

Selectmen's Meeting Minutes

Tuesday, June 8, 2004

Present: Selectman Maxfield, Kardaseski, and Bowles.

Also present: Roy Maxfield ZBA Chairman, Tom Dow Planning Board Vice-Chairman, Bob Fiske Police Chief/Code Enforcement/Compliance Officer, and David Rice Road Agent.

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

- I. Selectman Kardaseski moved to accept the Selectmen's Meeting Minutes of Tuesday, June 01, 2004 as presented. Seconded by Selectman Bowles. All in favor. Motion carried.
- II. Chairman Maxfield opened the Board of Permit.
 - a. Mr. Fiske presented a Hawker's and Peddler's application for Northeast Ice Cream to operate an Ice Cream Truck during the Summer through September. Mr. Fiske stated that all the paperwork is in order.
 - b. Mr. Fiske presented 2 Hawker's and Peddler's applications for Sunnyside Maples for the "COW" towers. Discussion ensued as to whether there were temporary approvals on the "COW" towers that are already in place and if there is an expiration date on those approvals.
 - c. Chairman Maxfield stated that a letter has been received from Bob Landry regarding compliance issues. He stated there were copies of this letter for each of the Board of Permit representatives and asked that each representative take time to read the letter and come up with a list of individuals or businesses who are not in compliance with town ordinances. Chairman Maxfield asked that the suggestions be brought back at next month's Board of Permit meeting for discussion. Chairman Maxfield stated that, although Board of Permit does not usually allow discussion from the audience, he would allow Bob Landry 5 minutes to address his letter. Mr. Landry stated that through the years since zoning ordinances were voted in, not everyone has been required to abide by them. He stated that he feels the Selectmen, Planning Board, ZBA, and Compliance Officer have not held everyone to the same standards over the years and feels there should be no exceptions to the ordinances. Chairman Maxfield stated that the Planning and Zoning Boards have lots of items on their agendas and that they handle many issues. He stated he did not feel that this is out

of control and that there might be some issues out there that Board of Permit will identify and address. Selectman Kardaseski stated that, while Mr. Landry has an excellent point, somewhat in defense of the Compliance Officer, she feels the Selectmen have given Mr. Fiske some mixed messages on a number of issues. She went on to say that various Boards have made decisions which are difficult, if not impossible, for Mr. Fiske to enforce. Selectman Kardaseski stated that the Selectmen will have to sit down with Mr. Fiske once the list of compliance violations has been compiled and decide how to proceed to get everyone back to the same playing field. She stated there will be some people who will be very upset; however, if everyone is required to follow the same ordinances, people will be more likely to deal with the adjustments they will be required to make to come into compliance. Selectman Bowles said that, although he does not disagree with Mr. Landry, the ordinances have changed over the years and it is going to be very difficult to distinguish which ordinances each individual property/business should be held to.

- d. Chairman Maxfield stated that a letter has been received from Karl Moore regarding signage compliance issues for the Chainsaw Doctor. Mr. Fiske stated he felt the sign was in violation of the ordinance and that, even if this were a temporary sign, it would be allowed to be up one week prior to and one week after an event, not for an extended period of time. Mr. Fiske will forward another letter to Mr. Moore and follow up on this issue.
- e. Chairman Maxfield discussed Doug Daniels' property on Foster Road. He stated he had received a complaint asking if this property was operating a business versus a home occupation. Mr. Fiske stated he had advised Mr. Daniels that he needed to go before the ZBA to discuss this issue. He stated Mr. Daniels had picked up an application from the ZBA Secretary; however, he has not brought it back to the office to get on the agenda. Mr. Fiske said he would continue to follow up on this issue. Chairman Maxfield stated this is one of the compliance issues that needs to be reviewed as there are differences between a single person with one or two pieces of equipment on their property and someone who has a fleet of trucks at their property with employees leaving from this property in the fleet trucks to their destination, leaving their personal vehicles parked until they return with the fleet truck at the end of the workday, and depart in their personal vehicle once they are finished.

