

**SELECTMEN'S MEETING MINUTES  
TUESDAY, OCTOBER 26, 2010**

**Present: Selectmen Maxfield, Ives, and Bowles. Also, present Police Chief/Code Enforcement Officer Bob Fiske, and Fire Chief Jeff Burr.**

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

- I. Selectman Bowles moved to approve the Selectmen's Meeting Minutes of Tuesday, October 19, 2010 as presented. Second by Selectman Ives. All in favor. Motion carried.
- II. Chairman Maxfield read the following 2010 Fall Property Tax Warrant in to the minutes: "To: Helen L. McNeil, Collector of Taxes for Loudon, New Hampshire in said County. In the name of the State you are hereby directed to collect the property taxes in the list herewith committed to you, amounting to the sum of Five Million One Hundred Seventy Three Thousand One Hundred Thirty Eight Dollars (\$5,173,138.00) and with interest at twelve (12%) percent per annum from December 1, 2010 thereafter, on all sums not paid on or before that day. And we further order you to pay all monies collected to the Treasurer of said town at least on a weekly basis, or daily whenever tax receipts total Five Hundred Dollars (\$500.00) or more." Given under our hands at Loudon, New Hampshire, this Twenty-sixth day of October in 2010. Board of Selectmen, Loudon, New Hampshire. Selectman Ives moved to approve the warrant as written into the minutes. Second by Selectman Bowles. Chairman Maxfield read the following oath: We, the Selectmen and Assessors of the Town of Loudon, NH, do solemnly swear that in making the inventory for the purpose of assessing the foregoing taxes we appraise the same in payment of a just debt due for a solvent debtor. So help us God. All in favor of the motion. Motion carried.
- III. The Board met with Police Chief/Code Enforcement Officer Bob Fiske.
  - a. Chief Fiske said he had nothing to discuss with the Board at this time.
  - b. Selectman Bowles asked if the patrols were being conducted on Bee Hole Road. Chief Fiske said yes, morning, noon, and night.
- IV. The Board met with Fire Chief Jeff Burr.
  - a. Chief Burr said he had a statement relative to the Selectmen's Meeting Minutes of October 19, 2010, item F. "Relative to the vote of the Fire Association to deny use of their tables to NHMS for the Halloween Party, please note that the vote of the Association was only a reiteration of a previous vote by the Association, which was that the Association will not loan or otherwise allow anyone other than the Fire Association members to use the tables and chairs owned by the Fire Association. This is the Association policy regarding items purchased for its Association use and has been in effect since February 13, 2006. This policy came about as some of the equipment was not returned or was returned in a damaged condition. This does not represent a change in Fire Association policy, nor does it have anything to do with the racetrack. The Fire Association at its last meeting,

held a long discussion regarding the loaning of tables and chairs, which was followed by a vote of the Association members re-affirming their prior decision not to allow equipment to be loaned. As President of the Fire Association, I participated in the discussion but abstained from the vote. The Fire Association's denial of the request for the use of the tables and chairs was in no way intended to make the Town look bad. It is merely the Fire Association not playing favorites or allowing one business and not another to borrow or use their equipment." Chief Burr said in the same minutes there was also reference to the department being heavy handed. In response to this comment, Chief Burr stated the Department has been very careful not to play favorites with anyone or any organization. The Department in past years conducted inspection of places of assembly in Loudon. Several were found to have deficiencies. The places of assembly were notified and the Department worked with those organizations to correct the deficiencies. No one was shut down or otherwise not allowed to continue operations. This year the department added gas stations to its list of inspections. Again, several businesses were found to have deficiencies. The Department has worked or is working with them for corrective actions. Again, no one was shut down or not allowed to continue operations. The Department has worked out plans with those businesses which allow the business to make the corrective actions in a manner which does not severely impact their business. The Fire Department is and always has been willing to answer any questions you might have. We look forward to addressing concerns before they become issues.

- b. Chief Burr stated the last item he wished to address was the cancellation of the Halloween Party at NHMS. Chief Burr stated that on October 12, Mike Lawton sent an email informing Chief Burr of the upcoming event and asking if the racetrack needed to provide any information to the Fire Department. As it appeared that both of the individuals are new to their respective positions at the racetrack, the Fire Department provided NHMS with copies of the Fire Code relating to this type of event. In no way did the Department make any comments or attempts to tell the race track what needed to be done for the event to be in compliance with Fire Code. We only provided information. The Department made it clear to the racetrack that if they had any questions, the Department would be happy to try to answer them. A Fire Department member had a discussion with Christa Kwarta on October 14 as he was delivering copies of the State Fire Code relative to haunted houses and Christa mentioned that the track was having trouble coming up with enough volunteers for the event. The racetrack responded on the 15<sup>th</sup> with a question regarding the plastic sheeting used as a backdrop to block light and create "walls". Christa Kwarta specifically asked the Fire Department if they felt that with the proper precautions the sheeting could be used. Christa also asked that the Fire Department contact her as soon as possible if the sheeting could not be used so that she could discuss other options with management. Chief Burr said it was also noted in the email that the racetrack was working on the Emergency Action Plan and Fire Watch plans and would be ready to present their plans to the Fire Department on the following Monday or Tuesday. Chief Burr said the Fire Department was unsure of whether or not the sheeting could be made fire-retardant so he sent a request for this information to

