

**Board of Selectmen
Meeting Minutes
November 8, 2023**

Present: James Bailey – Chairman, Iris Campbell – Selectwoman, Richard Pelletier - Selectman and Laura Buono, Town Administrator.

In Attendance: Melissa Near, Stacy Keenan, Robyn Payson, Don Rabun, Peg Leighton, Kelly Dencio, Chris Parsons, David Luberman, James McDonough, Ernie Butler

Meeting opened at 6:43 pm

Pledge of Allegiance was recited.

1. MEETING MINUTES

Chairman Bailey made a motion to approve meeting minutes dated October 11, 2023, with one correction. Chairman Bailey made a motion to accept the minutes as amended. Selectman Pelletier seconded the motion, the motion passed.

Chairman Bailey made a motion to approve meeting minutes dated October 25, 2023. Selectman Pelletier seconded the motion, the motion passed.

2. CONSENT AGENDA

Chairman Bailey made a motion to approve the Consent Agenda for November 8, 2023. Selectwoman Campbell seconded the motion, the motion passed.

- Cemetery Deed – Deans & Grant @ Hillsborough Center – Ashes Garden
- 2023 Tax Warrant, Second Issue
- Veterans Exemption – Map 13 Lot 30

3. MANIFEST

Chairman Bailey made a motion to authorize the Selectmen to sign manifests of November 8, 2023 and order the Treasurer to sign Payroll Check numbers 18938 – 18964 a/k/a Vouchers 44 & 45 in the amount of \$176,122.97 (includes 239 direct deposit stubs) and Accounts Payable Check numbers 030487 – 030546 a/k/a Vouchers 35 in the amount of \$64,360.45. Selectman Pelletier seconded the motion, the motion passed.

4. PUBLIC HEARING

Chairman Bailey opened the public hearing at 6:50 pm for the proposed updated Dogs and Other Animals Ordinance. The update is from various concerns of the residents in town. Chairman Bailey called for questions.

Stacey Keenan: When a dog is picked up, what does the term “disposed of” mean in the ordinance. Police Chief Chris Parsons explained when a dog is picked up, the dog is crated and a notice is placed on Facebook and the police website, typically once posted the dog owner is found and the

dog is returned. If no owner picks up the dog, the dog will go to the SPCA, the town has an agreement set up where a dog can be dropped off at any hour.

Stacey Keenan: Ms. Keenan raises chickens and roosters on a residential level. Will this ordinance affect roosters. Mr. Parsons said there is an exclusion for such properties.

Kelly Dericio: Ms. Dericio talked about a couple of dogs in her neighborhood that roam without a leash and use other properties. The dogs have also bitten other dogs that are on leashes and have attacked a neighbor. Ms. Dericio said the police are called, they show up and nothing happens. She said this is a daily occurrence with these dogs. Chairman Bailey said her concern will be investigated.

Sigfried Baumer: Mr. Baumer thanked the board for taking this topic on. He commented about the language in the ordinance and feels the ordinance gives little attention to the word “leash”, it’s only mentioned twice. One defines the word “leash” and the other links the word to “at large”. He said if you look up the definition it makes sense, but most people associate “at large” with a loose dog. To say you must have a leash on a dog that’s at large makes no sense. He said other communities have language that is easily understood such as “unless otherwise noted all dogs are required to be on a leash in public places, school grounds and parks”.

Mr. Baumer said he has stopped going to the school grounds and Fox Forest because of the odds of running into a dog that will attack and then the dog owner blames the victim, he feels it’s dangerous. His point is there needs to be language in the ordinance that clearly states all dogs will be on a leash on public property and school grounds. Currently he takes his dog to Henniker because Henniker has the proper laws in place. Chairman Bailey said the Board will take these comments under consideration.

Riche’ Colcombe: Ms. Colcombe said RSA466-30A defines “at large”. She asked if the town is going to enforce a leash law in Hillsborough even though the RSA says it’s not required. Ms. Buono said towns can adopt ordinances that are more stringent than the state. Ms. Colcombe said there are signs at Grimes and the beach that say “no dogs allowed” which are currently not being enforced. Chairman Bailey said the police respond to complaints and they do the best they can to do so.