II. The Board met with Police Chief, Code Enforcement/Compliance Officer Bob Fiske.

- a. Mr. Fiske stated that Lorraine Duprez has requested permission to hold a graduation party with a live band from 12:00–9:00 PM. The Selectmen stated that if Mr. Fiske had no problems with this request, then they agree.

- b. Chairman Maxfield stated for the record that 2 pistol permits were submitted for signature and approval.
 - c. Mr. Fiske stated the speed bumps for the Clough Pond Beach area have been delivered.
- III. The Board met with Road Agent David Rice.
- a. Mr. Rice stated the ditch work on Lower Ridge Road has been completed. He said the Highway crew will be doing some ditch work on Village Road, replace a culvert on Oak Hill Drive, and, when Keyspan completes their work, then paving will begin on Josiah Bartlett Road.
 - b. Mr. Rice stated the sweeper will be in Town this week and the Highway crew will be working on the areas in Town that the sweeper will not be getting to.
- IV. The Board began their review of weekly correspondence.
- a. The Board reviewed a letter of appreciation from Jeff Brown regarding the response he received from Bob Fiske and David Rice. A copy of the letter will be put in their personnel files.
 - b. The Board reviewed a notice confirming that health insurance coverage is available for elected officials, working at least 15 hours per week. The entire premium is the responsibility of the individual.
 - c. The Board reviewed a tax-deeding list from the Tax Collector.
 - d. The Board reviewed a letter from Comcast Cable regarding changes in service. Chairman Maxfield stated he had sent an e-mail to Mr. Christensen regarding expansion of cable service in Loudon.
 - e. Chairman Maxfield stated he would be presenting Scholarship awards at Merrimack Valley High School Awards Night to 15 seniors graduating from Loudon. He said there were 2 seniors graduating from Concord Christian, 1 from Bishop Brady, 1 from Laconia Christian, and 1 from the Jolicouer School in Manchester, totaling \$25,000.00. The remaining \$35,000.00 will be split among 42 Loudon college students.
 - f. Chairman Maxfield stated that, due to a computer glitch, the properties on Oak Hill Road in the Concord School District have to be partially abated. He stated the school portion of their property tax bill is paid to Concord; however, the computer calculated their bill based on paying the school portion to Loudon. The Board received a letter from Avitar regarding this issue.
- V. The Board met with Brad Thompson to discuss the Commercial Hauler Fees.
- a. Mr. Thompson said he is a business owner in Loudon and has recently seen a large increase in the charge to haul his commercial waste to Penacook. He stated the increase is approximately \$4,500.00 for the year. The Board explained that the Town charges the hauler \$37.15 per ton for tipping fee and \$2.00 for administrative fees. Mr. Roy

Merrill stated that based on what Mr. Thompson discussed, it appeared that the Zero Waste was basically charging Mr. Thompson double for the tipping fee. Mr. Thompson stated he would review this with his hauler.

- VI. The Board met Tax Collector Helen McNeil to discuss impending tax deeds. Mrs. McNeil stated the date she will deed the properties is August 3, 2004. The Board will review this information and take it under advisement at this time.
- VII. The Board continued their review of weekly correspondence.
 - a. The Board asked the Office Manager to bring the assessing contract information back for next week's meeting.
 - b. Marge Schoonmaker asked about the discussion of e-mailing minutes to the public. The Board stated they spoken with Town Counsel recently and this subject was discussed. The results were that "draft" minutes do not have to be e-mailed, but "draft" minute copies need to be available at the Town Office. Ms. Schoonmaker asked if the Board could have copies of the "draft" minutes available at the meeting for those in attendance. The Board agreed and requested the office staff include 10 copies of the "draft" minutes for each Selectmen's Meeting.
 - c. Mr. John Plummer discussed an issue of someone dumping glass and aluminum into the hopper at the Transfer Station. Discussion ensued.

Selectman Bowles moved to adjourn at 7:50 PM. Seconded by Selectman Kardaseski. All in favor. Meeting adjourned.

THE LOUDON BOARD OF SELECTMEN

Roger A. Maxfield, Chairman

Deborah A. Kardaseski, Selectman

Dustin J. Bowles, Selectman