

Selectmen's Meeting Minutes
Tuesday, September 16, 2014

Present: Chairman Ives, Selectman Bowles and Selectman Krieger.

Also present were Police Chief, Code Enforcement/Compliance Officer Bob Fiske, Road Agent David Rice, and Fire Chief Rick Wright.

Chairman Ives called the meeting to order at 6:00 P.M.

- I. Selectman Bowles moved to approve the Selectmen's Meeting Minutes of Tuesday, September 2, 2014 as written. Seconded by Selectman Krieger. All in favor. Motion carried.

- II. The Board met with Fire Chief Rick Wright.
 - a. Chief Wright advised the Board that all but one of the dry hydrants have been back flushed and pumped. The dry hydrant on Beck Road is out of service as it needs to be mucked out and is overgrown. He stated there is an easement in place, he has spoken with the current owners, and they are in agreement with the work that is needed to make this operational again. Chief Wright advised that the dry hydrant at Freedom Hill is scheduled to have work done in November. Selectmen Krieger suggested that Chief Wright check with the Highway Crew if they needed someone to cut down trees for the dry hydrant repair work. Chief Wright said that Freedom Hill is trying to get someone to cut the trees for that project. Chairman Ives stated that there might be a local logger that may be able to donate some services for these projects.
 - b. Chief Wright stated that half of the roof/gutters at Station 1, Safety Building was power washed on Sunday. He said the big roof was pretty bad with mold, lichen, moss, etc. It was discussed that Kit Thorstensen had recently done some repairs to the roof and it was his suggestion that the roof be power washed. Chairman Ives inquired if there were any questionable areas of the roof. Chief Wright said that the roof is pitted in some areas and the area over the office at the fire department side is pretty bad with mold, lichen, moss, etc. It was stated that when there is more time, the remainder of the roof would be power washed.
 - c. Chief Wright advised the Board that Eastern Propane came in and serviced the apparatus bay heat system. He stated that a few adjustments were made and the system was cleaned out.
 - d. Chief Wright stated that he is working on trying to find someone to do the parking lot inspections on Sunday of race day. He said that the two people who had done the inspections previously are out of town, so he will work on it.
 - e. Chairman Ives asked if Chief Wright everything else was all set for the race. Chief Wright said he felt it was. It was stated that Pembroke's ladder truck was lined up again for this year.

- III. The Board met with Road Agent Dave Rice.
 - a. Mr. Rice explained that the deck on Wales Bridge is complete. The Highway Crew will complete the edge work as time permits. It was discussed that Wales Bridge Road is open for thru traffic.

- b. Mr. Rice advised the Board that the new one-ton truck was at the Highway Garage and is almost completed. He indicated that they are still waiting for the radio to arrive. Mr. Rice stated that Selectman Bowles had discussed his concern with the sander size on the new truck. Mr. Rice said that he is looking at switching out the sander that came with the truck for a larger one. Discussion continued regarding the size of the sander and the amount of material it will process/the number of trips it may save, etc.
- c. Mr. Rice stated the screener will be picked up on Wednesday and winter sand screening will begin.
- d. Mr. Rice advised the Board of an employee injury and stated that the employee is working at light duty.
- e. Chairman Ives asked if there was any more information regarding the possible paving at Asby Road. It was discussed that the cost to do less than 1,000 feet would be around \$4,000. Mr. Rice also discussed the need to look at some road repairs at Whitehouse Road. Piper Hill Road and Currier Road were also mentioned for future work.
- f. Mr. Rice said that the Highway Crew will be placing the transponder on the tractor on Wednesday.
- g. Selectman Bowles stated that there will be an estimate for concrete work at the Transfer Station and an estimate for roof and walls.

Chairman Ives stated for the record that Board of Permit was cancelled.

