

**SELECTMEN'S MEETING MINUTES  
TUESDAY, APRIL 14, 2009**

**PRESENT: Selectmen Bowles, Maxfield and Ives. Also present Police Chief/Code Enforcement Officer Robert Fiske, and Planning Board Representative Stanley Prescott.**

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

- I. Selectman Ives moved to accept the Selectmen's Meeting Minutes of Tuesday, April 7, 2009 as written. Second by Chairman Bowles. All in favor. Motion carried.
- II. Chairman Bowles opened the Board of Permit.
  - a. Mr. Fiske advised the Board that Marco Plante has requested to place a construction trailer at the Concord Area Ventures construction site on Route 106. Mr. Plante wants the trailer to be lettered to promote the project. Mr. Fiske said this would probably not fall within the sign parameters. Mr. Fiske said this would be considered a job trailer. He stated the developer has preliminary approvals in place. Selectman Maxfield asked when construction was scheduled to begin. Mr. Fiske said that would depend on the developer receiving final approvals to proceed with the project. Chairman Bowles said the plans have been before the Planning Board for several months. Selectman Ives questioned whether the trailer would be lighted at night for security purposes. Mr. Fiske said a construction trailer is a construction trailer. Chairman Bowles asked Mr. Fiske to closely monitor the situation.
  - b. Mr. Fiske said he had four applications for Hawkers & Peddlers permits; one for Speedway Convenience Store, one for Z1 Express, one for Dudley's Ice Cream. He said all the paperwork was in order and follows the same format as in past years. The last application is for NH Motor Speedway, and there is a change from last year. The area just north of the Big Apple, on the apron, would contain a small kiddie type go kart track and also a go kart track for adults. These would be in operation prior to the actual racing events. Mr. Fiske said all safety precautions and insurance coverage are in place. Mr. Fiske said the dates would be June 26 to June 28 and September 18 to September 20, from 10:00 A.M. until 10:00 P.M. Chairman Bowles suggested the approval be for the June event only and have the September event brought back for further consideration after the conclusion of the June event. The Board concurred.
  - c. Mr. Fiske addressed a request by Earl Tuson for reconsideration of his sign request. The Board asked Mr. Tuson for the dimensions of the sign. Mr. Tuson said he was asked to shrink the sign area to 18 square feet, but he originally requested the area to be 24 square feet. Mr. Tuson said he had been told to revise the main part of his sign to 12 square feet, the hours of operation to 8" x 3', and four 12"x 12" squares with produce pictures. Dave Powelson reviewed the sign requirements from the Zoning Ordinance. Mr. Tuson said he does not understand why a farm is considered to be a business operated in a

residential structure. Mr. Prescott questioned where the vegetables were sold from. Mr. Tuson said the bulk of his produce is sold to wholesale customers and 20% comes from farmstand sales. Mr. Prescott asked where the sales on site actually take place. Mr. Tuson said in a 4 x 4 entryway on the front of the house. Mr. Tuson said he could move his maple syrup sales to one of the barns. Chairman Bowles said he felt the Board had reached a pretty good agreement on the sign layout. Chairman Bowles asked Mr. Tuson for the dimensions of the sign that had been in front of the farm. Mr. Tuson said it was 3 x 4. Mr. Tuson said his original request was for an oval sign of approximately 6 ft. across and 4 ft. high. Selectman Maxfield asked who actually has the final say. Mr. Fiske said he had already said no, and then the issue was brought before the Board of Permit. Mr. Fiske said he discussed the appeal process to the Zoning Board of Adjustment with Mr. Tuson. Mr. Tuson said he was not in a position at this time to invest monies into the appeal process. Selectman Maxfield asked if this would now go before the Zoning Board. Mr. Powelson said if Mr. Tuson chooses to appeal an administrative decision he can appeal to the Zoning Board. Chairman Bowles said he did not feel this had to go to that extreme if it could be worked out with the Board of Permit. Mr. Powelson said another option was to address the Zoning Ordinance for next town meeting to amend Section 501 to include farm/agricultural signs. Chairman Bowles asked if Mr. Tuson was willing to compromise. He also asked if Mr. Tuson was still looking for the 3' x 8" hours plus the four 12" x 12" squares. Mr. Tuson said yes. Selectman Ives said he felt the Board already compromised with their previous decision and if that was not satisfactory, then Mr. Tuson could appeal to the Zoning Board. Mr. Powelson said the previous decision was more in line with the Zoning Ordinance. Chairman Bowles advised Mr. Tuson the consensus appears to be the Board will stay with the previous decision and if Mr. Tuson chooses, he can appeal to the Zoning Board. Mr. Fiske said he felt the Board had made a good faith effort with the 3' x 4' sign plus the hours and the four 12" x 12" squares.

