to Cut for King Forest Industries: cutting in the Gile Forest will be signed once the status of the bond is confirmed.

Miscellaneous Business: Mike Lawlor questioned what the status of the library's new bulletin board is. Pete reported Steve said it should be ready in a couple of weeks.

The meeting was adjourned at 9:35 p.m.

Respectfully Submitted,

Janet Roberts