

**Selectmen's Meeting Minutes
Tuesday, June 16, 2015**

Present: Chairman Bowles, Selectman Krieger, and Selectman Ives.
Also present was Fire Chief Rick Wright, and Road Agent Lance Houle.

Chairman Bowles called the meeting to order at 6:00 PM.

- I. Selectman Krieger moved to approve the Selectmen's Meeting Minutes of Tuesday, June 9, 2015 as written. Seconded by Selectman Ives. All in favor. Motion carried.

- II. The Board met with Fire Chief Rick Wright.
 - a. Chief Wright supplied the Board with information regarding a former member of the Fire Department.
 - b. Chief Wright advised the Board that NHMS has come up with a list of names they will be using for the driveways at the track property. E911 is asking if the town wants to recognize them as official roads or just as named driveways. Chief Wright explained that in the past they have named a few of them, this year they are naming them all. Selectman Krieger stated that there was an issue with someone in town naming a driveway in town who wanted it to be a road and it ended up in court. Chairman Bowles asked if it helps the fire department. Chief Wright explained it would enable someone to call in something using a street name. He explained that E911 would have it so they can give the Fire Department names of roads and cross streets for a call. Selectman Ives said he would call them driveways. Chairman Bowles said if helps to find someone if there is an incident he agrees with it. Chief Wright clarified that it is E911 that wants to know if they are driveways or roads. The Board stated that they want them classified as driveways, Chief Wright agreed.
 - c. Chief Wright said the repair work from the flood issue is complete with the exception of getting a carpet cleaned. He explained that the deputy and part time office person are now located beside the Chief's office on the north wall. The office vacated will be used as the bunkroom. Chief Wright explained that this room is large enough to make into two small bunkrooms if they add a wall down the middle. He explained that this is necessary if two personnel need to stay overnight for ambulance coverage. Chief Wright said this has been an issue in the past if there is a male and a female doing overnight duty. He said he will contact contractors to get a price to add the wall and the room will be painted.
 - d. Chief Wright submitted the six month review of Gary Brooks. Chief Wright stated that Gary continues to do an excellent job and based on his overall job performance he recommends an increase in pay. Selectman Ives agreed with Chief Wright stating that anytime he stops over there Gary is hustling. Selectman Krieger agreed that he is doing a great job. Selectman Krieger made a motion to increase Firefighter Gary Brooks pay from \$17.00 to \$18.00 per hour to begin with the week ending July 4, 2015. Seconded by Selectman Ives. Selectman Krieger explained that when Gary was hired they agreed to review it in six months and if he was doing a good job they would give him an increase. All in favor. Motion carried.

- e. Chief Wright stated that Friday, June 19th the fire department will be working with the highway department to open up the culvert on the Village Road end of Lovejoy Road.
 - f. Selectman Ives asked if Chief Wright is all set with scheduling for race week. He said he has it all worked out.
- III. Selectman Krieger asked Road Agent Lance Houle about a culvert on Loudon Ridge Road by the Ramsey driveway. He said it looks like someone starting digging it out; it's plugged solid. Mr. Houle said it wasn't the highway department.
- IV. Chairman Bowles explained that they have two bids for the Lovejoy road Paving Project. He explained that the project is a section of a two-lane roadway, approximately four thousand six hundred sixty-six feet (4666') in length and twenty-two feet (22') in width. Chairman Bowles said they have two sealed bids to open. Selectman Ives opened the first bid from Pike Industries and read the total price as \$185,887.25. Selectman Krieger opened a bid from Advanced Excavation & Paving. He said the bid didn't include a total price, it was quoted in tons. The Board reviewed both bids. After discussion Selectman Ives made a motion to award Pike Industries, Inc. the bid for repaving and reclaiming Lovejoy Road for the amount of \$185,887.25, Piper Hill Road for the amount of \$34,830.70 and Stonegate Terrace (option 1) for the amount of \$21,100.00. Seconded by Selectman Krieger. Selectman Ives stated that the bid is reflective of the specifications that were provided by the town to the bidder. All in favor. Motion carried.
- V. Chairman Bowles explained that a company in town asked that they put propane out for bid so they did. Chairman Bowles explained that the proposal was for approximately 10,000 gallons of propane for July 1, 2015 through June 30, 2016. He stated that the Board received two sealed bids. Selectman Krieger stated that the bid from Huckleberry Propane & Oil, LLC is for \$1.49 per gallon for July 1, 2015 – June 30, 2016. He said that Eastern Propane & Oil offered two plans. Plan #1 is for \$0.53 per gallon over Eastern's landed cost, the cost currently is \$1.33 per gallon this price is subject to monthly changes. Plan #2 is for a fixed price of \$1.38 per gallon for July 1, 2015 – June 30, 2016. The Board discussed the options. Selectman Ives made a motion to award the bid for propane to Eastern Propane & Oil accepting Plan #2 a fixed price of \$1.38 per gallon for deliveries between July 1, 2015 and June 30, 2016, at the end of the contract period the price will revert back to Plan #1. Seconded by Selectman Krieger. All in favor. Motion carried.
- VI. Chairman Bowles recognized Jeff Green from the audience. Mr. Green stated that he would like to discuss a property that he owns at 416 Bumfagon Road. He explained that for the past year he has been having a problem with a tenant that rents a bay in his garage. Mr. Green said he currently is the owner of a junkyard, sawmill and house at that location. He explained that the tenant stopped paying rent, caused damage to his property, he's been trying to evict him, and they have been to court a couple of times. Mr. Green said he went to superior court this past week and got a court order that stated pending eviction that tenant must follow all best management practices