- d. Mr. Fiske discussed Tax Map 40, Lot 024, which is located on a private paper street off of Terry Drive. Mr. Fiske said in 2005 the Selectmen wrote a letter to Mr. Bollinger regarding building on this road. Mr. Fiske is looking to confirm Lot 24 is a building lot. Chairman Bowles said as long as the paper street is upgraded as was required in 2005, this lot would be considered buildable. The access is non-maintained, and there is no turnaround at the end. Chairman Bowles said the access would need to be brought up to gravel standards to the end of Lot 24 and a Class VI road waiver would need to be signed and recorded if a building permit is applied for. Chairman Bowles closed the Board of Permit.

### III. The Board met with Police Chief/Code Enforcement Officer Bob Fiske.

- a. Mr. Fiske advised the Board the DARE Program is offering two \$500 scholarships to Loudon students. They are in the process of coordinating with Merrimack Valley School District and have also placed the applications on the town website.

- b. Mr. Fiske addressed the letters that were mailed to residents of McKenzie Road regarding the traffic patterns for race week-end. Mr. Fiske said he had one resident ask about the speed limit and the dust issue. Mr. Fiske said the speed limit will be addressed and he has already spoken with Road Agent Dave Rice about applying calcium chloride just prior to race week-end to control the dust.
- c. Mr. Fiske said he has been informed the plans for the drainage work on Gues Meadow Road are almost ready. He said he informed the engineer no work can begin until all the plans have been approved. He also said barriers will be placed during the construction and he asked Mr. Rice to place a town "Road Closed" sign as well.
- d. Mr. Fiske presented two pistol permits for signature and approval.
- e. Selectman Maxfield asked Mr. Fiske about the scholarships. Mr. Fiske said the scholarships are being provided from monies realized from fund raising for the DARE program. The Board commended Mr. Fiske for his efforts in providing these scholarships for Loudon residents.

IV. The Board met with the Trustees of the Maxfield Public Library, Sandy Blanchard, Chairman and Susan Kowalski, Trustee. Ms. Blanchard said she had a statement she would like to read into the record. "The three Library Trustees are the only people in town who are responsible for keeping the building well maintained and providing good library services and materials for the citizens of Loudon. In the past when there has been a vacancy on the Board of Trustees, the remaining members have suggested candidates to the Selectmen. The Selectmen have then interviewed and made their decision. To our knowledge the Selectmen have always selected the proposed candidate. All three candidates are here tonight, those who were included in the letter the Trustees sent to the Selectmen. We would like you to explain why each one was rejected from your consideration. We ask that the Selectmen stay in keeping with the vote of town meeting by selecting someone who supports and advocates for the library." Selectman Ives said he is not going to explain why the Board rejected the three candidates proposed by the Trustees because he considered the proposed candidates as alternates. Selectman Ives said he felt the names proposed would be good alternates who could step in if a Trustee was unable to attend a Trustees meeting. He said he assumed that is why the three names were submitted. Selectman Ives said the Board has their own priorities in trying to get the library back on track with the town as a whole. He said there have been ongoing issues and he felt it would be good to have someone with experience in town affairs as a trustee. He said Deb Kardaseski has served as a Selectman in the past and knows how the town should run. He said he felt this would help to bring everything together for the library, and he felt the library would benefit from this selection. He said he was looking for a person who would benefit the library the best and what candidate would benefit the most and that is why he felt Ms. Kardaseski would do the best job. Selectman Maxfield said he feels the Selectmen should at least interview the proposed candidates, at least the top choice. The two Trustees of the Library are elected officials and the Board should at least afford them the courtesy of interviewing their choice. He said this has been done in the past. Selectman Maxfield said in 1999 he and Mr. Cummings had nominated and approved two trustees the same year. Both of those names were given

