

# APPROVED

## Town of Grantham - Board of Selectmen Regular Meeting Minutes August 26, 2009

The regular meeting of the Board of Selectmen was called to order at 5:00pm on Wednesday, August 26, 2009 by Chairman Harold Haddock Jr. The meeting was held in the Grantham Town Building, Jerry Whitney Memorial Conference Room at 300 Route 10 South.

Present: Chairman Harold Haddock Jr.; Selectman Constance Jones; Selectman Warren Kimball; Town Administrator Becky Newton, Esq.; Administrative Assistant Melissa White; Police Chief Walter Madore; Fire Chief Mike Benoit; Missy Walla; Todd Cartier; Joey Holmes; Rick Anderson; Simon Mayer; Phil Schaefer and others

### ADMINISTRATIVE

For Approval/Signature – **APPROVED**

- ✓ Building Permit Applications:
  1. M/L 215-065-000; 6 Turner Brae; *Add elevator*
  2. M/L 222-256-000; 38 Hummingbird Hill; *Enclose entry*
  3. M/L 225-066-000; 15 Wedgewood Drive; *Gazebo*
  4. M/L 222-225-000; 31 Deer Run; *Add bathroom/kitchen to garage*
  5. M/L 232-006-000; 581 Dunbar Hill Road; *Replace entry with porch*
  6. M/L 212-003-001; 333 Miller Pond Road; *Chimney*
  7. M/L 222-092-000; 4 Summit Drive; *Raise/replace roof*
  8. M/L 222-225-000; 31 Deer Run; *Remodel garage*
  9. M/L 232-006-000; 581 Dunbar Hill Road; *Replace entry with porch*
  10. M/L 222-092-000; 4 Summit Drive; *Replace & raise roof*
  11. M/L 212-003-001; 333 Miller Pond Road; *Chimney*
- ✓ Notice of Intent to Cut:
  - a) M/L 204-003-000; Route 10 North
- ✓ MS-1 Extension
- ✓ Veteran's Credit Tax Credit Application
  - a) M/L 222-203-000; Seidel
  - b) M/L 234-055-000; Kenny
- ✓ Building Permit Refund Request (due to overpayment)
- ✓ Property Tax Refund Request (due to overpayment)
  - a) M/L 215-076-000; 7 Sylvan Walk

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## APPROVAL OF MINUTES

- Chairman Haddock requested any changes to the regular and non-public meeting minutes of July 22, 2009. Administrative Assistant Melissa White said that Zoning Board Chair Conrad Frey was not listed as present and that on page five, first bullet, change the word insulted to insulated. Selectman Kimball made a motion to approve the regular meeting minutes of July 22, 2009 as amended and the non-public meeting minutes as written; second by Selectman Jones. ***Unanimously approved.***

## APPEARANCES

- Recreation Park – Playground Committee: Administrator Newton gave an overview of the Recreation Park Committee meeting that was held on August 25, 2009 and stated that both the Athletic Field and Playground sub-committees have come to a consensus on how to pay for the ongoing work of the ball fields. A written proposal was received for the site work of the ball fields and work has begun. Other written proposals have been received for the hydro-seeding and sand for the in-field.

Administrator Newton explained that there was some confusion regarding the \$25,000 warrant article at the 2009 Town Meeting; that originally it was believed the \$25,000 would be accessible but it was put into the capital reserve account but not set aside to be spent so interim plan was created. Administrator Newton went on to say that approximately \$5,000 would be used from the operating budget that was set aside for maintenance of the Recreation Park Building.

Todd Cartier asked for clarification on the money being used for the ball fields; that it was decided at the meeting they would not use any money from the Buy-A-Brick fund raiser. Administrator Newton stated that there were not any "paver or brick monies" included in the cash flow outline; that it was separate fund raisers.

Chairman Haddock asked how the Buy-A-Brick fundraiser was going and where they stood based on their needs. Missy Walla stated 16 bricks and 2 pavers had been sold; that their goal is to sell a total of 304 bricks, 80 pavers and 10 benches raising \$25,000. Ms. Walla explained that there is not a deadline to submit the forms; that they were distributed at Old Home Day and are also available at Rumbrook Market, Sugar River Savings Bank, Lake Sunapee Bank, Dunbar Free Library and Town Hall.

Ms. Walla distributed a layout of the bricks and pavers. Mr. Cartier asked what the total square footage would be. Ms. Walla said the pavers are twelve inches; that the total square footage would be thirteen feet by thirteen feet.

