



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
May 12, 2016

Selectmen Present: Susan Silverman, Nancy Carney, Chris Holman

Ms. Silverman called the meeting to order at 2 p.m.

PRIMARY:

***** APPROVE MINUTES**

- April 14, 2016
- April 18, 2016
- April 25, 2016

Mr. Holman made a motion to approve the minutes of April 14th, 18th, and 25th 2016. Ms. Carney seconded. Ms. Carney – Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

***** APPROVE MANIFESTS**

Mr. Holman made a motion to approve the manifests. Ms. Carney seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

***** REVIEW SIGNATURE FOLDER – The Selectmen reviewed and signed.**

2:15 MEET WITH GENE CUOMO

- Boat Landing
- Tree Donation from Eversource

Gene Cuomo, Road Agent, reported that Terry Silverman wanted to make the boat landing bigger. A plan and cost was needed. The landing would be 12 feet wide with a 10 foot wide section. Mr. Cuomo and the Selectmen discussed the ramp and problems boaters were having. Mr. Cuomo shared that the proposed plan was to add 4-5 10ft logs. Mr. Cuomo estimated the cost to be approximately \$125 for 5 logs. DES would be contacted to let them know our plan and they may do a permit by notification. Ms. Silverman shared that the changes would solve some of the problems boaters were having. Ms. Silverman asked Mr. Cuomo to include in his budget (annually) the cost to replace the stone. Mr. Cuomo shared his concern about the stone at the bottom and the need to watch. Ms. Favreau and Mr. Cuomo would work together and determine what needed to be done on the state level.

Mr. Holman made a motion to approve the work needed at the boat landing. Ms. Carney seconded. Ms. Carney – Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Mr. Cuomo reported that the beach work was done. Granite curbing has been added and both sides of the road have been ditched. Ms. Silverman asked about the parking area and putting in an under drain to the catch basin. Mr. Cuomo shared that 3 additional parking spaces would be gained. Mr. Cuomo also shared that all culverts have to have a catch basin. The project was on Mr. Cuomo's list.

Mr. Cuomo reported that he had talked with Dave Crane of Eversource. The tree needed to be planted by next week and Mr. Cuomo and the Selectmen discussed where to plant. The Selectmen would discuss this with Dan, of Broad Oak Tree Service and would let Mr. Cuomo know where to plant.

2:30 MEET WITH ANDREA HEIKKINEN

Andrea Heikkinen met with the Selectmen to discuss the property at 22 East Lake Road (Map 27, Lot 2) that she was renovating. Ms. Heikkinen wanted to add a driveway. Mr. Cuomo stated that he doesn't usually deny driveway permits

but had a concern about the line of site and drainage. Mr. Cuomo was willing to meet with Ms. Heikkinen at the property. Discussion continued on the number of cars to be parked. Ms. Silverman mentioned there was parking on the other side of the road and that she has a concern about the line of site and drainage on the other side of the road. Ms. Silverman stated that given the width of driveway as it exists and the area across the road, 6 cars could be parked off of the road. Ms. Heikkinen shared that she had been talking with her neighbor about developing that property into a buildable lot, if she could purchase some land from the neighbor to get the required frontage.

Ms. Heikkinen asked about Map 27, Lot 21 (21 East Lake Road) and that she and her husband had looked at the property, which could be a winter project for them. Ms. Heikkinen shared that she found out from Ms. Favreau that \$50,000 was owed and she doesn't want to pay that and asked if there was a way to work something out with the owner and then Ms. Heikkinen would pay the taxes. Ms. Heikkinen asked what the Selectmen would be willing to do. Ms. Silverman stated that the Selectmen would need to discuss and look at options and that the property was on the tax lien list. Ms. Silverman shared that the Selectmen have passed up taking the property for tax lien because of the liability with the house on the property. The Selectmen would take Ms. Heikkinen's request under consideration and asked Ms. Favreau to put numbers together and Ms. Heikkinen could then decide how to proceed.

2:45 MEET WITH REPRESENTATIVE FROM BROAD OAK TREE SERVICE

Dan, an arborist from Broad Oak Tree Service met with the Selectmen to discuss plantings on the common. The Selectmen and Members of the Common Committee met in the common to determine what the next steps should be. They also looked at the tree that was donated by Eversource. Dan noted the crimson maple tree was an invasive species and a good candidate to be replaced. Dan also noted the 2 maples on the Library side, the biggest of which had decay. Dan would write up a report and list his recommendations, including a cost estimate. Ms. Silverman thanked Dan for his information and assistance in moving forward.

The Selectmen would contact Gordon Hayward and Chuck Simpson – landscape designers. Dan noted that the donated tree needed watering and Ms. Carney shared that the tree would be planted tomorrow. The Selectmen agreed that the tree would be planted at the cemetery as there wasn't room on the common.