by the Trustees to the Selectmen. Selectman Maxfield said that if you read the Annual Report, auditor Paul Mercier states he found no problems with the Library. Selectman Maxfield said he does not agree with statements that have been made that something is amiss at the Library. He referenced the votes at Town Meeting which reduced the Library's operating budget in 2008 by 30%, and the amendment to reduce the Library budget by 25% at the 2009 Town Meeting which was voted down. Selectman Maxfield said the Library was built in 1907 and began operating in 1909, and has functioned well for 100 years. Selectman Maxfield said he feels strongly the proposed candidates should be extended the courtesy of an interview. He said the first name on the list, Mrs. Sylvester, may have many talents which would benefit the Library. Selectman Maxfield said his statement to the other Selectmen is the Board should extend the courtesy to at least one of the candidates proposed by the Trustees. Selectman Ives asked how many people were interviewed when the Board selected a replacement for Trustee of the Trust Funds. He then asked how many people were interviewed when a Selectman was replaced and why should the procedure be different now than when other appointments were made. Selectman Ives said he is picking someone he feels can do the best job. He said that is his reasoning. Selectman Ives said he doesn't always agree with everything Ms. Kardaseski says, but he believes she will do the best job. Selectman Ives said he did not say anything about the library being mismanaged, but the library does have a public relations problem with the town. He said this is a way to bring the two sides together and those who have issues with the library now have a spokesperson on their side. Chairman Bowles said he had received a telephone call from Ms. Kardaseski and after some thought, he returned her call. He said the appointment is only until next town meeting. Chairman Bowles said he has worked with Ms. Kardaseski as a Selectman, she is very thorough and she will get things done, and she is an organizer to no end. He said Ms. Kardaseski had approached the Selectmen to ask if she could be appointed to the position of Library Trustee. Chairman Bowles said he did not know how this had been handled in the past. He said the Board looked at what would be in the best interest of the town and the townspeople and how to get beyond the issue that is at hand. He said personally, he feels the Trustees would be in a win-win situation, in having someone who is outspoken and with the connections that Ms. Kardaseski has, perhaps could mend the bridge that is crinkling before us and get beyond it. Chairman Bowles said that is how he feels about it and from his experience in working with Ms. Kardaseski she is very thorough with following through. He said that is what he looked at. Chairman Bowles said he did not know the other candidates. Trustee Chairman Sandra Blanchard stated over and over again, when a term needed to be filled, the Trustees have always provided names to be considered and the Selectmen have always selected from those lists. Chairman Bowles said he did not know if in the past other individuals had stepped forward to volunteer for the position, so that needs to be taken into account as well. Ms. Blanchard said Ms. Kardaseski had attended the Library Trustees meeting on Thursday and they had a long discussion. Ms. Blanchard said some things discussed concerned her, one of which was a rumor of a \$2,000 chair being purchased. She said if these rumors had been brought to the Trustees before, the Trustees could have addressed the issue. Chairman Bowles said many issues have been brought to the Trustees attention time

