

SELECTMEN'S MEETING  
TUESDAY, APRIL 1, 2008

**PRESENT: Selectmen Ives, Bowles, and Maxfield. Also present Fire Chief Jeff Burr.**

Chairman Ives called the meeting to order at 6:30 P.M.

- I. Selectman Bowles moved to approve the Selectmen's Meeting Minutes of Tuesday, March 25, 2008 as printed. Second by Selectman Maxfield. All in favor. Motion carried.
- II. Chairman Ives moved to enter into executive session to discuss a personal issue with a property owner at 6:32 P.M. Second by Selectman Maxfield. Roll call vote: Selectman Bowles yes, Selectman Maxfield yes, Chairman Ives yes. Motion carried. Selectman Maxfield moved to come out of executive with John Pease session at 6:50 P.M. Second by Selectman Bowles. Roll call vote: Selectman Maxfield yes, Selectman Bowles yes, Chairman Ives yes. Motion carried. The results of the executive session, a meeting with John Pease to discuss property taxes of Lola Pease. Chairman Ives said several ideas were discussed and some will be pursued. Selectman Maxfield stated these types of situations are handled on a case by case basis and are kept confidential.
- III. The Board began their review of weekly correspondence.
  - a. The Board acknowledged receipt of a memo from Planning Board secretary Donna White regarding the 2008 building permits. Ms. White referenced the Selectmen's Meeting Minutes from March 25, 2008 which included information that Code Enforcement Officer Bob Fiske had calculated the number of building permits for 2008 to be 33, based on prorating the outcome of the zoning amendment that passed at Town Meeting. Ms. White said she discussed this information with town counsel and Gerald Coogan with regards to the Growth Management Ordinance and both agreed the number of permits for 2008 is 40. The approved amendment does not include any provision to prorate the number of permits available. Attorney Mayer recommended Ms. White address this information with the Selectmen who in turn could address it with Mr. Fiske. The Board agreed with the recommendation of town counsel and directed Office Manager Jean Lee to draft a memo to Mr. Fiske confirming the total number of permits for 2008 to be 40.
  - b. The Board noted receipt of four (4) memos from Bob Fiske, which he would like initialed by the Board and returned. The memos discussed Volunteers of America certificate of occupancy, the Volunteers of America impact fees, pay increase for Officer Shawn Williams for completing the Police Academy, and an agreement with Brian Martel for compensation while attending the Police Academy. Chairman Ives

said the salary increase for Shawn Williams reflects 50 cents per hour which is the standard amount once an officer has graduated from the academy. Chairman Ives said the first memo referenced the VOA certificate of occupancy. He said the cistern appears to be a dead issue, the impact fees in the amount of \$15,048.00 will be paid before the certificate of occupancy is issued, and at this point acknowledged Fire Chief Jeff Burr. Chief Burr said he was aware of the Board's decision regarding the cistern but would like to reiterate the following comments: Chief Burr referenced Planning Board minutes from February 15, 2006 in which they (VOA) had received several waivers. Mr. Ordway stated in the minutes they (VOA) would be back the following month for a formal plan review. March of 2006, the minutes read "the Fire Department would like to have a concrete cistern." Dustin Bowles asked if the cistern would be pushing the 1000 foot. He is not happy with changing the plan. Mr. McNeil said it was 800 plus feet from the building to the cistern Chief Burr said the discussion had been on Wellington Way and then went right into design review for VOA. Tony Marcotte said the architect has met with the Fire Department and is working on NFPA standards. A cistern will be added to the plan, and the Fire Department wants to have access to the back part of the building. Chief Burr stated on the same page Tom Dow said it seemed the cistern would be better suited in the front of the building to utilize it for the entire neighborhood. James McNeil stated it will depend on the location of the sprinkler system outlet. Mr. Marcotte stated that they would be working with Chief Burr on the cistern issues. Chief Burr said "there again they did not with him." Chief Burr went on to quote from Planning Board Minutes. He said in the April 2006 minutes Tom Dow asked if the cistern issues had been resolved with the Fire Department. Mr. Marcotte said yes, there is going to be a 5,000 gallon water system storage tank and transfer pad added for power. Chief Burr said Mr. Marcotte went on to say this system would allow for a few days of water, and this appears to be the point where everyone says it became confused. Chief Burr said up to this point the discussion was on Fire Department, not drinking water issues. Chief Burr said on this same date Mr. Ordway stated he is not aware of the cistern requirements by this board etc. He went on to say Mr. Prescott asked if the original cistern was going to be out back and the same size as the new one out front. Mr. Marcotte said the Fire Department is requesting 5,000 gallons per day, which Chief Burr said relates to the domestic water tanks, which is less than originally mentioned. Chief Burr said at the end of those minutes Bob Ordway made a motion to approve the application, second by Stanley Prescott, Roger Maxfield abstained. Majority ruled in favor. Motion carried. Chief Burr said he is bringing these items to the Board's attention and he has also sent a letter to Tom Dow on December 22<sup>nd</sup>, outlining these issues and bringing him up to speed as to where the Fire Department

