

Selectmen's Meeting Minutes

Tuesday, April 8, 2008

Present: Selectman Ives, Bowles, and Maxfield.

Also present: Planning Board member Stanley Prescott, Zoning Board Chairman David Powelson, Zoning Board member Roy Merrill, Police Chief/Code Enforcement/Compliance Officer Bob Fiske, Road Agent David Rice, and Fire Chief Jeff Burr, Sr.

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

- I. Selectman Bowles moved to approve the Selectmen's Meeting Minutes of Tuesday, April 1, 2008 as presented. Seconded by Selectman Maxfield. All in favor. Motion carried.

- II. Chairman Ives opened the Board of Permit.
 - a. Bob Fiske presented three Hawker and Peddler Permit applications for review.
 1. Speedway Convenience: Mr. Fiske stated that this is the same application as previously submitted, with no changes. All paperwork is in order. Selectman Bowles asked about any concerns for this site. Mr. Fiske said the concerns were regarding parking, not the Hawker and Peddler Permit. He said that the parking issue is being monitored. Discussion ensued regarding parking.
 2. Dudley's Ice Cream: Mr. Fiske stated the only change for this application is the addition of a hot dog cart out at the front of the property. Mr. Fiske will be sure that Ms. Dudley is aware of the setbacks. All paperwork is in order.
 3. NHMS – Big Apple Convenience: Mr. Fiske stated that this is the same application as the previous owners had submitted, with no changes except for the ownership. He stated that the State Hawker and Peddler Permits would be coming for the vendors that are contained within the Track itself at a later date.
 - b. Mr. Fiske discussed the Thistle Hill subdivision relative to telephone poles, underground utilities, dead end roads, and a waiver Mr. Thistle has regarding the length of the road. He stated that the waiver could have incorporated the non-underground utilities in it, he was not sure. Selectman Bowles stated that he has not seen a waiver for the road. He went on to say that there is correspondence and minutes relative to the road. Discussion ensued regarding the Planning Board having to sign off on any item requesting a waiver. Mr. Fiske reviewed correspondence relative to the length of this subdivision road and a waiver for the grade of the road. Discussion ensued regarding any paperwork from The Louis Berger Group regarding the development of this road, the utilities plan, or pole placement plan, as well as drainage issues and the sprinkler systems for the individual homes. Chairman Ives stated that there

does not appear to be anything in writing relative to aboveground or underground utilities, so based on the regulations, there should not be any utility poles going in on a dead end road no matter what the length. Selectman Bowles stated that the utility pole installation needs to be halted. Discussion ensued regarding the placement of a utility pole and its proximity to the road being unacceptable. The members agreed that there needs to be a hold on the pole placement and that more research needs to be done. The Board agreed that Mr. Thistle would be required to come before the Planning Board to discuss this issue. Mr. Fiske asked if Mr. Thistle could apply for a waiver at this point. Selectman Bowles said that Mr. Thistle could apply, and the Planning Board could grant or deny the waiver and Mr. Thistle could appeal if he were denied. Mr. Prescott stated that during review of the subdivision site he felt that the placement of the poles, road, pavement width, shoulder width (where the ditch is), and the slopes of the sides has not been built according to the plan. He said that the Town Engineers need to be on top of these projects and Mr. Thistle needs to be put on notice that there are deficiencies. Mr. Prescott said that the Town Engineers need to go out and check the work as well. Roy Merrill inquired if there was the possibility that the Town Engineer could have gotten the issue of the length of the road and the slope mixed up during the correspondence based on the information he has heard regarding the correspondence that has been referenced. Mr. Prescott reviewed correspondence from former Planning Board Secretary Brenda Pearl that references a memo from Engineer Tony Puntin regarding the length of the road. He also reviewed a memo from Engineer Tony Puntin to Mrs. Pearl stating that he had not received any information from the Town or Web Stout relative to steep slopes and road length issues. Discussion ensued. Chairman Ives stated he felt that this issue would have to come before the Planning Board. Mr. Prescott asked if Mr. Fiske would be the one to put Mr. Thistle on notice. Chairman Ives stated yes.