and time again. He said he and Chip Cochran had made suggestions on how the Trustees could keep the townspeople informed on these types of issues and put an end to them and move forward. He said the Trustees now have a good resource person in Ms. Kardaseski and if something is brought up that is not true, the people will know. He said then the bridge could be fixed and the issue over. Chairman Blanchard reviewed criteria from the NH Library Trustees manual. Ms. Blanchard said it seems this is not where Ms. Kardaseski is coming from. She said Ms. Kardaseski has been questioning the Trust Funds and would like to have the Trust Funds taken away from the Library. She also said Ms. Kardaseski has done nothing to squelch the rumors. Selectman Ives asked Ms. Blanchard why she did not try to squelch the rumors. Ms. Blanchard said the Trustees have a column in The Ledger each month entitled "Fact or Fiction". She said when it came to the \$2,000 chair rumor everyone said it would seem silly to even put that in. She said she doesn't think anyone reads The Ledger so no one sees the column. Selectman Ives said it appears Ms. Blanchard is trying to put this on Deb's shoulders, when she isn't a Trustee yet. He said Ms. Kardaseski had no reason to squelch the rumors as she wasn't a Trustee. He said Ms. Blanchard is a Trustee and has a responsibility to address the rumors. He said he understands the Trustees tried to address the rumors in the column to the best of their ability. Ms. Kardaseski has more ability in that area. She writes for The Ledger and in a lot of places in town she has more credibility. Ms. Blanchard said it seems there is a small group of people who are against the Library. She said she feels the vote at town meeting showed there is a large group of people who are library supporters and it feels like this is going against them. Chairman Bowles said he does not feel this is against them. He said his own personal feeling is Ms. Kardaseski has a very professional mannerism about her. He said he does not feel the Trustees have given the Selectmen's decision a chance. Ms. Blanchard said all three candidates suggested by the Trustees are here and it seems it would only be respectful for the Selectmen to meet them and explain why the Board was not willing to talk with them. The Board said they will not be interviewing anyone tonight. Ms. Blanchard asked the Board why they had received a letter saying Ms. Kardaseski was already appointed. Chairman Bowles said he has already spoken with Ms. Blanchard about the letter. He said the decision of the majority of the Board was already in motion and then due to Selectman Maxfield not being able to attend the meeting on April 7, he asked Chairman Bowles to table the final action for a week. Selectman Ives said the Board could have moved forward, but respected Selectman Maxfield's request to table the action. Chairman Bowles said the letter to the Trustees was a follow up to his telephone conversation with Ms. Blanchard. He said the Board felt their decision should be provided in writing as well as the telephone call. Ms. Blanchard asked if this action took place at a regular Selectmen's Meeting. Chairman Bowles said he and Selectman had reached their decision but the official appointment had not been made due to the postponement request from Selectman Maxfield. Chairman Bowles said he should have retracted the letter once the action was postponed, but he didn't. He said it was only a confirmation letter based on the telephone call he had with Ms. Blanchard. Selectman Maxfield said he had meant to include his thanks to Chairman Bowles for holding off on the appointment for a week. Selectman Maxfield asked had someone else called to volunteer for the position, would the decision have been

different. Chairman Bowles said he didn't know. Ms. Kardaseski is the one who called to volunteer to serve in the vacant position. Selectman Ives said he feels the Board was put under the gun on this issue, as Mr. Silva's resignation letter was dated in January and the Selectmen did not receive it until March 20. He said had this been handled differently there was actually time to have a candidate placed on the ballot for town meeting. Ms. Blanchard said she will take responsibility for the lapse in the time the Selectmen were notified. She said she spent over a month calling people to try to get someone who would be interested in serving as a Trustee. Chairman Bowles said if the Selectmen had known this at the time, they would have put notification out and tried to get someone on the ballot so an actual race could have taken place. Ms. Blanchard said this is the way it has always been handled when there is a vacancy. Mrs. Kowalski said the Trustees did receive the letter at their February meeting and they did intend to get someone on the ballot. The time just got away from them. Chairman Bowles said had the Selectmen been notified, they could have assisted the Trustees with trying to find someone to be on the ballot. He said this is another part of the issue and communication between the two boards would be helpful. Chairman Bowles said he is open for suggestion and hopefully the Trustees are too. Selectman Maxfield said the nomination list was received before the telephone call. Chairman Bowles said that is correct. Chairman Bowles said he wants all comments directed through the Board. Selectman Ives said his mind is made up and he is convinced the best candidate has been nominated. Chairman Bowles recognized Marilyn Sylvester from the audience. Mrs. Sylvester said her name was submitted for consideration. She said she is an accountant by trade, the mother of three sons, and a library patron. She said she could bring many skills to the position and she gets along well with people. She said she feels the library is a vital part of the town and she would be interested in being on the Board of Trustees and would be willing to provide references for the Selectmen's consideration. Chairman Bowles recognized Sarah Chalsma from the audience. Mrs. Chalsma asked to read a statement. Chairman Bowles said if Mrs. Chalsma had a comment that would be alright. Mrs. Chalsma said she is irate with the fact the Selectmen do not even want to listen to them. She said Mr. Ives is saying he is not interested in their opinions. Selectman Ives said he feels he has been backed into a corner too many times and he is done. Chairman Bowles said he would not allow argumentative comments. Mrs. Chalsma asked about Ms. Kardaseski's resignation from the Board of Selectmen. Chairman Bowles said it was for medical reasons. Mrs. Chalsma asked if anyone called to volunteer the Selectmen would say ok and that would be it. Chairman Bowles said no, but the Board was not going to argue this issue any further. He then recognized Ken Krezwick from the audience. Mr. Krezwick said he had moved here from Massachusetts. Mr. Krezwick said his background is 27 years in education and he has worked at Canterbury Shaker Village for the past seven years. He said he would very much like to be considered for the Trustee's position. Chairman Bowles recognized Deb Kardaseski from the audience. Ms. Kardaseski said she would like to clarify some misconceptions regarding the Loudon Ledger. She said she is not a member of the Loudon Communications Council; she is a sub-contractor to the Loudon Communications Council for the layout of The Ledger. She does write some articles for The Ledger but she said she certainly does not write them all. Ms.