the State Fire Marshal's office. He said the Department received an immediate response letting them know that there was no way the sheeting could be made fire retardant. He said this information was immediately forwarded to the racetrack. Chief Burr said the Fire Department was more than willing to work with the racetrack to develop alternatives that would be in compliance with the Fire Codes. Chief Burr went on to say an email was received from Ms. Kwarta on October 19 indicating NHMS would forego the planned Halloween party and the track thanked the Chief and his staff for their information and assistance. At no time did the Fire Department suggest or tell the racetrack that it could not hold the Halloween party. The Department was ready and willing to work with the track so that a safe party would take place as planned. Chief Burr said he was including copies of the emails between the track and the Department for the Board's review. Chief Burr said the Fire Department handled questions regarding the Fire Code and the Halloween party in a professional manner. Selectman Bowles said this was great Chief Burr could put all this time in putting this material together but wished Chief Burr could put as much time and effort into other situations that the Board had requested. Selectman Bowles said personally and as a Board, no one is blaming anyone. It was an array of circumstances that appeared as if the Department wasn't interested in cooperating. He said there was a by-law that went in during 2006 but he said he is pretty sure the track has used the tables and chairs since then. He said he feels this is a moot point at this time. Selectman Bowles said as far as the other comments, it should be put to rest. Chief Burr said he is trying, but felt he needed to respond to the comments that were made. He said he is doing his job and the Department is working with these people and businesses in town to ensure they meet the minimum standards. Selectman Bowles commented on the use of the plastic, which had been used for years, and now this has to go before the Fire Marshal. Chief Burr said the question was raised and he obtained the answer. Selectman Ives said the Board was told by the Deputy Chief that the reason the vote went the way it did was because the members were angry with the track over the reduction in security. He said Chief Burr reluctantly agreed to reductions after a special meeting was held with town counsel to impress upon Chief Burr the importance of the negotiations. Selectman Ives said this weighs in on his displeasure with the Fire Department. Selectman Ives said his comments were the result of hearing about these issues and his first response. He said he did not have time to prepare a written statement as Chief Burr has done. John Reese was recognized from the audience. Mr. Reese explained that the track did use the tables and chairs last year as an Association member came and got them to take to the track. He said this year the member opted to put the questions of use before the Association meeting and that is when the vote took place. Selectman Bowles questioned if those voting were Association members. He was told they were.

V. The Board met with Moderator Mike LaBonte.

- a. Mr. LaBonte discussed the upcoming general election on November 2. He asked the Board to supply heaters for the ballot clerks as they sit by the door and it gets very cold. The Board said they would take care of this.

- VI. The Board met with Jerry Gappens, General Manager of NH Motor Speedway and Ed Dupont.
- a. Mr. Gappens discussed the proposal they have before the State to address the plan to widen Route 106. Selectman Ives asked Mr. Dupont to explain the plan that had been presented. Mr. Dupont said initially the racetrack did not have a big impact on the plan. He said the State is looking at updating the study that had been done previously and see how this project could be moved forward. Mr. Gappens said the State would provide 2/3 of the funds needed and the Town would supply 1/3. Mr. Gappens said the Speedway is willing to provide the Town's share so there would be no impact on town residents. Mr. Gappens said the projected cost is \$330,000 with the State providing \$220,000 and the Town providing \$110,000. Mr. Dupont said the study would cover the area from 393 to Route 140 in Belmont. Chairman Maxfield asked how the funds would be provided. Mr. Gappens said the track would need direction from the Town on how this could be accomplished. He said the track would provide a check in that amount made payable to the Town if that was acceptable. Selectman Bowles asked for clarification on the steps that would be taken. Mr. Dupont said updating the study would be the first step. Then the results of the study would be taken before the State to see if it would be feasible to place the widening project back on the 10-year transportation plan. The Board said they would address this with Town Counsel and then let Mr. Gappens know the results.
- VII. The Board discussed a letter received from Attorney Bradley regarding a bequest for perpetual care of a cemetery lot. Attorney Bradley has sent a receipt for signature by the Chairman so the funds can be dispersed.
- VIII. The Board began their review of weekly correspondence.
- a. The Board received an email from Tom Edwards, secretary of the Clough Pond Association regarding the NH Lakes program and the Board's letter requesting assistance with the revitalization of Clough Pond Beach.
  - b. The Board reviewed a memo requesting assistance with a confidential matter.
  - c. The Board received a request for refund of motor vehicle fees paid. The request involves transfer of plates from one vehicle to a new vehicle vs. entirely new plates. The Board approved the refund as long as one set of plates and registration is turned into the Town Clerk prior to payment being processed.
  - d. The Board reviewed a letter from George Hunton regarding access to Comcast internet service.
  - e. The Board received information from the NH Charitable Foundation on the proposed payments for 2010 for the Tewksbury Memorial and the Veteran's War Memorial funds.
  - f. The Board acknowledged receipt of the October Highway Block Grant payment in the amount of \$50,685.69.
  - g. The Board received the October draft Planning Board minutes for review.
  - h. The Board was provided a copy of the bond reduction decision for Loudon Woods Estates.
  - i. The Board received the 3<sup>rd</sup> Quarter 2010 host community fee calculation for ESMI. The amount is \$18,329.73.

- j. The Board received verification of the submittal of the Hazard Mitigation Plan update from Central NH Regional Planning Commission. They also received the breakdown of the in-kind match figures, which is a requirement of the plan update.
- k. The Board received the monthly newsletter from Councilor Shea for review.

Selectman Ives moved to adjourn at 7:20 P.M. Second by Selectman Bowles. All in favor. Motion carried.

LOUDON BOARD OF SELECTMEN

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Roger A. Maxfield, *Chairman*

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Steven R. Ives, Selectman

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Dustin J. Bowles, Selectman