Administrator Newton informed it was brought to her attention that at the 2009 Town Meeting a Recreation Revolving Fund was created and that monies have been going into the general fund and after discussions with the auditors she will transition the recreation monies into their own fund so they can be expended as the bills come in.

Newton also informed that monetary gifts over \$4,999 or more need to have a public hearing and anything less than that need to be put on the agenda to make note that monies came in. Chairman Haddock asked if a public hearing needs to be held for each gift. Newton clarified that the hearing is required to accept the gift and it can be done as part of the regular Selectmen's Meeting.

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Chairman Haddock asked how the other fundraising for the ball fields is going. Rick Anderson stated that Administrator Newton is writing a grant. Administrator Newton stated the grant is to the New Hampshire Charitable Foundation and the deadline is October 1<sup>st</sup> for anything over \$5,000. Newton suggested the ball field committee members contact the Incorporators and let them know how critical the grant is to Grantham.

Mr. Anderson informed that quotes were obtained for the sand for the in-field and hydro-seeding and totaled approximately \$5,500. Anderson requested approval to have Brian Hastings do the hydro-seeding. The Board of Selectmen gave approval to have Mr. Hastings perform the hydro-seeding.

### **CORRESPONDENCE**

- Listen Community Services: A thank you was received from Listen Community Services for the recent donation to their Food Pantry Program. Administrative Assistant White informed that this is the time of year the food pantry supplies low; that donations can still be dropped off in the foyer of the Town Offices to be taken to the Newport and Listen food banks.
- Sullivan County: The MS-42 form – fiscal year 2010 final budget/statement of revenues was received from Greg Chanis County Administrator.
- Richard A. Leute: A letter was received from Mr. Leute regarding the changes in the bus schedule that might affect his business, Turtle Mountain School. Administrator Newton stated she had spoken at length with both Police Chief Madore and SAU #75 Superintendent Keith Pfeifer about the bus routes and safety concerns at that location. Newton felt Superintendent Pfeifer was doing his best to accommodate Turtle Mountain School. Chairman Haddock stated that it was previously announced that bus service was stopping at Turtle Mountain School. Administrator Newton stated that Superintendent Pfeifer re-visited that and they will continue service when the bus is traveling South (toward Newport) in the morning; when the bus is traveling North (toward Eastman) it will stop at a later time in order to address the safety concerns. Newton stated that Turtle Mountain School is still not happy but believes the Superintendent is doing his best to accommodate them.

Chief Madore stated it was his understanding that Turtle Mountain School will be bussing their children in the afternoon.

- Gail A. Fogg: A donation of \$10.00 for the ball fields was received from Gail A. Fogg with a memo that stated "while traveling through this town I enjoyed it very much."
- Sullivan County Nutrition Services: A thank you was received from Sullivan County Nutrition Services for the donation of \$600 to their nutrition program. The continued support helps many local home-bound seniors.
- Memo from Police Chief Walter Madore: A memo was received from Chief Madore regarding the warrant for unlicensed dogs; all dogs had been accounted for.

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## OLD BUSINESS

- Traffic Concern with the Community Market: Administrator Newton informed the market was held a second time on August 14<sup>th</sup>. Chief Madore stated there were only two table's set-up, plenty of parking available and no problems along Route 10. Administrator Newton stated she has asked to be informed of the third event and if they want to hold it at Town Hall.
- Recreation Park – Athletic Field Groundbreaking/Dedication: Administrator Newton informed she had brought to the attention of the Recreation Park Committee of the request for a groundbreaking ceremony. Administrator Newton would like some pictures for the fall newsletter and requested the committee provide a tentative date and time it would be held. Chairman Haddock requested the Valley News and Executive Councilor Raymond S. Burton be contacted as well.

It was suggested to have the dedication in conjunction with a soccer game. Administrator Newton will help coordinate.

- Lightec Energy Audit: Administrator Newton checked the municipal references provided by Lightec and found the improvements to be primarily ballast improvements and motion detector lights. Chairman Haddock asked if there were significant monetary savings. Administrator Newton thought the buildings were older and in a different position than Grantham is with Town Hall; that if Board of Selectmen wanted the other buildings audited she could look into it. Selectman Kimball stated that when he first learned of Lightec the energy part is what interested him; that he was also thinking along the lines of thermal energy. Selectman Kimball felt it was worth continuing discussion with Lightec if they could do it all including insulation changes etc. or find someone else.

The Selectmen requested Lightec come to the next meeting. Chairman Haddock asked for information on their expertise in energy-saving heating systems.

