

Selectmen's Meeting Minutes
Tuesday, October 13, 2015

Present: Chairman Krieger, Selectman Ives and Selectman Maxfield.
Also present were Road Agent Lance Houle and Sergeant Kristoffer Burgess.

Chairman Krieger called the meeting to order at 6:00 PM, and noted that there will be no Board of Permit meeting this evening, as there was nothing on that part of the agenda.

- I. Selectman Ives moved to approve the Selectmen's Meeting Minutes of Tuesday, October 6, 2015 as written. Seconded by Selectman Maxfield. All in favor. Motion carried.
- II. The Board met with Road Agent Lance Houle and Sergeant Burgess from the Police Department.
 - a. Mr. Houle stated that he'd been having an ongoing problem with East Ricker Road. He said that there are potholes in the Chichester section that haven't been repaired, even though the town of Loudon plows that section of the road during the winter. He said he's gotten four phone calls about how bad the potholes are since mentioning it last, so on Friday he rode out to that part of the road again and observed that the potholes are pretty deep. He wondered if the Board could possibly send a letter to the town of Chichester's Board of Selectmen to ask if they could repair the potholes since the town of Loudon maintains that section of the road during the winter and wouldn't want to damage any of their equipment doing so. Selectman Maxfield acknowledged that he had talked with Mr. Houle about that; he asked if the school buses travel on that section of the road and Mr. Houle confirmed that they do. Selectman Maxfield suggested writing a cordial letter to remind Chichester that the town of Loudon plows and maintains that road and that residents and school buses use that road as well, and to kindly request that they patch the potholes. Selectman Ives stated that he has spoken with people in Chichester and confirmed that the section of the road in question is located in Chichester. Selectman Maxfield noted that the portion of the road in question is approximately one quarter mile, and Mr. Houle agreed that it was approximately 1,000 feet or so that it is really bad. Selectman Maxfield stated that the town of Loudon perambulated the line with the town of Chichester and walked the section to confirm that it is definitely in Chichester. Selectman Ives agreed that a cordial letter can be written stating that in order for the town of Loudon to maintain that part of the road this winter, the potholes would need to be fixed. Mr. Houle reiterated that he has to travel that section of the road one way or the other, so if they don't take care of the potholes, he's going to have to do something because it could potentially damage the plow equipment and create additional costs. Selectman Ives agreed that if the town of Loudon has to fix the potholes, then the town of Chichester will be billed for the work.
 - b. Mr. Houle mentioned a previous discussion with the Board about getting a different plow for the one-ton truck, and presented a quote for a Fisher plow (including replacement and installation costs, but not the plow itself). The Highway Department would remove the 9-ft. Boss plow setup that is currently in use, and the Selectmen agreed with Mr. Houle that a 10-foot plow would probably be too large and

unnecessary for the truck. Chairman Krieger noted that such a large purchase has typically involved getting more than one estimate, and Mr. Houle replied that he hadn't yet done so because there aren't that many people around who carry the Fisher anymore but stated that one place he did know of is Donovan Spring, and offered to call them to get a price. Selectman Ives agreed that the quote Mr. Houle presented did have a good price, but also agreed that it would be helpful to ask Donovan Spring as well.

- c. Mr. Houle reported that he had received a call from a resident on 250 Clough Pond Rd. about a sink hole in her front yard. He went to check it out and observed a concrete culvert that crosses Clough Pond Rd. near Berry Rd.; there was a pipe coming out of the other side of the road, but he did not see anything on her side of the road. After digging a bit by hand, he located the concrete pipe on her side of the road; he went up the next day with the excavator and dug on her side of the road and found a piece of PVC pipe connecting the driveway culvert to the concrete culvert, and that the under drain of the house was also under the concrete pipe, which had all been buried. He stated that he tore all of it out, cut off their drains right at the wall, made a retaining wall all the way around to add on the to the culvert at that point so it would drain and go across the road. Although it was all done and rocked up, it's still a problem because there's a hole in the road. He'll come up with a grate to go across it and will install it.
- d. Mr. Houle stated they patched the cross ditch on Ridge Road and put a new culvert in that went in today, and used an excavator to make sure everything drains properly.
- e. Mr. Houle said they have been grading. He explained that part of the hill on White House Rd. is in such rough shape that it's tough to clean. Russ Pearl and Mickey Mulkhey have a reclaimer that goes on the front of the loader. Mr. Houle proposed getting a price to go up there to do a shallow grind (about 4 inches) and to get some regular reclaim (which is just ground up pot-top with mixed gravel) that binds and packs really well to help the road stay more like a hard-packed gravel that would help improve drainage on the road and could facilitate plowing this winter. Selectman Ives stated that they don't want to put a lot of money into this project since it is not a very well-traveled road, but stressed the importance of making it useable. Selectman Maxfield asked when Mr. Houle planned to do this; Mr. Houle reiterated that he was still in the initial phase of the project but intended to address it this fall and agreed with Selectman Maxfield that it should be done before the frost comes in.
- f. Mr. Houle mentioned getting Truck #11 back from Fairfield's and received a bill for \$1,200 over and above the estimate. He explained that truck #11 was the truck that had been sent in last year because the body had totally rotted out, so it received a new stainless steel body and slide-in sander. Selectman Maxfield asked about the year of the truck; Mr. Houle replied he wasn't sure but thought it may be a 2004 and stated that although he wasn't too pleased with the additional cost, a lot of extra work had to be done on the truck and not much could be done about that.