David Luberman: Mr. Luberman asked what the current ordinance is and why it is being changed. Chairman Bailey said the Board is addressing resident concerns that have been added to the ordinance for enforcement. Mr. Luberman said a dog cannot be off leash on any town owned property, but in town there is no dog park or a place where a dog can be off leash. Ms. Buono said it’s not the town’s responsibility to provide dog owners with a place to bring their dogs. He feels the town is hindering the dog owners by not providing any leeway, he asked what the fines would be. Chairman Bailey said \$25 for the first offense and with the ordinance, it provides some control on town owned property and roadways.

Riche’ Colcombe: Ms. Colcombe asked if she understands correctly, this ordinance is not enforceable in Fox State Forest? Ms. Buono said the town does not have any jurisdiction over state owned property. Chief Parsons said Fox State Forest is in Hillsborough and the ordinance would be enforced. Ms. Colcombe wants added to the ordinance witnessing another’s dog leaving waste behind on another’s property and providing the name of the dog owner, subject to be fined. Chief Parsons said there would need to be proof. For a \$25 ticket you would have a photo of the dog doing there business, the police would then have to investigate it because it didn’t happen in their presence, write a warrant, get the warrant signed to serve the owner of the dog, they plead

not guilty, the officer that wrote up the warrant has to show up in court along with the person that witnessed the incident for a \$25.00 ticket. The town ends up paying (4) hours of overtime for whoever shows up in court to testify. Ms. Colcombe asked what's the value of this ordinance then, even if it's witnessed the town will still need to go through that whole process, how much is being spent for a \$25.00 fine. She feels the fine needs to include the cost to the town as well. Chairman Bailey said this ordinance can still be changed, that is the purpose of this hearing, to get public input.

Mr. Luberman: His concern is walking in the woods with his dog and having to keep the dog leashed, he would like to see some latitude in the ordinance for letting dogs run free. And the other is he feels the \$25.00 is not enough.

Riche' Colcombe: Ms. Colcombe asked if cats can be added to the ordinance, she feels there are too many cats roaming around town. Ms. Buono said to Riche' if she can find a community that has an enforceable cat ordinance, it can be looked at. Ms. Colcombe asked why the town can't create an ordinance, RSA 466 is for dogs and cats and why is the town isolating dogs. Chairman Bailey said the town receives continued complaints about dogs, not cats. Ms. Colcombe asked where is that information coming from. Chairman Bailey said the police department.

Comment: Someone said just ask dog owners who walk their dogs on the street. We complain to each other about other dogs, they have never been accosted by a cat.

Comment: Someone said he travels around, and most towns put signs up about cleaning up after the dog, he said its an education thing. Chairman Bailey said there are signs or there were signs at the public areas. Also, an Eagle Scout is working to install bags and create disposal sites at Grimes Field and Butler Park. Ms. Buono said Project Gensis made a dog bag stand at Butler Park.

Riche' Colcombe: Ms. Colcombe read RSA 466-13a and says the governing body may vote to license cats the same as dogs. Chairman Bailey recommended to Ms. Colcombe to petition the town; at this time the town is dealing with dogs and other animals.

Chief Parsons: Some definitions Animal Control wants expanded are vicious dogs, nuisance and menace which will be clearly defined.

Comment: Someone said the bottom line is how do we protect the people and animals in our community. That's what this ordinance is trying to do.

Riche' Colcombe: Ms. Colcombe asked if the changes need to go before the Town Meeting to be voted on. Ms. Buono said no, only a public hearing is needed.

Chairman Bailey said the Board will be considering all the comments that have been heard here tonight and closed the public hearing at 7:33 pm.

5. PUBLIC HEARING

Chairman Bailey opened the public hearing at 7:33 pm for the purpose of presenting and hearing comments on the proposed Hillsborough Vehicle and Traffic Ordinance which includes parking.

Ms. Buono said she talked to the Road Agent, Ernie Butler about the roads listed in the ordinance and how Ms. Colcombe pointed out some of the roads were incorrect. Mr. Butler will be reviewing the ordinance and will make the necessary corrections.

Chairman Bailey called for questions.