according to the NH Environmental Department. He explained that yesterday he had a meeting with the Code Enforcement Officer who refused to discuss it with him and refused to do anything for him. Mr. Green said he asked the Code Enforcement Officer to go out with the Court Order because the tenant is not complying with any of the best management practices. Mr. Green said he is asking the town to review this. He said he spoke to the Fire Chief and asked him to do the same thing because there are issues where he is blocking entries to the front and rear of the building so there is no fire access, he's blocking the road, he's spilling fluids on the property, parking cars where they aren't supposed to be. Mr. Green said he is coming up for renewal for his junkyard license and he's not supposed to be operating within those parameters; he's only renting the garage. Mr. Green said the license for the junkyard and best management practices falls under the town; DES doesn't enforce that, towns have to. Mr. Green said he spoke to them and they as well as the Court said the only option is to go through the town compliance so he is asking the town to check his property for violations. Mr. Green said the tenant does not have a junkyard permit so he doesn't have a right to be doing that operation on the property. Mr. Green said the parts of the property that he is working in are not part of the junkyard license. He said he requested that the Code Enforcement officer verify this based on the court order and best management practices, he refused to take the information, speak to him, threatened him that he would write up violations for Mr. Green and wouldn't do anything to the tenants because it's not his responsibility. Mr. Green is asking for someone to give him direction on where to go from here with the town. Selectman Krieger said in all fairness he would want to talk to Bob Fiske before he made any type of decision. He asked Mr. Green why he doesn't file contempt paperwork in court. Mr. Green explained that before he can do that he has to have Code Enforcement verify that there are problems. Mr. Green said that in October when he tried to tell the tenant he wasn't supposed to be there the Loudon Police Department told the tenant to break down gates, move anything and they can use anything on the property they want. Mr. Green said that isn't right because it is not part of the tenancy; he said that has caused a lot of the problems. Selectman Krieger asked if the Code Enforcement Officer has a copy of the court order. Mr. Green said he refused to take it. Selectman Ives said on one hand Mr. Green is saying the tenant doesn't have the right to run a junkyard under his permit; on the other hand he is saying that he's supposed to run the junkyard using best management practices. Mr. Green explained that is why he had to go to court because he has said all along the tenant has no right to run the junkyard but the court can't make a decision without someone from the town verifying what is going on because they are the ones that license a junkyard. Mr. Green said the Selectmen give him his junkyard license with input from the Code Enforcement Officer. Selectman Krieger asked what court. Mr. Green said superior court. Selectman Ives asked how long the tenant was renting before he started running the junkyard. Mr. Green said almost ten months. He explained that he was there to rent a bay in the garage to bring in one car at a time, stripping off headlights

and stuff and selling them on eBay. He wasn't selling anything that wouldn't fit in a box and go through the post office; there was no storage of vehicles. Selectman Ives asked what happened to the cars when he was done with them. Mr. Green said they went to a junkyard in Northwood, the tenant had issues with that junkyard and before he knew it the tenant has 10 – 20 cars on his property, he had an issue in Chichester, he also got in trouble in Loudon and the owner got a cease and desist and in Webster. Mr. Green said the tenant hasn't paid rent for a year; he finally got a court order and the Code Enforcement Officer refused to take the paperwork or even discuss it. Chairman Bowles said he agrees with Selectman Krieger he would need to talk to the Code Enforcement Officer to hear his side. Selectman Ives agreed. Mr. Green said he would like to leave the packet of papers with the Board. Selectman Krieger said they need to see the court order. Mr. Green said the Fire Chief is prepared to inspect his property and that's what he is asking for from Code Enforcement.