- IV. Selectman Bowles moved to go into a nonpublic session per RSA 91-A: 3, II (a & b) at 6:19 p.m.; seconded by Selectman Krieger. Roll call vote: Krieger – yes; Bowles – yes; Ives – yes. All in favor. Motion carries. Selectman Bowles moved to come out of executive session at 6:39 p.m.; seconded by Selectman Krieger. Roll call vote: Krieger – yes; Bowles – yes; Ives – 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 Bowles. All in favor. Roll call vote: Krieger – yes; Bowles – yes; Ives – yes. Motion carries. Purpose of executive session was to discuss a personnel issue with a town employee.
- V. The Board met with Police Chief Bob Fiske.
 - a. Selectman Bowles moved to hire Tanya L. Emerson to the position of full time patrolman at the Loudon Police Department, at a pay rate of \$20.80. Start date to be approximately two weeks from September 16, 2014. Seconded by Selectman Krieger. All in favor. Motion carried.
 - b. Selectman Krieger moved to promote Corporal Robert S. Akerstrom to the position of Sergeant for the Loudon Police Department, as of September 16, 2014 with a \$0.50 per hour raise. Seconded by Selectman Bowles. All in favor. Motion carried.
 - c. Selectman Krieger moved to promote Officer Kristoffer R. Burgess to position of Corporal for the Loudon Police Department, as of September 16, 2014, with a \$0.50 per hour raise. Seconded by Selectman Bowles. All in favor. Motion carried.
- VI. The Board met with Kathy and Jim Whedon regarding Comcast.
 - a. Mrs. Whedon discussed the process that has taken place since the meeting with the Selectmen and Brian Christensen of Comcast. Mrs. Whedon explained that she was

advised by a representative of Comcast that if she could get the residents on Greenview Drive to commit to a two-year contract with Comcast, it should be enough to get cable on their road. She stated that at this point she has 20 or 21 of 23 households signed up. When she went back to Comcast, they have now stated that it appears they would want \$1,500.00 per household or \$68,000 to pay for conduit, in order to install the cable to Greenview Drive. Mr. Whedon stated that Mrs. Whedon has done everything that Comcast has requested or suggested, and each time she provides what they ask for, they change their minds. Mrs. Whedon discussed the numerous names of contacts she has had at Comcast as well as the various meetings she has had and stated that it feels like she is getting nowhere with Comcast. The Board discussed that TDS has shown an interest in connecting with Loudon for cable. Mr. Whedon asked if the cable franchise paid the town any royalty fees for the contract. The Board explained that they discussed this issue with Brian Christensen and were told that if Comcast were to pay the town any fees, they would add the fee on to the individual customer's bill and collect the money from the subscribers, and then forward those funds collected to the town. The Selectmen stated that they did not agree with this practice, and therefore, they did not move forward with incorporating the fee in the contract. Selectman Krieger stated that one of the things he is trying to incorporate in the new contract is lowering the required number of homes per mile. Discussion ensued regarding Mr. and Mrs. Whedon being available to speak with the attorney handling the cable contract if needed. The Board thanked Mr. and Mrs. Whedon for their assistance and said that the draft agreement from our attorney handling the contract was received in the office approximately 4:30 p.m. this afternoon.

- VII. The Board met with Michael Harris regarding a timber cut operation on the property, which he resides at, 485 Lower Ridge Road.
- a. Mr. Harris explained that the timber cut that was done at 485 Lower Ridge Road was done improperly. He stated that the State Forester and other officials have become involved in this timber operation. Mr. Harris said that the Intent to Cut and Report of Wood Cut forms were not filled out correctly by the logger and discussed the issues with a stonewall being damaged. He stated that the State Forester advised the logger of this timber operation, that he could not leave slash lying around, had to deal with stumps, and needed to clean up the land. Mr. Harris also indicated that he felt there was an issue with theft of services, as the logger had agreed to leave the tops of the trees for Mr. Harris to use as firewood. He said the logger did not leave the wood, nor did he pay Mr. Harris for any of the wood. He stated that it was supposed to be a small, selective cut operation, not a clear-cut operation. Mr. Harris discussed that there appeared to be an issue with the mill slips the logger provided and the amount of woodcut listed on the Report of Timber form. Chairman Ives asked Mr. Harris what it was he wanted from the Board. Mr. Harris stated that it appeared to be a fraudulent and legal issue and a taxation issue as well. He said he felt that someone should do something about it. Chairman Ives indicated he felt that most of the issues were of a civil matter and that the Board could look into the tax issue. Mr. Harris stated, that leaving the slash and the stonewall in disrepair is illegal. Selectman Krieger asked what the State Forester advised Mr. Harris to do regarding this issue, as he is the expert on this subject. Mr. Harris stated that the State Forester ordered the logger to clean up the land. Selectman Bowles stated that the State Forester would be the one who would