Riche Colcombe: Ms. Colcombe asked how the parking in the designated lots are going to be policed if the parking is limited to (2) hours. The lot on School St. is utilized by town employees/volunteers. Ms. Buono said they are exempt. Ms. Colcombe asked if those employees/volunteers would have permits. Chairman Bailey said no, they are just exempt. He said the main problem comes when the snow begins to fall, the town can't clear the lots if there is overnight parking. Ms. Colcombe asked why a (2) hour limit, it should be no overnight parking instead. Chairman Bailey said vehicles that remain in a parking lot for several days will also be addressed. Ms. Colcombe asked what the value of this ordinance is when right off, there will be cars parking more than (2) hours. The question is how will this be enforced. Chief Parsons said the registration of the car can be checked. Selectman Pelletier didn't think that would be a clarifying solution. Chairman Bailey said this can be resolved with employee/volunteer permits.

Ms. Colcombe needed clarification on the penalties. She was told the penalties are listed on one page.

Ms. Colcombe said in the current ordinance there are speed limits listed per street. She said in this new ordinance those limits are not listed. For roads that do not have a posted speed limit, the limit per state law is 25 mph, this will be stated in the ordinance.

With no further questions Chairman Bailey closed the public hearing at 7:53 pm.

6. SELECTMEN'S MEETING

The Board will not meet on November 22, 2023.

7. MUSEUM

The Historical Society has items (negatives) in cold storage in a building that's for sale and would like to bring an 8 x 12 nitrate box and place it near the old jail at the museum on the opposite side of the park, in order to store these items. The Board has no issues with the box being brought in for that purpose.

8. WATER/SEWER PROJECT

Ms. Buono said the Board had approved giving \$30,000 reimbursement for the engineering of Whittemore Street project from the American Rescue Plan Act (ARPA) funds. Water/Sewer has since made more payments and are requesting more funds to be reimbursed. Ms. Buono asked the Board if they want her to bring those costs before the Board, they are requesting \$60,000. Selectman Pelletier said the Board authorized the ARPA fund money for option 4, do we know if they are doing that? Ms. Buono will get clarification first.

Ms. Buono said Commissioner Mellen talked to her and was disappointed about the Board removing a sidewalk on Whittemore, he told her in the plan the sidewalk is being moved to the other side of the road. Chairman Bailey said he asked the question at a Planning Board meeting, Mr. Mellen addressed it and he agreed with Mr. Mellen on why the sidewalk needs to be there.

The sidewalk and curbing are mainly for channeling water on the road. Selectman Pelletier feels the Commissioners should come back to the Board when they have any concerns.

9. WORKFORCE HOUSING PROJECT

Ms. Buono said she had a voicemail from Commissioner Dave Lewis saying he wanted to go over some engineering plans with her having to do with the Avenru housing project. Ms. Buono feels the Commissioners should be meeting with the Board instead, to which the Board agreed. She will let them know and ask if they would like to meet with the Board.

10. DIVERSION PROGRAM

Ms. Buono explained to the Board the person hired for the Diversion Program was hired without the benefit of the NH Retirement system but is eligible for and would like to join the 401K program at a lower percentage to which the Board agreed.

11. TENNIS COURTS

Ms. Buono reported that the refurbishing of the tennis courts, and addition of a pickle ball court will begin next week.

12. HILLSBOROUGH COMMUNITY POWER

Selectman Pelletier gave an update on the Community Power Program and asked the Board if they had any questions. There were none. Selectman Pelletier said the committee will be voting on the plan in early December.

13. UTILITY POLE ON MUNICIPAL DRIVE

Ernie Butler is still working on removing the utility pole that is situated close to the road on Municipal Drive. Eversource said they have fiber cable on the pole and need to hire a company to remove it, it's been over a year trying to remove this pole.

14. 50/50 MATCH GRANT FOR DASH CAMS

Chief Parsons explained that there is a 50/50 grant available for dash cameras in the cruisers and asked the Board if they would like him to apply. The cost is \$53,000 to fit 5 cruisers, and they come with a 5-year contract. He said the contract is similar to what they have for their body cameras, which allows them to get new cameras after 4 or 5 years, and they are currently in the 4th year. The town's portion for the dash cameras would be \$26,500 and could be paid out of the Police Department Equipment CRF. Selectman Pelletier made a motion to authorize the Chairman to sign the grant application for dash cams. Chairman Bailey seconded the motion, the motion passed.

Meeting adjourned at 8:17 pm

A true record
Mary Whalen
Recording Secretary

Date: _____

Approved by:
Hillsborough Selectboard

James C. Bailey, III, Chairman

Iris Campbell, Selectwoman

Richard Pelletier, Selectman