Kardaseski said she has no authority to say what appears in The Ledger that is up to the Communications Council. In addition, Ms. Kardaseski said the Trustees did run a "Fact or Fiction" column a few months ago, but it has not run recently. Ms. Kardaseski said she thought it was a good idea when the information did show up and feels it is something that should continue. Ms. Kardaseski said she would like to clarify the statement made regarding the Library Trust Funds. She said she is not trying to take away the trust funds; she is simply trying to locate the trust instrument. She said the trust instrument would show exactly what the trust funds can be used for. She said given the history of how the funds have been used, if this issue ended up in court to determine the final use of the trust funds, the Library would probably continue to use the trust funds, but the Library would then have a legal document detailing what they could and could not do with the funds. She said this is a matter of housekeeping that should have been done a long time ago. Ms. Kardaseski said in regards to her resignation from the Board of Selectmen, questions should be directed to the source, as she has been told. She said the stress of the job at the time caused her to be taken to the hospital with what was thought to be a heart attack. It was later determined to not be a heart attack, but because of the stress she was under thought it was best to not push the envelope, so that was why she resigned. Ms. Kardaseski said she grew up in the library as her mother was a librarian. She said she feels Loudon has an outstanding facility. She said she has always felt that way. She said it is a beautiful building and she is very proud of the library. Ms. Kardaseski says she feels the library has a public relations problem. She said there is a lot of information that gets circulated around town that is not true and she feels she can help alleviate some of that. Ms. Kardaseski said she also has a lot of experience with municipal budgeting and with other budgets that she has been involved with. She said she has the ability to explain things in a way people will understand, and that maybe people not understanding is also part of the problem. She said she is not here to close down the library; she does not want to see that happen. She said she wants to see better relations between the library and the Town of Loudon. Chairman Bowles recognized Susan LeFebvre, also a candidate provided by the Trustees. Ms. LeFebvre stated she has a masters in business administration, almost 20 years of supervisory experience, and is a former Library Trustee. She said she was appointed to the Board after meeting with the Selectmen. She said she also ran for the office and served over five years as a Library Trustee. She said she has managed budgets and has experience in public speaking, all of which are assets for the position. Ms. LeFebvre said she would ask the Selectmen to consider all the candidates, based on information they have received and not to focus their decision on a telephone call from an interested party. Chairman Bowles recognized Melissa Minery from the audience. Mrs. Minery said she has served on a Board of Directors of a volunteer organization for two years. Her concern is that if there is animosity within the Board there will be a lot of burnout and that will be detrimental to the library. She said she asks the Board to reconsider and formally interview all candidates. Chairman Bowles said the Board will take this information under advisement and will contact the Trustees within the week as to how the Board will proceed. Selectman Ives moved to appoint Deborah Kardaseski to the position of Library Trustee. Chairman Bowles said he will not second the motion at this time. Selectman Ives said he would defer to the Chairman's decision.