Ms. Carney also shared that the electrical socket on the common sticks out and that she had a fake granite cover to fit over the electrical socket, which can be removed when needed.

Mr. Holman asked if those renting the common pay for their electrical needs. Ms. Silverman noted looking at the rental form. Ms. Silverman and Ms. Favreau would contact two different landscape designers. Gail Landy asked about combining the plans. Ms. Silverman shared that the Selectmen would talk with the Commissioners of Plante Memorial Park.

***** CONSTRUCTION PERMIT**

- **Map 09 Lot 11-02**
- **Map 28, Lot 36**
- **Map 20, Lot 15**
- **Map 42, Lot 2-7**
- **Map 10, Lot 76**
- **Map 3, Lot 23**

Map 9, Lot 11-02 – Mr. Holman made a motion to approve the permit for Map 9, Lot 11-02. Ms. Carney seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Map 28, Lot 36 – Mr. Holman made a motion to approve the permit for Map 28, Lot 36, conditional upon an occupancy permit being obtained. Ms. Silverman seconded. Ms. Carney - recused, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 2-0

Map 20, Lot 15 – Ms. Carney made a motion to approve the permit for Map 20, Lot 15. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Map 42, Lot 2-7 – Ms. Carney made a motion to approve the permit for Map 42, Lot 2-7. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Map 10, Lot 76 – Ms. Carney made a motion to approve the permit for Map 10, Lot 76. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Map 3, Lot 23 – Ms. Carney made a motion to approve the permit for Map 3, Lot 23. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

*** **VENDOR PERMIT**

- **Kevin Rule – Kayak & Canoe Rentals**

Mr. Holman made a motion to approve the vendor permit for Kevin Rule – Kayak & Canoe Rentals, valid until September 30, 2016. Ms. Carney seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

*** **DISCUSS EVERSOURCE AND ITS CONTRACTORS WETLAND PERMIT APPLICATION**

- **Decision to authorize submission**

Ms. Silverman shared that Eversource has done what they were asked to do.

Mr. Holman made a motion to approve submission of a Wetland Permit Application by Eversource. Ms. Carney seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

*** **UPDATE ON RETTIG PROPERTY**

Ms. Favreau reported that she confirmed with Jane Wright, Tax Collector, that the tax deed was valid. Discussion was held on taking a field trip to look at the property and have someone do an inspection. Ms. Silverman shared that Ms. Favreau had discovered that several years ago the voters rescinded the authority given to the Board of Selectmen to buy and sell property and that it needed to be brought to the voters at town meeting. Mr. Holman asked if a quote could be obtained for an inspection. Ms. Silverman shared that she doesn't know what the town would do with the property. Ms. Carney mentioned that the Economic Committee might want to use it as a welcoming center.

*** **DISCUSS MEETING WITH LIBRARY TRUSTEES AND BUDGET COMMITTEE**

Ms. Silverman stated that a meeting has been scheduled for June 6th. Ms. Favreau shared that the Library Trustees had asked for an agenda and she would put this on the Selectmen's agenda for Monday to discuss structure and questions to be asked. Ms. Favreau also shared that she had notified Fred Wilkinson and he questioned whether he would be able to speak. Mr. Wilkinson was under the impression that the Library has to return any unappropriated funds to the town and he thought that the Library should have returned funds and they haven't. Ms. Favreau reported that she had reviewed the funds and determined that the Library has expended over what the town had appropriated to them. Ms. Silverman reviewed the e-mail from Mr. Wilkinson.

The Selectmen asked Ms. Favreau to schedule a meeting with Nick Noyes, Library Trustee, for May 16th to discuss the recent Court decision.

*** **DISCUSS ZONING BOARD OF ADJUSTMENT**

- **Decide on Attorney**

Ms. Silverman stated that ZBA has been very busy and gave an update on BlueSky. Ms. Silverman shared that another balloon test was done at Russell Raitto's home and it wasn't 100% resolved. Ms. Silverman reported that Mr. Raitto wanted to deliver a letter from Attorney Bentley asking for a rehearing but he didn't meet the deadline. They were upset that no one was at the town hall and he called Ms. Silverman wanting to deliver to Terry Silverman for her. Ms. Favreau shared that it was faxed at 2 p.m. Ms. Silverman stated that it wasn't delivered by the deadline. Ms. Carney shared that Attorney Bentley stated that Mr. Raitto has an agreement with WiValley and it wasn't on the property where the BlueSky tower was located. Ms. Silverman shared that the WiValley tower would come down and there was no need, right now, to hire an attorney.

Ms. Carney shared that the Planning Board would like to take the MOU from Eversource and run it by Attorney Cunningham, including the Ford's and Pinney's input. The Selectmen agreed. Ms. Favreau asked, if needed, who would the Selectmen want to hire? The Selectmen agreed to hire Attorney Hoppock, if needed.