- c. Mr. Fiske discussed the building permit numbers. Chairman Ives advised Mr. Fiske that the Board had a memo that would be forwarded to Mr. Fiske regarding the number of building permits. Mr. Fiske stated that for 2008 there are 30 building permits that have been issued and there are approximately 30 building permits for 2009 that have been completed. He said there are several people on the 2009 building permit list that wish not to be brought up to 2008 list and wanted to know if someone were to apply for a permit now, should he give them a 2008 permit. Chairman Ives asked if everyone on the 2009 list had declined to move to the 2008 list. Mr. Fiske stated that his office has not been in touch with everyone, but that they have spoken with many of the property owners and they have declined to move up a year. The Board agreed the applicant could be put on the 2008 list if there are openings. Selectman Bowles stated that the new zoning allows for the 10% carry over. Mr. Fiske said that his office is trying to get the chronological list. Selectman Bowles said that if the property owners do not want to build, then they do not have to build. Chairman Ives said that this is going to be the transitional year and hopefully next year there will not be people on the 2010 list until the 2009 list is filled up.

Selectman Bowles asked how far out the permits were. Mr. Fiske stated that currently there are approximately 30 property owners on the 2009 building permit list. He asked if a property owner had a 2008 permit and asked to be placed on the 2009 list was it okay? The Board said they did not see any problem with that. Mr. Fiske asked if there are 2008 permits available towards the end of the year could developers take those permits. Mr. Powelson read the zoning ordinance relative to equitable distribution of permits which states that after December 1, if there are any permits for that year still available, they may be issued to any taker. Mr. Powelson stated the Zoning Board has granted building permit extensions for 2007, none for 2008 as it is still early in the year. He said if a property owner wishes to give up their 2008 permit and move to the 2009 list, if there are still spaces available, he thinks it is okay.

- d. Mr. Fiske discussed the MDP property on Foster Road relative to signage at the end of Foster Road and Oak Hill Road. Mr. Plante of MDP has asked for a 28' X 48' sign while they are under construction. Discussion ensued regarding the zoning ordinance relative to signs. It was stated that Mr. Plante could reasonably have a 9" X 4' maximum panel sign in a 35 MPH zone that would point down Foster Road. Discussion ensued regarding the type of sign and if Mr. Plante would need to go before the Zoning Board.
- e. Chairman Ives asked Mr. Fiske about an issue with a pond on private property relative to DES. Mr. Fiske stated that DES was involved when this pond was created and the issues are that the area was dug out and the pond filled up and spilled over to the same slue-sway as it has always flowed.

Chairman Ives closed the Board of Permit and reconvened the Selectmen's Meeting.

- III. The Board met with Police Chief, Code Enforcement/Compliance Officer Bob Fiske.
 - a. Mr. Fiske advised the Board that he had received a couple of phone calls asking him to review the drainage issues on Greenview Drive. He stated that he advised the landowner that while Greenview Drive is a private road, he would go and take some photos of the area out of courtesy. Mr. Fiske reviewed the photos with the Board and gave a brief overview of what he saw. Discussion ensued regarding the culverts and drainage. Mr. Fiske stated that he suspected that when one of the culverts can no longer take care of the water flow that it comes up to a point and goes into the road. He said he is just wondering about the diversion of water. Selectman Bowles asked if this should be addressed by DES. He said that DES had been overseeing the project, not the Town. Mr. Fiske asked about any correspondence regarding the work done from DES. The Board stated that DES had sent correspondence; however, they are not aware of correspondence that gives the specific details of the scope of work to be done. Mr. Fiske asked if the Town wanted to get involved. Selectman Bowles stated he felt that DES and the Conservation Commission could be contacted for their review. Discussion ensued regarding the work that has taken place.
 - b. Mr. Fiske discussed Boy Scout Troop #30 that the Loudon Police Association sponsors relative to a project on Dump Road. He said that they are looking to

- plant trees along the south side of Dump Road. Mr. Fiske stated that there is grant money and fund raising that would pay for the project and that it would not be a cost to the Town. The Board agreed that this project could go forward.
- c. Selectman Maxfield moved to appoint Robert S. Akerstrom to Corporal for the Loudon Police Department effective April 8, 2008 and appoint Jason S. Fiske to Corporal for the Loudon Police Department effective April 8, 2008. Seconded by Selectman Bowles. Selectman Maxfield stated he felt that both officers have done a good job since they joined the Police Department. All in favor. Motion carried.