III. The Board met with Sergeant Burgess.

- a. Sergeant Burgess stated that things had been relatively quiet.
- b. Sergeant Burgess submitted a pistol permit renewal for signature.

- c. Chairman Krieger noted that the Punkin' Chunkin' event is to be held on October 24-25. Sergeant Burgess noted that they will have extra people on for that event. Selectman Maxfield added that approximately 5,000 people are expected to attend the event. Chairman Krieger confirmed with Sergeant Burgess that there would be two officers required per day; Sergeant Burgess stated that they were working on getting those filled right now.

IV. The Board began their review of weekly correspondence.

- a. The Board received an invoice for October from Merrimack Valley School District for \$722,040.64.
- b. The Board received a correspondence from town council regarding the NHMS v. the Town of Loudon case. It has been continued until the end of summer, 2016.
- c. The Board received a letter from ESMI containing a self-report for September 2015; they took a little over 13,000 tons of soil and treated 14,000 tons, but everything else looks normal.
- d. The Board received an abutter's notice from the Zoning Board for a meeting on Thursday, October 22 regarding a handicap variance.
- e. The Board received an abutter's notice from the Zoning Board for a meeting on Thursday October 22 at 7:00 regarding a variance for the American Legion.
- f. The Board received a letter from a concerned citizen regarding loud explosions heard at 10:00PM on Sunday. There was discussion about whether the date was Saturday or Sunday. A copy will be sent to the police department to have them look into it.
- g. The Board received a pamphlet from the University of New Hampshire with forest laws for municipal officials containing different laws and upcoming meetings on November 9 and 10.
- h. The Board received a thank-you letter from Donna Newcomb in appreciation of the scholarship that her son received.
- i. The Board received a letter from Chief Wright regarding repainting the old cruiser for use in the Code Enforcement Department; he received a quote for \$2,500 to fix any rust, remove decals, and to repaint the vehicle and stated that there is money available in the budget for this. Chairman Krieger stated that he would like to see another quote for the job.

VI. The Board received the following reminder:

- a. Thursday, October 15 at 7:00 pm: Planning Board meeting.

VII. Chairman Krieger brought up a discussion that took place at last week's Selectmen's meeting with Bob Fiske and Janice Morin.

- a. Chairman Krieger stated that the money left over is approximately \$26,000, which will not be enough to do much with until after the town meeting. As a board, they haven't gone through the whole thing yet, they will be checking into other options, but don't anticipate being able to do much until town meeting.
- b. Selectman Ives mentioned one attorney's advice. Chairman Krieger added that one attorney says one thing and another attorney says they can hire anyone they want at any time. Chairman Krieger stated that before anything is done, the town must be protected and everything must be in order.