*** **DISCUSS E-MAIL FROM SHELLEY CHARRON – AVITAR ASSOCIATES**

- **Re: DRA Proposed Changes**

Ms. Silverman reviewed the e-mail from Shelley Charron of Avitar Associates regarding the proposed changes by DRA. Ms. Favreau shared that DRA was proposing to change the way utilities were assessed. Avitar Associates urged the Selectmen to respond to them indicating that Avitar could represent the town before the ASB at the next meeting and also urged the Selectmen to attend. Ms. Silverman wanted to know from Avitar how a solar project like that of Ranger Solar would get assessed. Ms. Favreau shared that she had talked with an assessor and was told they do not pick up the assessment for solar panels. Ms. Silverman noted that the Selectmen should consider putting on a warrant. Ms. Favreau stated the need to be very careful noting that this was a commercial operation and not an individual. Ms. Silverman asked if the Selectmen wanted to talk with Ranger Solar about a municipal project. Ms. Silverman stated the need to look at grant money to fund a solar project.

*** **LETTER FROM STATE OF NH - KMO**

Ms. Silverman reviewed the letter from the State of NH – DRED regarding KMO Associates. The letter stated that reporting by KMO indicating the quantity of previously quarried granite (PQDG) removed annually from the site was well under the legal threshold. The State has not made an inspection since the initial Operational Agreement between DRED and KMO, and as a result of the Selectmen's letter, DRED would schedule a site inspection within the next 30 days and preliminary measurements of PQDG and the operational area would be taken to assure conformance with the Operational Agreement. The Selectmen, and the NH Department of Environmental Services would receive a copy of the inspection report. Ms. Silverman would like to contact Bill Carpenter to let the Selectmen know when they would do the site walk. Ms. Favreau asked if KMO could come back and say we violated the court order. Ms. Silverman asked that those who attended the previous discussion of KMO be notified.

*** **DISCUSS COMPLAINT – BOWKERVILLE ROAD** – The Selectmen would discuss at their next meeting.

*** **NON-PUBLIC SESSION RSA 91-A:3 II(b) – PERSONNEL MATTER**
- **Cemetery Employment**

At 3:49 p.m. Ms. Carney made a motion to go into non-public session under RSA 91-A:3 II(b). Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 3:55 p.m. Ms. Silverman made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

*** **NON-PUBLIC SESSION RSA 91-A:3 II(b) – PERSONNEL MATTER**

At 3:55 p.m. Mr. Holman made a motion to go into non-public session under RSA 91-A:3 II(b). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 4:06 p.m. Mr. Holman made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

*** **NON-PUBLIC SESSION RSA 91-A:3 II(c) – HARDSHIP ABATEMENT**

At 4:06 p.m. Mr. Holman made a motion to go into non-public session under RSA 91-A:3 II(c). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 4:11 p.m. Mr. Holman made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

OTHER BUSINESS

The Selectmen asked Ms. Favreau to schedule a meeting with Chief DiSalvo for next Monday.

Ms. Silverman shared that at the Coalition meeting she learned that contaminants from the Saint-Gobain facility in Merrimack was released through their emissions into the air. The contaminant travels down and settles into the ground and moves through the soil and gets into the groundwater. Drinking water in Litchfield, Amherst and Merrimack has been affected.

E-mail from Health Director – Septic Issue – The Selectmen reviewed and discussed.

Letter from Monadnock Regional School District – May 10th – 4:30 p.m. meeting to develop Goals and Objectives as part of the District's Strategic Plan – The Selectmen reviewed.

Letter from Nationalgrid - routine maintenance and repair work on existing transmission lines and structures – The Selectmen reviewed.

Results of the 2016 Town of New Durham, NH Total Compensation Survey – Ms. Favreau shared that they poled various towns and if they participated in their survey it would be shared with the town. Ms. Favreau thought it was informative and shared that our Road Agent received the highest salary, our Chief of Police was in-line and our Town Administrator's salary was the lowest.

Primex Agreement – Ms. Favreau shared that the Selectmen needed to sign and the form needed to be sent to NHMA and a copy sent to Primex regarding any knowledge of claims that were going to be made that occurred on our old policy before it terminated.

Ms. Silverman shared that she had received a septic system complaint on Webb Hill. Ms. Carney would look into.

PIPELINE – Ms. Silverman would give an update on Monday. Ms. Silverman shared that if the Coalition continued, a breakdown of costs and tasks would be created. Ms. Silverman also shared that on May 26th there would be a decision from FERC. Ms. Favreau shared that she was holding the last check. Ms. Silverman shared that money would be refunded to the towns.

ON-GOING BUSINESS
Prime Wetlands Study

Mr. Holman made a motion to adjourn the meeting at 4:17 p.m. Ms. Carney seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Susan Silverman, Chairman

Nancy Carney, Vice Chairman

Chris Holman
Board of Selectmen