- Crosswalk Request: Administrator Newton informed that she and Chief Madore met with NH Department of Transportation (DOT) to discuss "line of sight" distance and safety; that the request was denied at the location requested. Administrator Newton had asked DOT where a crosswalk might be allowed and to have it work effectively; that DOT said near Willis Avenue. Chief Madore stated the acceptable location was just north of the entrance to Town Hall; that the shoulder would have to be improved, possibly adding a sidewalk to accommodate the foot traffic. If the Selectmen decided to pursue the crosswalk more information would need to be obtained. Selectman Jones asked who would be responsible for the sidewalk. Chief Madore confirmed the Town would be responsible for the sidewalk.

Mr. Cartier stated he thought there was some federal money available for sidewalks. Administrator Newton stated there is money from the Transportation Enhancement Fund but those funds are drying up; that Safe Routes to School is the best place to get funding but requires attendance to several meetings to access that funding. Another option is to request a Betterment Project from DOT's District Manager. Administrator Newton cautioned that the new rule with sidewalks is the Town would have to plow them.

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Chairman Haddock requested Administrator Newton look into this further and to see how it could be funded.

Resident Phil Schaefer stated he appreciated the "line of sight" concerns and the need for the cross walk to be placed in a safe location; but felt any improvement would be better than what is there now.

There was general discussion regarding the increased foot traffic along Route 10 and over the pedestrian bridge if sidewalks are installed. Mr. Schaefer asked if the crosswalk was a concern for only a couple times of day. Chairman Haddock responded yes. Mr. Schaefer asked if a police officer could be available to manage the situation. Chief Madore explained that his department isn't staffed to support a detail like that every day.

The Board of Selectmen will look carefully at the funding and grant opportunities for the crosswalk for the next budget year.

- SAU Trailer Donation: Administrator Newton stated that Superintendent Pfeifer has an opportunity to sell the modular trailer and will be contacting those parties. Newton informed the quote from Field & Sons Transportation was the lowest received; other quotes received were approximately \$10,000 and \$12,000.
- Recreation Park Building Water Damage Repairs: Selectman Kimball informed the only work left to be done is painting. Selectmen Kimball questioned the importance of painting since it is unclear what will happen with the building. Selectman Jones felt that if paint was included in the quote then it should be painted. Selectman Kimball confirmed the quote included painting.

Administrator Newton stated it was her understanding the building would be winterized and asked if a contractor had been hired. Selectman Kimball responded no. Administrator Newton will obtain quotes. Newton also informed the phone and electricity would be disconnected from the building; that the electricity at the park would be left on due to the substantial connect/reconnect fees.

- Columbarium: No update provided.

### **NEW BUSINESS**

- Property Tax Interest Refund Request: A letter was received from property owner Patricia S. Rosania that requested the interest applied to her unpaid property taxes be refunded as it was an error with online banking with her bank. The Board of Selectmen felt the issue was between the property owner and her bank.

*A motion was made by Selectman Jones to deny the property tax interest refund request; second by Selectman Kimball. Unanimously approved.*

- Plodzick & Sanderson Confirmation of Services: Administrator Newton explained the Town has a standard contract from Plodzick & Sanderson; that new authorization line has been added and requested permission to sign it.

*A motion was made by Selectman Jones to give Town Administrator Becky Newton permission to sign the confirmation of services from Plodzick & Sanderson; second by Selectman Kimball. Unanimously approved.*

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- ECA Abatement Request: Administrator Newton stated an agreement had been signed regarding the Eastman Community Association Abatement Request and asked for clarification regarding the interest that was paid. Administrator Newton explained that in the negotiated agreement Town Counsel made mention that interest would not be paid. Chairman Haddock stated if the agreement indicated that interest would not be paid then the Town would not pay it.
- Approval to hay to old Landfill: A request was received for permission to hay the old Landfill property. Administrator Newton stated she was concerned with the type of material that was used to cap the landfill; that usually landfills are capped with clay. Newton also expressed concern with how heavy the equipment is. Chairman Haddock stated that the area is mowed each year. Chief Madore informed that the area is brush-hogged with a full size tractor. The Board of Selectmen approved the request. Administrator Newton will obtain a liability waiver.
- Intent to Cut Request: An intent to cut was received from K.L. Reichert Living Trust M/L 220-037-000; 346 Walker Road. Administrator Newton explained that there was a question regarding whether or not a bond should be requested because there is a sharp turn in that area. Newton stated that the logger indicated he was going to be taking about three truck loads of logs from the property and the turning radius would be on the property and not within the road. The Highway Department didn't think the road was in bad shape. Newton stated she advised the person to take some pre-logging photographs and if the road was being harmed to contact the Town Office immediately. Selectman Jones requested pre-logging photos be taken and that Road Agent Newcomb monitor the progress.