- c. Chairman Krieger mentioned two town meeting articles from 1998 and 1999 in which hiring a full-time police chief was voted down by the town both times. He reiterated that approximately \$26,000 remains for anybody that would be put in that position at this point. Selectman Ives pointed out that a full-time police chief's salary is approximately \$6,000 a month or \$72,000 a year; that means there is only about 4.5 months worth of pay and it is not possible to guarantee at this time whether that person would be hired or if their salary would be voted in at town meeting. Selectman Maxfield said that this point, it can't be said in good faith to a candidate for the position that they'd be hired for four months and that the town would pass a vote regarding their salary and additional benefits.
- d. Chairman Krieger stated that advertisements for the opening would likely begin in January or February, but reiterated that it would not be fair to begin the process with a candidate knowing that the town might not approve the necessary budgeting for the salary. Janice Morin wondered whether it would be possible to notify the candidate up-front that the position was going to be voted upon in the town meeting; she expressed her concern about the timing of the vote at the town meeting, the time it would take to on a new employees and the upcoming race season that would be starting within a few months. Chairman Krieger acknowledged her position, but stated that the \$26,000 would probably be sufficient to July 1 and that he is hoping that the town meeting in mid-March will result in the hiring of a new police chief immediately following.
- e. Jeff Miller asked whether it would be feasible to call an emergency town meeting to review this matter. Chairman Krieger stated that in order to do that, the issue would have to go to court to explain the need to do so. Sue Brocious asked what the problem would be with doing that. Selectman Ives responded that it would be possible to have a special town meeting to vote on the matter if they were able to convince the court of the need to do so, but even if the town voted to approve the full-time position, there would still be the need to ensure the budget for the chief's salary passed as well. Ms. Brocious asked about contingencies for something like this. Selectman Maxfield responded that there is a contingency, which includes the two current sergeants that can run the police department and manage the full-time officers and noted that Chairman Krieger has been appointed officially to oversee the police department until a full-time chief is hired. Chairman Krieger stated that his position within the police department is as a Selectman, so if there's an administrative issue, they can come to him.
- f. Ms. Brocious submitted a letter to the Board and stated that she would like to be included in the hiring process for the new chief. Chairman Krieger stated that the hiring committee for the new chief would be hosted by the Selectmen. He said they would take her letter for review in good faith, and they will pick a committee that they see fit.
- g. Sue Brocious acknowledged that there is a protocol that must be followed for this process, but she stated that as a citizen, she feels insecure about not having a police chief in place; she also stated that she understands what the Board is doing and was not criticizing the Board or anybody on the police force, but feels that the amount of crime that goes on in the area is frightening to her, based on her reading of The Patch news source. She said it's not in Loudon but it does make her uncomfortable.

h. Mr. Fiske said he takes exception to Selectman Ives's statement at last week's meeting that this came about with very short notice; he stated that he totally disagrees with that because they have been talking about it for two or three years; that something was going to have to be done. He said he does not want to let the people of Loudon down so he is making the offer to fill the part-time position until March. Mr. Fiske acknowledged hearing concerns similar to those of Mrs. Brocious. Selectman Ives acknowledged Mr. Fiske's disagreement, but stated that it was a short notice as far as he was concerned, seeing as they were given a few weeks' notice. Selectman Ives also acknowledged past discussions about Mr. Fiske's likely retirement, but reiterated that it was a short notice for the Board since they had no plans in place and had no idea that it was going to happen when it did. Selectman Ives felt that quite a bit has been done in the short time they've had since Mr. Fiske's retirement to ensure things continue to run smoothly: he did not feel that the town's security has taken a hit at all since the town has a police department that has been running efficiently, minus a few bumps that were to be expected, because there are people in place that can handle the job, and he did not think there was anybody in the town has to have the feeling of insecurity any more than they did a year ago.

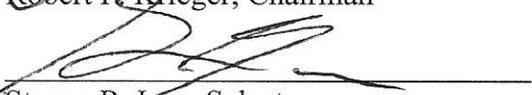
V. Selectman Ives made a motion to go into a non-public session per RSA 91-A: 3, II (b) at 6:31 PM.; seconded by Selectman Maxfield. Roll call vote: Krieger – yes; Ives – yes; Maxfield – yes. All in favor. Motion carries. Selectman Maxfield moved to come out of non-public session at 6:47 PM; seconded by Selectman Ives. Roll call vote: Krieger – yes; Ives – yes; Maxfield – yes. All in favor. Motion carries. Selectman Ives 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 Maxfield. All in favor. Roll call vote: Krieger – yes; Ives – yes; Maxfield – yes. Motion carries.

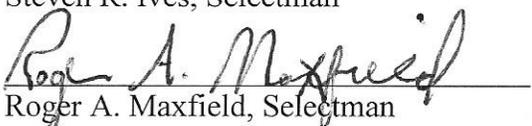
VIII. The Board met with Office Manager Brenda Pearl to sign documents for the sale of 7060 Pleasant Street Ext, a tax deeded property sold at auction.

IX. Selectman Maxfield moved to adjourn at 6:52 PM. Seconded by Selectman Ives. All in favor. Motion carried.

LOUDON BOARD OF SELECTMEN


Robert P. Krieger, Chairman


Steven R. Ives, Selectman


Roger A. Maxfield, Selectman