IV. The Board met with Road Agent David Rice.

- a. Mr. Rice advised the Board that the culvert on Pleasant Street will be replaced on April 16, 2008 and the notice of road closure from 9:00 AM to 2:00 PM has been placed in the newspaper. He said that he has signs that will be placed at the ends of the road notifying drivers of the upcoming closure.
- b. Mr. Rice advised the Board that the Highway Crew had been scuffing the roads to get them as flat as they can. He said the grader is still working. Chairman Ives stated that Selectman Bowles had spoken with Greg Fillmore regarding the continued option of rental of one of Mr. Fillmore's graders if needed. He said that he would like to have an agreement with the hourly rate for the rental of the grader and no bartering. Selectman Maxfield stated he had seen Peter Elliott grading and thought that he was doing a great job. Mr. Rice said that the Highway Crew was trying to patch holes but they were popping up faster than they could be patched.
- c. Chairman Ives discussed looking into developing a set of maps with the placement of culverts so that they can be easily identified and checked routinely. Mr. Rice stated that there has never been a set of maps with the culverts on it and he agreed that this is a good idea. Discussion ensued regarding maps that may be available. Roy Merrill suggested looking into having some of the students and community service groups help with this type of project, or drafting. Chairman Ives said his only concern is the liability issues with having people on the roads.

V. The Board met with Fire Chief Jeff Burr, Sr.

- a. Chief Burr reminded the Board of the meeting for the Capital Area Public Health Network scheduled on April 9, 2008. He also reminded the Board of the tabletop exercise scheduled on April 17, 2008.
- b. Chairman Ives stated that Emergency Management Director Sigrid Little has resigned her appointment and the Board is looking for interested residents who would like to be considered for the position. He went on to say that in the mean time, he would be looking into appointing Police Chief Bob Fiske and Fire Chief Jeff Burr as Co-Directors for Emergency Management in the interim. Selectman Bowles said he wanted to be sure that due to the positions that Chief Burr and Chief Fiske already hold in the Emergency Management Plan, there will not be any conflicts. Discussion ensued. Mr. Fiske asked if the appointment for the former EMD had been rescinded. Chairman Ives stated the

appointment date expired. He stated that he had spoken with Mrs. Little and it was her decision not to accept re-appointment.

- c. Chairman Ives stated that he meant to bring up an issue during Board of Permit while all the members were still present, but will address it now. He said that there have been issues with board members being advocates for projects that have come in to Town and had to go before various boards for approvals. Chairman Ives went on to say that board members who are advocates for these projects need to be aware of the conflicts that could arise as well as the chairmen of the boards. He said that those members actively involved in projects before the respective boards should recuse themselves during those discussions.

VI. The Board began their review of weekly correspondence.

- a. The Board received the property deeding waiver list from Tax Collector Helen McNeil, which needs to be back to the Tax Collector by April 29, 2008.
- b. The Board received copies of the final 2008 Town Meeting Minutes that have been submitted to DRA by Town Clerk Terry Hamel.
- c. The Board was reminded of the meeting with the Library Trustees on Friday, April 11, 2008 at 4:30 PM at the Community Building.
- d. Selectman Maxfield stated he had attended a meeting of the Historical Society and they have asked about repairs to the Town Pound. He went on to say that he thinks that the repairs are needed and that it is an important part of Loudon's history. Chairman Ives said he would like to obtain an estimate for the repairs.
- e. Selectman Maxfield discussed the repairs to the cemetery fence by the Village Fire Station. He discussed the condition of the current fence and stated that he thinks it would be best to utilize the chestnut boards and to get the granite posts standing up. Selectman Maxfield said it would take some work, but he feels that it could be done. The Board will look at the site and make a decision.
- f. The Board received copies of the impact fee check from Volunteers of America in the amount of \$15,048.00.
- g. The Board received a letter from Sigrid Little that she has requested to be read into the minutes of this meeting. Chairman Ives stated that he has declined to read it into the minutes as it would serve no purpose and as Chairman that is his decision. Selectman Maxfield stated he felt Mrs. Little had put a lot of energy into the Emergency Management position, with the CERT Team, and her contacts with the State Emergency Management Director. He said he personally feels that she deserves to be thanked for all the effort that she put into the position. Chairman Ives said he agreed. Selectman Bowles said that all of the ground work that Mrs. Little laid-out was positive and it is too bad that things have worked out they way they have. He said it has been a learning experience and he feels that it is moving in the right direction.
- h. The Board received copies of RSA 21-P: 39 regarding appointment of Emergency Management Director. Chairman Ives moved to appoint Fire Chief Jeffrey A. Burr, Sr., and Police Chief Robert N. Fiske as temporary Emergency Management Co-Directors. Seconded by Selectman Maxfield. All in favor. Motion carried.

