

Board of Selectmen
Meeting Minutes
August 11, 2015

Present: Wendy Brien-Baker, Chairman; Alan Urquhart, Selectman; James Bailey III, Selectman; Laura Buono, Town Administrator, Nancy Torres, Administrative Assistant.

In Attendance: Michael Pon, Lt. David Walsh, Mark Rodier, Mrs. Urquhart, Thomas Gagnon, Billy Goss, John Dahood, Betsey McNaughten, John Segedy, Tom O' Brien, Paris Wells, Jack Wells, Brett Cherrington, Terry Yeaton, Richard Head.

1. A. NONPUBLIC SESSION

Chairman Brien-Baker moved to go into nonpublic session at 6:02 p.m. under RSA91:3 IID under Land Negotiations. Motion was seconded by Selectman Bailey. A roll call vote was taken. Chairman Brien-Baker – yes; Selectman Urquhart – yes; Selectman Bailey - yes. Motion passed unanimously.

In attendance: Chairman Brien-Baker, Selectman Urquhart, Selectman Bailey, Town Administrator Laura Buono, Brett Cherrington, Chairman Conservation Commission, Terry Yeaton, Richard Head.

Chairman Brien-Baker moved to come out of nonpublic session at 6:15 p.m. Motion was seconded by Selectman Bailey. A roll call vote was taken. Chairman Brien-Baker – yes; Selectman Urquhart – yes; Selectman Bailey - yes. Motion passed unanimously.

1. OPEN SESSION

Brett Cherrington, Chairman Conservation Commission– Referred to the letter he sent RE: Simmons Road, cluster house lot development being re-merged into one lot and put under the Conservation Commission. Ms. Buono addressed Mr. Cherrington and reminded him that when they recently met she told him that Iris was pulling all the information together and working on the project. After a short discussion Chairman Brien-Baker said they have not looked at it yet, once it is complete the Board will look at it and let the Conservation Commission know.

2. PARIS WELLS / JACK WELLS

Paris Wells came before the Selectmen to address two issues. The first; advise them of the condition of Hoyt Lane in Hillsborough. Jack Wells provided a packet of pictures to the board. Paris Wells said he's concerned are about the conditions of the street and the safety of people using the street. Paris Well's said that the area floods and freezes because of the patch work and repairs that have been made over the years, and the drainage issues from the surrounding buildings. Jack Wells said that German John's uses the area to unload goods for his store and it is a safety issue for his tenants. Paris Wells would like Billy Goss to repair about 200 feet of the road. Chairman Brien-Baker asked Road Agent Billy Goss what his thoughts were on the subject. There was discussion and Billy Goss said that he was not sure that Hoyt Lane was even a town road. Billy Goss said that they do maintain the road and that he agreed that the road should be fixed, but it needs to be fixed right, and it's just not in the budget this year. Jack Wells referred to pictures that were given to the Selectmen. He is very concerned about the conditions of the street and the drainage issues. Billy Goss agreed that he would be able to do some patch work this year, but it will come with a price. Chairman Brien-Baker asked Billy Goss if we plowed Hoyt Lane and Billy Goss replied "yes we do". Paris Wells said he would be in favor of doing the patch work this year and putting it into the budget next year. Jack wells said that he knows that the

street was adopted as a town road in the past. Selectmen Urquhart asked about the drainage and where the water was coming from. Paris Wells explained the changes over time and the new metal roof on one of the buildings has caused some of the problem along with the swells and patch work that has been done. Selectmen Urquhart said he thinks the Rumrill building is not in compliance, there is a problem with the gutters. The ice off the front of the building is a danger. Selectmen Urquhart asked Bill Goss if he could address the patch issue. Billy Goss stated that he could and that it would just be a patch. Ms. Buono said that Billy should look into putting figures together for next year's budget review.

The second issue; putting Landry Garden under the management of the town. Paris Wells requested that it become part of town maintenance rather than a volunteer program. There was discussion that this should be maintained because it is in the center of town and that Robbie Beard has been kind enough to mulch it, but it needs to be mowed and maintained all year. Ms. Buono said that she got a call from a woman who asked if she could volunteer to take care of Landry Gardens. This volunteer would be working with EDC and looking into some grants for tree planting and that the volunteer and the town could pull together a plan for budget information. Ms. Buono stated that as long as the Selectmen gave it a thumbs up she would be ok with it. She is a school teacher in Massachusetts. Here full time in the summer and weekends during the school year. Ms. Buono offered to put the volunteers plan in the budget for review. Paris Wells said that the previous donors would be willing to donate towards it and he would give her a list to go by. Chairman Brien-Baker said she was under the impression that Pride was still taking care of it. Selectmen Bailey said that Robbie can continue to mulch and help out. Selectmen Urquhart asked Jack Wells if he was satisfied so far. Jack Wells said we are headed in the right direction.