Administrator Newton confirmed the Intent to Cut was approved on condition of the following:

- Only three loads of logs
  - That the turning radius be on the landowners property
  - Pre-logging photos are obtained
  - Remind the logger that he is responsible for any damage.
- Draft Conservation Easement Deed: Administrator Newton informed a draft Conservation Easement Deed was received on the Smith property. Newton asked if the Board of Selectmen wanted town counsel to review it. The Selectmen requested town counsel review the deed and make a recommendation.
- Agreement to Secure Deposits, Draft Policy: Administrator Newton explained the auditors made the recommendation last year to establish an Agreement to Secure Deposits which is basically an investment policy.
- Cease & Desist order issued: Administrator Newton explained that a cease & desist order was issued to property owner James Ward, M/L 242-015-000, 61 Bouldervale Road who was constructing apartments in the barn. Newton stated there are many concerns about the location which included egresses, lack of proper zoning, septic design etc. The property owner was informed an after-the-fact building permit is required.

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Chief Madore informed that his department had received noise complaints in the area and it appeared the property owner had resumed construction during the night time hours. Administrator Newton will check with town counsel on how to proceed.

- Permanent Application for Property Tax Credit/Exemption from John Kenny: Administrator Newton stated the application was received last year and a note was in the file that indicated the Revocable Trust paperwork was needed and was just recently brought in. Newton explained that the Board may receive a letter from Mr. Kenny because he was not happy he didn't receive the credit for last year.

*A motion was made by Selectman Jones to accept the Property Tax Credit Application from John Kenny; second by Selectman Kimball. Unanimously approved.*

- MS-1 Extension Request: Administrator Newton explained that the MS-1 is typically due September 1<sup>st</sup>; that this year the Department of Revenue Administration is behind in getting utility values out. Newton is working with the auditors on the revised revenues and they will be sent with the MS-1. Newton noted that Current Use rates went down this year which results in a reduction in Town valuation.
- Request from a business owner: Administrator Newton informed she received a request from a business owner in town to publicly hand out business cards on the side of the road. Newton will look to see if the town has an anti-solicitation ordinance; if one is not in place a hawker's and peddlers ordinance and a permit might have to be established. Chairman Haddock felt it was important to find out to what extent the business owner was going to do this.

### **DEPARTMENT REPORTS**

- Highway Department – June/July Report:
  - Fixed culverts to the entrance of Olde Farms Road
  - Mowed cemeteries
  - Equipment maintenance
  - Laid fabric and spread gravel on Burpee Hill Road
  - Measured for paving projects
  - Graded and raked all roads
  - Spread gravel on Olde Farms, Miller Pond, Top O' World and Burpee Hill Roads
- Police Department – July Report:
  - Answered 117 calls for service; 56 traffic stops (down due to case load and investigative time required of the officers)
  - Lead the Olde Home Day parade
  - A thank you was received from Theresa Field for assistance with the parade.
  - Officer Merrill continues his police training.
  - Testing was held for the open full-time position; a temporary agreement has been signed.

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➤ Town Administrator:

- Manfred Eldring had an issue with his tax assessment card and the Assessors had re-visited the property and reduced his assessment. Administrative Newton stated Mr. Eldring was still not happy so a follow-up letter was sent.

### **NON PUBLIC**

*In accordance with RSA 91:A:3, II on a motion by Selectman Kimball, second by Selectman Jones, after proper vote 3-0, the Board entered into Non-Public session at 6:13pm to discuss a personnel issue. Present were: Chairman Harold Haddock, Selectman Constance Jones, Selectman Warren Kimball, Town Administrator Becky Newton, Esq., Administrative Assistant Melissa White, Police Chief Walter Madore and Fire Chief Mike Benoit.*

*No votes or decisions were made while in Non-Public session.*

*Following proper vote, the Board returned from Non-Public session at 6:45 pm.*

### **ADJOURNMENT**

There being no further business, Selectman Jones moved to adjourn, second by Selectman Kimball; ***the Board voted unanimously to adjourn at 6:45pm.***

The next Selectmen's Meeting is scheduled to be held on **Wednesday, September 9, 2009** at 5:00 p.m. in the Grantham Town Building; Jerry Whitney Conference Room at 300 Route 10 South.

*Respectfully submitted,*

*Melissa M. White  
Administrative Assistant*