- i. The Board received copies of e-mail correspondence to and from Jamie Dow, DRA Auditor, regarding the Library Appropriations.
- j. The Board received copies of the Expenditure Report of Library Funds from Library Director Nancy Hendy for review.
- k. The Board received copies of weekly expenditure reports for review.
- l. The Board reviewed a letter from Recreation Committee Chair Alicia Grimaldi regarding purchases. The Board will take this under advisement at this time.
- m. The Board received a notice from DES regarding a wetlands complaint filed on Map 58, Lot 062.
- n. The Board received correspondence from Local Government Center on the proposed SB 468, stop loss insurance assessment.
- o. The Board received information on the Arthur Fillmore Golf Tournament.
- p. The Board received information on the Land Use Clerk Works workshop scheduled for May 10, 2008.
- q. The Board received a memo from Office Manager Jean Lee regarding the Scholarship Application Forms. Chairman Ives stated that Selectman Bowles has declined to be part of the Scholarship Committee and that Eileen Cummings has also declined. He stated that the office has not heard from Suzanne McNeil yet. Chairman Ives went on to say that he wanted to be sure that there were five members of the Scholarship Committee. The Board reviewed the changes to the applications.

Selectman Maxfield moved to adjourn the meeting at 8:05 PM. Seconded by Selectman Bowles. Chairman Ives asked if anyone had anything to discuss.

- 1. Bob Fiske asked the Board if he needed to be at the meeting scheduled for Friday, April 11, 2008 with the Library Trustees to defend his budget. The Board advised him that they did not feel he needed to be there for that purpose.
- 2. Deb Kardaseski asked to read a letter in to the minutes relative to the meeting with the Library Trustees. Chairman Ives requested to review the letter prior to it being read in to the minutes. He agreed that Ms. Kardaseski could read her letter to be recorded in to the minutes as follows: *“It is my understanding the Selectmen are planning on meeting with the Library Trustees Friday afternoon and the trustees are going to continue their bid to cut other department’s budgets in an effort to shore up their own budget. I hope the Selectmen stick to their guns and not cave in to the library’s demands. The taxpayers have spoken: they want the library budget cut. The library has offered numerous excuses as to why more people weren’t at town meeting. I don’t accept those excuses. Attendance at town meeting is a responsibility of every taxpayer. We are truly blessed to live in a free country where we have that opportunity. Those who took the time and made the effort to attend have spoken with their vote. That opportunity was there for all — many chose not to take it. A message has been sent: please listen to it. I urge the trustees to take a hard look at their budget. It is not fair to cut the budgets of other*

departments — if the taxpayers wanted the other budgets cut, they would have done so at town meeting. The statement has been made that returning college students will not have jobs if this budget cut stands. I seriously doubt a college student can make enough money working part-time at the library to make a dent in college expenses. If they can, then salaries definitely need to be looked at. Nancy Hendy has also stated the hours may have to be cut back to 30 hours per week. So be it. She also questioned why people didn't ask questions at the budget hearings. It doesn't matter: town meeting allows for questioning of every facet of the budget. And that's where some folks chose to ask their questions. I truly hope the Selectmen choose not to circumvent the democratic process by giving the Library more money from other budgets. I am not anti-library, although I'm sure I'll be painted that way from now on. The reality is this: life safety issues come first. Does it make sense to cut the fire department, police department, and highway department so the library can continue to function as high on the hog as they have been? More importantly, if the vote at town meeting is ignored, what is the point of even having a town meeting?"

3. Janice Morin asked if Cosmetology School qualified for the scholarships. The Board stated that if it is considered to be a 12-credit hour full-time program then they felt it would be.
4. Paula Miller stated that she was unable to attend Town Meeting due to illness, but has noticed that the Town voted to place \$5,000.00 in the budget for a Household Hazardous Waste Day. She referenced the 2003 Warrant Article relative to holding a Household Hazardous Day that never took place and voiced her concerns for the additional passage of the 2008 Warrant Article for this purpose. Discussion ensued regarding the money from 2003 going in to the General Fund as a Household Hazardous Waste event was not held back then.

All in favor. Meeting adjourned.

THE LOUDON BOARD OF SELECTMEN

Steven R. Ives, Chairman

Dustin J. Bowles, Selectman

Roger A. Maxfield, Selectman