stood with the cistern Chief Burr went on to discuss subsequent Planning Board minutes and the site visit . He said Mr. Ordway, in the minutes, stated the Board and the Town should learn something from this issue as it appears the cistern had slipped through the cracks. Mr. Ordway said the sprinkler system used in the building meets code and although he would like to see a cistern, he is not sure of the right way to go. Chief Burr said Mr. Ordway has fought this, with the Town of Loudon, since day one. Chief Burr said his problem is the Fire Department asked for something, everyone says it got confused, which may be the case, but there is a man sitting on the Planning Board that is fighting the town and that is a serious conflict of interest and it is also an ethical matter. He said he is also going to bring this to the attention of the Planning Board. Chief Burr said he wanted his point brought home that the Fire Department wanted to see a cistern and when the Selectmen make their decision they should keep that in mind. Chief Burr said the Fire Department is not backing away from the fire cistern, but they are being told no. Selectman Maxfield asked Chief Burr if he was at the Board of Permit meeting where Planning Board Chairman Tom Dow said it is out of the Planning Board's hands and it is now up to the Selectmen. Selectman Maxfield said the Planning Board has washed their hands of it. Chief Burr said even though the Planning Board washed their hands of it, there is someone on the Planning Board who made a motion to accept the complex, when there were board members who were still questioning whether anything in writing from the fire department had been submitted. Chief Burr said the developer admitted they did not have anything in writing. Chief Burr said decisions were made, on the basis of not having a response to an email that was sent to the wrong address. He said statements have been made that the Fire Department is holding up the process for occupancy of the building. He said the Fire Department is not holding up the process. He said the Town of Loudon is not. He said the Town of Loudon should be concerned with the protection of the building and the people who will be residing there. He said it shouldn't be when they can open the doors and start making money. Chairman Ives said if he is not mistaken, Bob Ordway is an alternate member of the Planning Board. Selectman Bowles said he believed Mr. Ordway was a voting member at that time, but Mr. Ordway should have recused himself from the Planning Board. Selectman Maxfield said Mr. Ordway has been an advocate for the project from day one. Selectman Bowles said many people are advocates, but it appears that the developers have not had to follow the regulations like everyone else and it sets a bad precedent. Chairman Ives said things will be handled differently in the future. Selectman Maxfield said he feels if the cistern was on the plans in black and white, yes there will be a cistern with this amount of water, it would have been clean. Selectman Bowles said he doesn't know if it was on the plans because the connection was

never made with the fire department. Chief Burr said the connection was never made with the department and when ground was first broken he went down and asked about the cistern and was basically ignored. He said this was not just a last minute thing trying to chase it down. He said there were a lot of people who did not follow through on a lot of things. Chairman Ives said he felt they (VOA) did an excellent job public relations wise when the project first began. Chief Burr said he even wrote a recommendation letter for the project, but he will not do that again. Chairman Ives said the matter is done with; Chief Burr has voiced his opinion and concerns. He said the cistern is not going to go in, but he has an invoice for the impact fees from the Code Enforcement office to VOA for \$15,048.00. He said he feels there is a check forthcoming for the impact fee.

- c. Selectman Bowles said he would like to address the elderly housing project proposed for Route 106 North in Canterbury. Chief Burr said he has recommended the Selectmen from the Town of Canterbury meet with the Selectmen from Loudon because that area of Route 106 in Canterbury is covered by Loudon Fire Department. Chief Burr said this is the last information he has and as far as he knows, the project has not gone forward at this time. Selectman Bowles said he believes the project has been approved and construction is ready to begin. Chairman Ives asked that Office Manager Jean Lee draft a letter to the Canterbury Selectmen voicing Loudon's concerns for the fire and medical assistance that may be required for the retirement community being constructed near the town line. The Board would also like to arrange a meeting with Canterbury to discuss these issues.
- d. Chairman Ives reviewed a request from Police Chief Bob Fiske to approve a 50 cent per hour pay increase for Officer Shawn Williams following his graduation from the Police Academy. Selectman Bowles moved to approve the pay increase for Officer Shawn Williams to \$17.87 per hour effective with the pay period ending 04/05/08. Second by Selectman Maxfield. All in favor. Motion carried.
- e. The Board reviewed a memo from Chief Fiske to Officer Brian Martel regarding his compensation during the time he attends the Police Academy. The weekly compensation will be \$717.25 gross per week.
- f. The Board acknowledged receipt of correspondence from Michael Harris.
- g. The Board acknowledged receipt of a payment in the amount of \$115,570.31 which represents the State matching funds for the May 2006 floods FEMA disaster. A public hearing will be held on April 15 to accept these funds.
- h. The Board acknowledged receipt of two letters from residents of Berry Road. Chairman Ives said he had received these emails and had driven Berry Road to check the condition.
- i. The Board received a report on the status of Wales Bridge from Department of Transportation.

- j. Chairman Ives reviewed the Selectmen's Meeting Minutes of June 19, 2007 which addressed a motion to restrict scholarships to Loudon high school students only. Chairman Ives reviewed the remaining balance in the scholarship account from 2007. The Board discussed the anticipated funds for the scholarships. Selectman Bowles moved to allow Loudon students, both graduating high school seniors and full time college students to apply for the Arthur E. McNeil and Raymond C. Cummings Memorial Scholarships. Second by Selectman Maxfield. All in favor. Motion carried.

Selectman Maxfield moved to adjourn at 7:40 P.M. Second by Selectman Bowles. All in favor. Motion carried.

LOUDON BOARD OF SELECTMEN

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Steven R. Ives, *Chairman*

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Dustin J. Bowles, *Selectman*

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Roger A. Maxfield, *Selectman*