know how to proceed. It was discussed that there may still be an open file on this case with the State. Chief Fiske said that it appeared that there was a contract between Mr. Harris and the logger. The County Attorney was contacted and she felt the contract was subjective and ambiguous. Chief Fiske said Mr. Harris was allegedly paid \$1,000.00; and, there was an agreement regarding the 20 foot section of stonewall being taken down to get access to the neighbors logs. Chief Fiske stated DRA is still working on this issue and said that there was an amendment to the Report of Wood Cut, received today, for additional volume; the cleanup is still ongoing and the logger was given a court summons for an inaccurate report of woodcut. Selectman Krieger stated that the Board had to allow the State Forester time to put his information together. Selectman Bowles said at this point, with the State Forester and DRA being involved, this issue is out of the Town's hands. Chief Fiske stated that as far as the stonewall issue goes, there is a possibility that a log accidentally fell on an area of the stonewall, but that the State Forester and the County Attorney both feel that this is a civil issue.

- b. Mr. Griffiths, the logger involved in this case, was in the audience. He stated that he took out the trees that Mr. Harris felt were dangerous and a hazard to his home. Mr. Griffiths stated that there were trees on Mr. Preston's property that were a possible hazard to Mr. Harris's property. He said that Mr. Preston allowed him to remove 3 trees on his property that were potential hazards to Mr. Harris's home, and asked that Mr. Griffiths take the 3 trees that had fallen in Mr. Preston's yard, approximately a year ago, away at the same time. Mr. Griffiths stated that in order to get to Mr. Preston's property he needed to make a trail, and that is where the stonewall issue has come in.

VIII. The Board began their review of weekly correspondence.

- a. The Board received Merrimack Valley School District September 15th payment notification in the amount of \$727,388.64.
- b. The Board received a check from NHMS for the July 2014 race.
- c. The Board received confidential correspondence from town counsel.
- d. The Board received confidential correspondence from the town's utility assessor.
- e. The Board received a Board of Tax and Land Appeals information request on PSNH.
- f. The Board received information from NH Dept. Safety regarding E-911 changes for October 15th.
- g. The Board received checks from HealthTrust for surplus returns for 2011 in the amount of \$228.36 and for 2012 in the amount of \$958.23.
- h. The Board received notification from HealthTrust stating that Loudon will be receiving \$1,165.61 for dental premiums paid in previous years due to court proceedings with NHMA.
- i. The Board received correspondence from HealthTrust relative to upcoming events and public hearings.
- j. The Board received the approval for construction of the septic system for the new town office building.
- k. The Board received two emails from Carol Soule regarding possible Agricultural Commission members and reviving the committee. The Board will follow up to be sure of the number of the full members and alternates specified for this committee.
- l. The Board received information on the State Surplus Property Auction that is on Saturday, October 18.
- m. The Board received a copy of the 2014-2015 NHMA Municipal Officials Directory.

- n. The Board received a CDFA notice of available Planning Grant Funds.
- o. The Board received a NH Association of Assessing Officials election ballot for 2015 officers and directors.
- p. The Board received scholarship thank you letters from Kevin Hardt and David West.
- q. The Board received miscellaneous correspondence.
- r. The Board received a reminder that there is a town office building committee meeting Wednesday, September 17th at 4 p.m.
- s. The Board received a proposal from Asby Construction for repairs of the fence around the cemetery at the fire station. The Board will take this under advisement at this time as there has been discussion of a resident offering to do the work if the materials are provided. Selectman Krieger stated he thought that this might be a community project.
- t. Selectman Bowles stated there was a good turnout at the 235th anniversary at the Loudon Free Will Baptist Church last Sunday.
- u. The Board thanked all those involved with the September 9th election.

Selectman Krieger moved to adjourn at 7:40 p.m. Seconded by Selectman Bowles. All in favor. Motion carried.

LOUDON BOARD OF SELECTMEN

Steven R. Ives, Chairman

Dustin J. Bowles, Selectman

Robert P. Krieger, Selectman