3. BILLY GOSS

Billy Goss came before the Selectmen to address the boat landing at Emerald Lake. Billy Goss said that EVLD would like to see it shut down and just walk in. Fish and Game is here to address this as well. Mark Rodier ELVD Commissioner asked to speak on the issues, he said that "because of the dredging the lake level has dropped 30 inches and it is a problem to load and unload boats. They have to go out 80 feet. You go 80 feet and you are still up to your knees. Vehicles leaking oil, getting stuck, having to be towed out. We have picture of it from the neighbor next door. We want to put up a gate and close the boat ramp temporally. So we can work on getting it dredged. If there is going to be a ramp it needs to be a proper ramp. Fish and Game web site shows this as car top access, what we would really like is to put up a gate that is locked. Fish and Game has access to it, the town has access to it the fire department has access to it. Leave a 5ft opening between the stance and the pole so you can carry in your canoe or kayak or row boat". Selectmen Urquhart asked if they can carry them in 80 feet why can't they drive them in? Mark Rodier said because it is like a beach out there. Mr. Goss said that is because of the dredging. John Dahood, resident of ELVD said that the ramp is unusable; He has personally seen people get stuck in the mud. Fish and Game Lt. David Walsh wanted to point out that the boat ramp belongs to the town. Selectmen Urquhart said that we allow the state to stocks our lakes, so what you are telling us is we are going to block off access so the Hillsborough community, this community, these people that I represent, and I represent you, can't go fishing. I am a cripple disabled person, so you are telling me I have to wade 80 feet in the water in order to go fishing? Betsey McNaughten Land Agent, Sate of NH Fish and Game Department explained the history of how the boat ramp and how the road came to be. They are called roads to public waters. In 1961 the state bought the land, but under the statue the town must maintain it. Ms. McNaughten said that it is a class V road and it is owned by the State and maintained by town. If the town blocks access while it is dredging it is ok. Mr. Goss said in his opinion if you close that ramp you are going to make a lot of people very unhappy. If you publicized that you wanted to close it and took a vote you would have to move the meeting to another building. A lengthy discussion ensued. Fish and Game Lt. David Walsh stated that to close a ramp for safety reasons like any other road that work is being done on is one thing, but if you close the ramp the State will not stock the lake. Selectmen Urquhart spoke to the issue

stating that he has fished the lake for years and we do the best that we can with what money we have and that he is against closing the ramp. Selectmen Bailey said he didn't think the boat ramp should be closed either, but asked if a sign should be put up warning the public, put boat in at own risk. Mark Rodier said he has put up signs. Selectmen Urquhart said he would not close the ramp. "I have probably supported you folks at ELVD more than any other elected official in the last five years and I will continue to do so, but I am against closing that ramp for any length of time." There was much debate on the issue. The consensus of the board was not to close the ramp. Mark Rodier said that he wanted clarification because the Fish and Game book said it is a car top access. Lt. David Walsh said that is just a guide so when people look at the book they can see the best option may be for a car top, not for a 25 foot bass boat; it is just a guide that we put out. Lt. David Walsh said if there are gates and limits to car top, he will not be stocking the pond. Mark Rodier said "then we withdraw the whole thing." John Dahood would like the Selectmen to work with the state and look at funding in the future to fix the problem. Selectmen Urquhart thought that was a good idea and would support that. Selectmen Urquhart wanted to thanked Lt. David Walsh and the State of NH Fish and Game Department for their dedication and hard work and Lt. David Walsh for the outstanding job he has done.

