

Selectmen's Meeting Minutes

Tuesday, August 14, 2007

Present: Selectman Maxfield, Ives, and Bowles.

Also present: Police Chief, Code Enforcement/Compliance Officer Bob Fiske, and Deputy Fire Chief Bob Bottcher.

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

- I. Selectman Bowles moved to approve the Selectmen's Meeting Minutes of Tuesday, August 7, 2007 as presented. Seconded by Selectman Ives. All in favor. Motion carried.

- II. The Board met with Police Chief, Code Enforcement/Compliance Officer Bob Fiske.
 - a. Mr. Fiske presented the Board with new legislation regarding parades for review.
 - b. Chairman Maxfield stated for the record that five pistol permits were submitted for signature and approval.
 - c. Mr. Fiske advised the Board the water testing for e-coli at Clough Pond Beach has been done and came back within the allowable level.
 - d. Mr. Fiske asked the Board if there was anything further that he needed to do with the driveway permit issue for Dee Dee Maratea. Selectman Bowles said he wanted to measure the driveway to be sure that it follows the requirements of the driveway permit. He also discussed the issue with the right-of-way relative to the structure that Ms. Maratea built. Discussion ensued regarding the right-of-way. Mr. Fiske asked what the justification was regarding the barriers in the right-of-way. The Board stated road safety and road maintenance was the justification for removal of the barriers. Mr. Fiske said he does not know why this issue was dropped on him. Selectman Bowles asked if he was the Enforcement Officer. Selectman Ives said he does not understand how anyone could build a permanent structure in the Town right-of-way and he felt that a permit would have needed to be obtained. Mr. Fiske said the direction is that Ms. Maratea is not to have anything within that 16 ½-foot mark. Selectman Bowles said he is not sure that she cannot have anything in the 16 ½-foot right-of-way, but if she does have a structure within that right-of-way, it will need to be addressed. He went on to say that if the structure is within the 16 ½ foot right-of-way there may be a need to have an engineered plan drawn up to be assured the structure is not going to affect the safety of the road. Selectman Bowles said he felt the Town would need to have assurance that the structure is going to be sound and stable. Mr. Fiske

asked how the Cape Cod Berm was going to be addressed where the curb cut was. Selectman Bowles said if needed, Engineer Tony Puntin could draft a letter advising Ms. Maratea that the Cape Cod Berm needs to be replaced so the water does not spill back into there. Mr. Fiske asked where the curb cut comes in to play. Selectman Bowles said what is there is not exactly the same style that the Engineer wanted but it does deflect water and seals the crack. Discussion ensued regarding driveway permits that are in place. Mr. Fiske said he would advise Ms. Maratea about the 16 ½ feet issue and the Cape Cod Berm issue he is not sure about. Selectman Bowles said that the Board could have the engineer draft a letter regarding the driveway issue. Mr. Fiske stated it appeared that Ms. Maratea could pick where she wanted the 30-foot driveway access to be but needed to follow the requirements of the driveway permit as issued.

- III. The Board met with Deputy Fire Chief Bob Bottcher.
 - a. Deputy Bottcher asked about the status of the work done on the dry hydrant at the Village Dam. Selectman Ives said he felt that RM Piper installed the insulation as they were instructed to do, however the issue with the pipe not being installed properly to begin with is the issue. He said that the Board would need to draft a letter to H. L. Turner Group addressing the dry hydrant. Discussion ensued regarding the pipe freezing.

- IV. Chairman Maxfield moved to enter into executive session to discuss Police Department pending litigation at 6:47 PM. Seconded by Selectman Ives. Roll call vote: Maxfield yes, Ives yes, Bowles yes. All in favor. Motion carried. Selectman Ives stated the Selectmen entered into executive session at 6:47 PM to discuss pending litigation of personnel labor dispute concerning two former Officers with Chief Fiske; and discussed the number of hours worked before overtime pay kicks in for both Police and Fire Departments. The Board came out of executive session at 7:29 PM. Present was Chief Fiske, Jean Lee, and the Board of Selectmen. Chairman Maxfield stated he would call Attorney Slawsky and advise him the Board agrees with the settlement demand. Selectman Bowles stated he felt the question regarding the contract has not been addressed and does not agree with the settlement at this time. Chairman Maxfield will contact Attorney Slawsky and inquire about the signed contracts.