VII. The Board recognized George Page from the audience.

Mr. Page said he is following up on a conversation he had with the Board about a month ago in regards to a turnaround on Berry Road. Selectman Krieger said they have contacted the owner; the owner doesn't mind the town using it but they don't want Mr. Page on it. Mr. Page said he doesn't care about that. He said the problem is that nobody can turn around up there. Mr. Page explained that since the last time he spoke to the Board the tenants don't park in their driveway they block the turnaround. He said there was construction and the dump trucks and construction equipment had to back down the road. Mr. Page said UPS and Fed Ex have to back down the driveway, it's a safety issue. Selectman Krieger said the property is in Canterbury and this Board can't tell the Town of Canterbury what their residents can do with their property. Mr. Page asked why Loudon is maintaining it then. Selectman Krieger said because the Tolman's said the town can use it to turn trucks around. Selectman Krieger said they were very gracious and nice about allowing the town to use the turnaround; if there is still an issue they can talk to the property owner again. Mr. Page said he wasn't in here for himself; he was in here for safety reasons.

VIII. The Board began their review of weekly correspondence.

- a. The Board received an email from Donna White, Administrative Assistant for the Planning/Zoning Board. She explained that the Hazard Mitigation Plan needs to be updated; they will be working with Central NH Regional Planning Commission on the update. They are looking for a Selectmen's representative to serve on the committee. The Board stated that either Chairman Bowles or Selectman Krieger will attend depending on which day is scheduled for the meeting.
- b. The Board received a response from Attorney Mayer regarding the question about the Fairpoint representation. The Board will continue with Upton & Hatfield for the Fairpoint litigation.

- c. The Board received a copy of the Hands Free Law flyer. The Road Agent asked if a copy could be put in paychecks as a reminder to employees about the law going into effect July 1, 2015. The Board agreed that a copy should go into each paycheck.
 - d. The Board received a request from Chief Fiske to encumber funds for two purchase orders. The Board agreed that this has been done in the past and they have no problem with it.
 - e. The Board received a memo from Code Enforcement Officer Bob Fiske regarding Shaver Disposal.
 - f. The Board received a copy of the Fuel Tax refund check in the amount of \$2,976.20.
 - g. The Board received seven (7) past due ambulance bills for consideration. Selectman Krieger made a motion to send the following ambulance bills to collection: acct #1263 for \$500.00, acct #6659 for \$121.71, acct #7038 for \$109.78, acct #7136 for \$288.78, acct #7202 for \$125.18, acct #7338 for \$250.00, and acct #7425 for \$718.00. Seconded by Selectman Ives. All in favor. Motion carried.
 - h. The Board received a notification of change in hours for the Maxfield Public Library. Chairman Bowles read the new library hours: Monday 2-7:30, Tuesday 10-7:30, Wednesday 2-7:30, Thursday 10-7:30 and Saturday 9-1. Chairman Bowles explained that there were a low number of users between 8-9 pm so they will close earlier and use those hours on Mondays.
 - i. The Board received the June 1, 2015 Library Trustees meeting minutes.
 - j. The Board received notification from Eagle Scout James Dunbar that his project has been approved. As soon as he can complete his fundraising he will begin work on the cemetery.
 - k. The Board received the May 2015 property transfers.
 - l. The Board received an anonymous letter regarding OHRV use in Loudon around the Wiggins Road and Cross Brook Road area. Selectman Krieger said this looks like an issue for the Loudon Police Department and the Fish and Game Department.
 - m. The Board received updated Town of Loudon Office Hours. These reflect the recent change in hours for the Planning/Zoning Board Office and the Library.
 - n. The Board received a NHMS Property Appraisal from the town attorney.
- IX. The Board received the following reminder.
Thursday, June 18- 7:00 pm – Planning Board meeting
- X. The Board decided to put the hayfield beside Fire Station 2 out for bid. The bid request will be put on the website and hung in the town office lobby.
- XI. Selectman Krieger said he would like the Police Chief and the Road Agent to check the end of Berry Road to see what is going on down there and to see if the landowner needs to be contacted again.

XII. Selectman Krieger said he would like the Police Chief to look into the OHRV issue discussed in the anonymous letter earlier in the meeting.

XIII. Selectman Krieger moved to go into nonpublic session per RSA 91-A: 3, II (c) at 7:30 PM.; seconded by Selectman Ives. Roll call vote: Ives – yes; Krieger – yes; Bowles – yes. All in favor. Motion carries. Selectman Krieger moved to come out of non-public session at 7:43 PM.; seconded by Selectman Ives. Roll call vote: Ives – yes; Krieger – yes; Bowles – yes All in favor. Motion carries. Selectman Krieger made a motion to seal the minutes for five years because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this board. Seconded by Selectman Ives. All in favor. Roll call vote: Ives – yes; Krieger – yes; Bowles – yes. Motion carries.

XIV. Selectman Krieger moved to adjourn at 7:44 PM. Seconded by Selectman Ives. All in favor. Motion carried.

LOUDON BOARD OF SELECTMEN

Dustin J. Bowles, Chairman

Robert P. Krieger, Selectman

Steven R. Ives, Selectman