4. THOMAS GAGNON

Thomas Gagnon came before the Selectmen to inquire about purchasing land owned by the town Map 25 Lot 32. Mr. Gagnon owns 19 Bridge Street Apartments and wants to purchase the land to use for additional parking and snow removal. Mr. Gagnon feels that this piece of land is not producing any revenue for the Town and he could not build or do much with the land except use it for parking, possibly putting mail boxes on it and use the end of the land to put snow. Selectmen Bailey explained that we are working on a policy for selling land. As far as notifying abutters and taking bids. Ms. Buono said that we are working on ELVD tax deeded property at the moment and that will include abutters being notified. Mr. Gagnon said he would be willing to pay \$3,000.00 to \$5,000.00 for the lot. Selectmen Urquhart feels we should follow the pattern that we are going in and work from there. Selectmen Bailey said we will look into this. Chairman Brien-Baker said she thinks we should stick to what we are working on. Chairman Brien-Baker requested that Iris put together a list of deeded property. We will continue to work on the policy and once finalized you would get a letter. Mr. Gagnon asked when he should return to the board. The Board was in agreement that they would like to put a policy together. It was decided that the Board should know by September 8, 2015. John Segedy commented that he should not be putting the snow on this land because it was next to the river and that maybe the town should keep the land for green space. Thomas Gagnon commented that the current drainage on his property melts and ends up in the river. He can't stop that from happening.

5. MANIFEST MOTION

Chairman Brien-Baker moved to authorize the Selectmen to sign manifests and order the Treasurer to sign Payroll Check numbers 8875 - 8955 a/k/a Vouchers 32 & 33 in the amount of \$153,339.19 (includes 134- direct deposit stubs) and Accounts Payable Check numbers 12416 - 12510 a/k/a Vouchers 31, 32 & 33 in the amount of \$997,691.11.

** A/P Checks include payment to Hillsboro/Deering School District in the amount of \$782,888.83.
A vote was taken. Motion passed unanimously.

6. CONSENT AGENDA

Chairman Brien-Baker moved to approve the Consent Agenda for August 11, 2015:

- Intent to Cut – Map 9 Lot 18

Motion was seconded by Selectman Urquhart. A vote was taken. Motion passed unanimously.

7. APPROVAL OF MINUTES

Chairman Brien-Baker moved to approve the meeting minutes of July 27, 2015. Motion was seconded by Selectman Urquhart. A vote was taken. Motion passed unanimously.

8. LIAISON REPORTS

Parks Board – Chairman Brien-Baker asked if Eastman Park was one of our Parks. Selectmen Bailey said no and it never has been. Chairman Brien-Baker said Zach Roux presented his Eagle Scot project to the Parks Board. His project is a sign Board for Franklin Peirce Lake Association and it would be put up by the boat ramp. The board will consist of 2 sides, one locked side and one side for posting. Upon completion the town would own the board, but Zach would be responsible for the fund raising and building. Franklin Peirce Lake Association will maintain the board. Chairman Brien-Baker moved to approve the project. Motion was seconded by Selectman Urquhart. A vote was taken. Motion passed unanimously. Each Board member expressed their enthusiasm for the project.

The Grimes Field bathroom plans are still in the works. Selectman Bailey commented on how the plumbing should be in the center of the building for easy access. Chairman Brien-Baker said that Robbie Beard needed a trailer. He currently has to hire one when he needs it. Peter is looking into the cost. The Parks Board is looking at the budget to see if they could purchase a trailer.

9. BUILDING PERMIT FEES

Ms. Buono said that this fee schedule is based on what surrounding towns are charging. It updates the pricing, Michael Borden, our building inspector works for a few different towns and these are the fees that other towns use.

Proposed new Building Permit Fee Schedule:

Plumbing, Electrical, Gas, Chimney/Fireplace, Mechanical \$50.00 (current is \$25 residential or \$50 commercial)

Sign Permit- \$25.00 (current \$10)

Septic Systems - ~~\$100.00~~ \$50.00 (We have not been charging. However the State only approves design and inspects when the system is in place. They do not inspect the progress during the installation which is extremely important)

Foundations only- \$50.00 (This is actually a reduction because we would typically charge the base fee of \$25 or \$50 plus the square footage @ .25/sq. ft)

Swimming Pools- \$50.00 (Current \$25 for the electrical if applicable)

Demolition- \$25.00 (No change)

New Homes/Unattached Structures/Additions/Renovations: Base Fee of \$50.00 (residential) \$100.00 (commercial) plus \$.25 per square foot. (Base fee is currently \$25 and \$50)

Permit Renewal: - 50% of original cost - \$50.00 minimum (Not currently charging)

Penalty equal to double the permit fee will be charged for work done without obtaining a building permit. (No penalty is currently in place however, we have many people who work with the idea of asking forgiveness after the fact. There should be a penalty for those who do not come in for the proper permits).