- V. The Board began their review of weekly correspondence.
 - a. The Board received copies of a letter from Attorney Mayer regarding the Library Trustees as well as correspondence on pending litigation. Chairman Maxfield stated he would like to have Town Counsel contact the Library Trustees. Selectman Bowles said he thinks Attorney Mayer feels that the Board is in agreement with the decision to give the Library Trustees the funds they are asking for. He said speaking for himself; he is not in agreement at this point to hand over

the funds to the Library Trustees. Selectman Bowles said he is willing to talk with the Trustees and discuss the issues. Selectman Ives said he also does not agree. He said the schedule for turning over the funds would be the Trustees submit the bills, and the Selectmen will see that the bills are paid. Selectman Ives said the Board has sent three letters to the Library Trustees asking that they meet with the Selectmen and he is flabbergasted at the arrogance. Chairman Maxfield will contact Attorney Mayer.

- b. The Board received a request from Wayne Jackson for an abatement of timber yield tax. Selectman Ives moved to abate the Timber Tax billing for Wayne Jackson, Tax Map #001, and Lot #023 in the amount of \$126.59. Seconded by Selectman Bowles. All in favor. Motion carried.
- c. The Board advised Office Manager Jean Lee that their decision regarding the request from Mr. Dean Wilbur for reconsideration of his abatement is denied. The Board stated they agree with Assessor Dave Wiley's recommendations.
- d. The Board received copies of information from Steve Bennett regarding battery recycling at the Transfer Station. Selectman Bowles said that the Town would be getting more funds with this company and would not be spending the money or time transporting the batteries from the Transfer Station.
- e. The Board received copies of an e-mail from Wendy LaClair regarding the traffic issues encountered during the Old Home Day parade. The Board will review this information and will take steps to see this issue is addressed in the future.
- f. The Board received the 2nd Quarter Host Community Fee from ESMI in the amount of \$25,384.96.
- g. The Board received an invitation for the rededication of the Loudon Center Freewill Baptist Church on September 9, 2007 at 3:00 PM.
- h. The Board received the July property transfers for review.
- i. The Board received a copy of an e-mail from Judy Houston to DES regarding the Clough Pond dredging.
- j. The Board received Scholarship thank you notes from Kevin Clark, Charles Aznive, Sarah Sylvester, Laura Moody, and Cassandra Cressey.
- k. The Board received brochures for the Municipal Law Lecture series, the Road Scholar Seminars, and a newsletter on Safe Bicycling and Walking to School.
- l. The Board received a reminder that the Annual Audit begins on Monday, August 20, 2007.
- m. The Board received information on the status of work performed by Cross Country Appraisal Group. It was noted that the annual re-measuring and re-listing will not begin until October and the Current Use update is not finished so neither of these updates will reflect on the MS1 for the 2007 Tax Rate.

- n. Selectman Ives stated he would like to have a letter from Auditor Paul Mercier regarding his opinion on the request of the Library Trustees to transfer funds, so the Board has it in writing for the meeting with the Library Trustees.
- o. The Board members discussed the phone calls that each of them are going to make to follow up on pending issues as well as asking Terry Knolls to contact the Library Trustees and be the one to mediate.
- p. Bob Bottcher asked if the Library Trustees would be presenting their bills to the Selectmen for their review. The Board said no, the Library Trustees want to have their own checking account, own audit, and will do their own thing. Mr. Bottcher said he felt that was ludicrous. Selectman Ives said he would like to have Terry Knolls present at the meeting so the Board is not paying Attorney fees.

Selectman Bowles moved to adjourn the meeting at 8:15 PM. Seconded by Selectman Ives. All in favor. Meeting adjourned.

THE LOUDON BOARD OF SELECTMEN

Roger A. Maxfield, Chairman

Steven R. Ives, Selectman

Dustin J. Bowles, Selectman