Selectman Ives said with all due respect to the other candidates, he feels Ms. Kardaseski's skills are what fits the position at this time and she is the person for the job. Chairman Bowles said even though he and Ms. Kardaseski may have butted heads in the past, she is a very thorough person and provided files on ongoing projects that were extremely beneficial and she would do an outstanding job. Chairman Bowles said he wanted some time to review the information brought forward tonight before making his final decision. Trustee Sue Kowalski stated she thought it was great Ms. Kardaseski had attended the Trustee's meeting on Thursday and they were able to sit down and discuss issues brought up in the past. As well, when the Selectmen attended the Trustee's meetings last year, their suggestions were taken to heart by the Trustees. Mrs. Kowalski said during the year she has been a Trustee, she has been trying to mend the bridges and was hoping progress was being made. She said when she heard the Board had decided to appoint Ms. Kardaseski she felt it was a step backward. Chairman Bowles said he feels appointing Ms. Kardaseski to the Trustee's position is a way to bring the two groups together. He said he does not feel those who have expressed their concerns at Town Meeting are opposed to the library, only to the way the library is managed. He said if this gap can be fixed, that is what needs to happen. Selectman Ives offered an example; a benefit organized by the Library involving Uno's Pizza. He said Billy's Pizza would have loved to have done it. He said a lot of people talked about that. Selectman Ives said it is simple things that can create problems. He said Ms. Kardaseski truly loves the library and could really help to get rid of the negatives surrounding the library, and make the Trustees a stronger team. Ken Krezwick asked if anyone can attend the Trustee meetings. The answer was yes, the meetings are open to the public. Chairman Bowles recognized Peter Pitman from the audience. Mr. Pitman said Ms. Kardaseski truly loves the library. He said the comments made by Ms. Kardaseski at Town Meeting were not against the library, they were against the library budget. Debbie Carbone was recognized from the audience. Mrs. Carbone said her impression from Town Meeting was that Ms. Kardaseski was not that she was a supporter of the library; in fact her impression was just the opposite. Chairman Bowles said he feels a decision will be given next week. He said he would like to contact the proposed candidates one on one. Selectman Maxfield asked whether it would be better to meet with each candidate with the full board present. Chairman Bowles said he wanted to talk with each individual in a more informal setting. Selectman Maxfield asked if Chairman Bowles will be keeping an open mind during the conversation. Chairman Bowles responded that is his intention. Laura Vincent asked if this would be considered a personnel issue that should be addressed during a closed meeting. Chairman Bowles said he did not feel this is a personnel issue, as the position is an elected one. Chairman Bowles concluded this portion of the meeting with the Trustees.

- V. The Board began their review of weekly correspondence.
  - a. The Board received notification from Attorney Bart Mayer that the hearing on Greenview Drive, scheduled for April 15, has been cancelled.
  - b. The Board received a memo from Office Manager Jean Lee regarding a request from Carol Soule to meet with the Selectmen on April 21 to discuss the formation of the Agricultural Committee.

- c. The Board received notification from Fire Chief Jeff Burr assigning a street number to the Community Building.
- d. The Board acknowledged receipt of a request from Central NH Regional Planning Commission on appointing local representatives to the Commission. Steve Jackson is currently representing Loudon. Chairman Bowles will address this with the Planning Board at their meeting on Thursday.
- e. The Board received a memo from Assessor Dave Wiley regarding the Lavoie pond on Route 129. The Board will take this under advisement and discuss it further next week.
- f. Selectman Maxfield advised the Board of his conversation with Brian Christianson of Comcast regarding the “Triple Play” bundle. Mr. Christianson said this product is not available to Loudon residents.
- g. The Board received past due ambulance bills for review. Selectman Ives moved to forward the following past due ambulance bills to collection; Account #41912 in the amount of \$101.68, Account # 40672 in the amount of \$360.10, and Account # 35124 in the amount of \$29.00. Second by Selectman Maxfield. All in favor. Motion carried.
- h. The Board received their copy of NHMA Legislative Bulletin #15.
- i. The Board acknowledged receipt of property transfers for the month of March.
- j. Chairman Bowles advised those present of a request to acknowledge acceptance of a parcel of land from NH Motor Speedway as part of their wetlands mitigation program. As a condition of the permitting process, the State wants assurance the Town will accept the parcel once negotiations are complete. The parcel is referenced as Tax Map 52, Lot 17.
- k. The Board discussed signing the waiver of tax deeded property to be forwarded to Tax Collector Helen McNeil. The Board discussed forwarding a letter to the property owners involved encouraging them to arrange a payment plan with the Tax Collector.
- l. Selectman Maxfield discussed the Maxfield will with regards to the Maxfield Trust. Selectman Ives said he knows Sue Kowalski has asked the Trustees of the Trust Funds to research the Library Trust.

Selectman moved to adjourn at 8:32 P.M. Second by Selectman Ives. All in favor. Motion carried.

#### LOUDON BOARD OF SELECTMEN

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Dustin J. Bowles, *Chairman*

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Roger A. Maxfield, *Selectman*

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Steven R. Ives., *Selectman*