Selectmen Bailey said that the State inspects septic designs and inspects the site and he sees no need for the town to inspect as well. Selectman Bailey said that the State does Bed bottom inspections. Discussion ensued. Ms. Buono said that there have been problems and we are not charging any fees. It has cost staff hours, I have had meetings in my office, the inspector has had to go out and do

inspections. Selectmen Urquhart asked if he signs the plans. Ms. Buono said yes, we are one of the Towns that signs septic designs before they go to the State. Chairman Brien-Baker said that in Frances Town they charged a \$50.00 fee to look at the plan. Selectmen Bailey asked if it was a possibility to charge ELVD a fee because of the ordinance.

Chairman Brien-Baker moved to approve the new building permit fees with the exception of the septic inspection and the septic fee of \$50.00.

Motion was seconded by Selectman Urquhart. A vote was taken. Motion passed unanimously.

10. 2015/2016 HEATING FUEL AND DIESEL PRICING

Irving Oil: #2 Fuel \$2.092/gallon
Diesel \$1.897/gallon

- Will offer employees .10 off residential posted prices for #2 and .015 off of propane. Must be automatic delivery and go by credit terms of the offer.

Rymes: #2 Fuel \$2.129/gallon
Propane \$1.299 (we currently have their tanks)

Vaillancourt #2 Fuel \$2.199/gallon
Diesel \$2.559/gallon

Selectmen Urquhart would like to know why we don't buy diesel from the state. Discussion ensued. Chairman Brien-Baker moved to purchase #2 Fuel from Irving Oil at \$2.092/gallon and Diesel at \$1.897/gallon from Irving Oil. Also, to purchase Propane from Rymes at \$1.299/gallon, but if Laura finds out that the State can provide diesel cheaper tomorrow than we will go with the state. If not we will stick with Irving diesel. Motion was seconded by Selectman Urquhart. A vote was taken. Motion passed unanimously.

11. ZBA APPOINTMENT

Chairman Brien-Baker said that Richard Booth resigned from the ZBA because he is moving. And there is now another full opening. She stated that Nancy Torres is currently an alternate and is interested in the opening. There was also a letter received from a potential alternate. Ms. Buono said that she forwarded their information to Robyn to invite them to the next ZBA meeting.

Chairman Brien-Baker moved to appoint Nancy Torres as a full member to the ZBA to fill Mr. Booth position. Motion was seconded by Selectman Bailey. A vote was taken. Motion passed unanimously.

12. CODE ENFORCEMENT

Selectmen Urquhart gave an update on Senate Bill 175. A bill for improving blighted property. He feels we have to do some work on it. It allows us to do more with properties, and it can be positive as well. Selectmen Urquhart's thoughts were to perhaps have a tax incentive program. It could be one way to clean up some of the properties that are a little blighted. Selectmen Urquhart would like to see us draw up an article on this, as long as it is fair and equitable and we could help people with their property.

Ms. Buono talked about zoning violations. We have a few properties that the next step would be to go to court. Ms. Buono asked if the board wants to actively go forward on some code enforcement issues. There is no sense of us sending letters if we can't go the full distance. It can be costly and frustrating, but when we get a complaint filed with us on a property and we go out and find violations, we can only go so far. Selectmen Bailey said if you are writing letters we need some teeth behind it. The board was in agreement that if need be we have to take the next step.

13. PUBLIC COMMENT

John Segedy – Mr. Segedy said in reference to the building permit fees, it would have been nice to have them posted for the public to see ahead of time and it should have been open for public comment. Mr. Segedy also stated in regards to the septic section of the building permit fee schedule, that Robyn and the Planning Board are going to get rid of the ordinance. The ordinance could only be applied to ELVD and you could get rid of it for the rest of the town. EVLD has its own ordinances now it has its own separate zoning district and it should only be for ELVD anyway.

ADJOURNMENT

Selectman Urquhart moved to adjourn at 8:12 p.m. Motion was seconded by Selectman Urquhart. A vote was taken. Motion passed unanimously.

A true record.

Nancy Torres
Administrative Assistant

Approved by:
Hillsborough Board of Selectmen

Date: _____

Wendy Brien-Baker, Chairman

Alan Urquhart, Selectman

James Bailey III, Selectman