

**SELECTMEN'S MEETING MINUTES
TUESDAY, NOVEMBER 10, 2009**

PRESENT: Selectmen Bowles, Maxfield, and Ives. Also present Robert Fiske, Police Chief/Code Enforcement Officer, Zoning Board Chair David Powelson, and Planning Board Vice-Chair Stanley Prescott.

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

- I. Selectman Maxfield moved to approve the Selectmen's Meeting Minutes of Tuesday, November 3, 2009 as presented. Second by Selectman Ives. Chairman Bowles stated he had followed up on the complaints alleged by Mr. Jerry Weeks in regards to the paving on Bumfagon Road. Chairman Bowles said some of the allegations made were false and the Board feels the work done was done adequately. All in favor. Motion carried.
- II. Chairman Bowles opened the Board of Permit portion of the meeting.
 - a. Bob Fiske addressed the right-of-way issue on Wiggins Road. Mr. Fiske said this issue has been in controversy for the past two or three years. Mr. Fiske said the road varies all the way through from Route 129 to Bee Hole Road. Mr. Fiske said he had checked with Wayne Thistle for the width on his end of the road, which goes from 14 feet to 23 feet, stone wall to stone wall. Mr. Fiske said he had spoken with Stanley Prescott in regards to using stone walls as the boundary and Mr. Prescott said that the stone wall measurement is not always concrete. Mr. Fiske said his conclusion after talking with Road Agent Dave Rice is that Wiggins Road is a two rod road. He said the rocks and debris have clearly been pushed onto an abutting property owners land. Chairman Bowles said the Board had directed the Road Agent to address this issue and if needed request additional support from the Code Enforcement Office. Mr. Fiske said if the Selectmen are in agreement in stating this is a two rod road, 32 feet wide, and any debris that has been placed outside of this measurement has to be removed. Stanley Prescott stated a two rod road is actually 33 feet wide. He said he has done research on town roads at the State Archives and Department of Transportation. Mr. Prescott said he feels the Board should not state for a fact this is a two rod road without further research, but could say until proven otherwise, the town will establish Wiggins Road as a two rod road. The Chairman recognized Guy Petell from the audience. Mr. Petell is the abutting property owner on whose land the debris has been pushed. Mr. Petell provided a survey plan from DOT for the Board's review. The plan shows boundary markers and indicates the road is a rod and a half wide. He said if this is the case, he is giving up eight feet of his land. Mr. Petell said if the Board can state the road is two rods from the markers on the plan, he is ok with that. Mr. Fiske said once the Board has made their decision he will notify the other property owner that he cannot go beyond the two rod measurement.

- b. The Board addressed the replacement of gasoline tanks at the Village Store. Dave Powelson said the owner had come into the Planning/Zoning Office to inquire if he needed to come before either Planning or Zoning for site review or additional permits. Mr. Fiske said the current tanks are two 3,000 gallon tanks which were put in place in 1986. He said he does not believe there were ever any permits granted by the town for the tanks. Mr. Powelson said he feels it would be cleaner if the owners came before the Boards for review. Mr. Prescott asked if Mr. Fiske knew what is being proposed. Mr. Fiske said he believes it is only speculation at this point, but he believes the owner wants to put in a 10,000 gallon tank as he owns his own tractor trailer, and wants to be able to drop a tanker load instead of smaller loads. Mr. Prescott said the owner should come before the Planning Board for a site plan review and then the Zoning Board for the in-ground tanks.
- c. Mr. Fiske reviewed a letter he received from Bruce Stone of NH Motor Speedway regarding the proposed Sno-Cross event tentatively scheduled for February 20 and 21, 2010. Mr. Fiske said there is already controversy over this event, as October 31 is the last date to hold events at the facility. The Selectmen said the dates of operation are included in the 1999 Planning Board minutes as part of the approvals granted. Discussion ensued regarding safety concerns and location for the individual events. The conclusion is that the Speedway should apply to the Planning Board for approval to conduct this event.
- d. Mr. Fiske said he would like to discuss the use of ESMI soils at Pleasant View Gardens. He said Pleasant View is going before the Zoning Board this month. The stipulations call for the soils to be applied to commercial properties only. He said according to the assessment records for this property, it is listed as residential. Mr. Powelson said he believes the zoning regulation is derived from Department of Environmental Service's rules. Mr. Powelson said the regulation does not state commercial property only, it says not for use on residential property.

Chairman Bowles closed the Board of Permit and resumed the regular Selectmen's meeting.

III. The Board met with Police Chief/Code Enforcement Officer Bob Fiske.

- a. Chairman Bowles stated for the record two pistol permits were approved for signature.
- b. Mr. Fiske said he was asked by Steve Fifield for any requirements for the handicap ramp at the Town Hall. Mr. Fiske said he wanted to be sure the bid specifications from the Selectmen did not include any special requirements. Mr. Fiske said he would clarify a light switch issue with Mr. Fifield in the morning.

IV. The Board began their review of weekly correspondence.

- a. The Board received a copy of a letter from Town of Canterbury that was included with their 2009 fall tax billing as an explanation of the 2009 tax rate.
- b. The Board received a petition from Wayne Thistle requesting the town schedule a public hearing to accept Thistle Hill Road as a town road. The Board will hold a public hearing on this petition on December 1 at 7:00 P.M.

- c. The Board received a copy of a letter from DES sent to Henniker Septic Service in regards to the authorization to dump the septage at the Loudon lagoon.
- d. The Board received a memo from Office Manger Jean Lee regarding the credit account with Tractor Supply Company.
- e. The Board received a request from Fire Chief Jeff Burr for eight additional cards from CN Brown for diesel purchases for the fire trucks. Chairman Bowles said he feels a tank should be installed at the Safety Building for this purpose as bulk delivery would be less expensive than buying at the pump. The Board approved this request.
- f. The Board reviewed a memo from Office Manager Jean Lee in regards to budget preparation. Discussion ensued on engineering services, auditor, assessments, utilities assessments, tax map preparation, cemetery maintenance, and health and dental insurance. Mrs. Lee will contact these firms for proposals for the fiscal year ending June 30, 2011.
- g. The Board discussed responding to the letter received from Department of Transportation in regards to the State's intent to sell a parcel on Staniels Road. Selectman Ives said he hopes the State will take into consideration this parcel is located in the town's commercial/industrial zone and would be a benefit to the town to have this parcel back on the tax roll.
- h. The Board received the 3rd Quarter Host Community Fee from ESMI in the amount of \$13,548.70.
- i. The Board received the settlement statement from St. Jean Auctions for the police cruiser that was sold at the State auction October 17th. The cruiser sold for \$1,600 with the town's proceeds being \$1,440.00.
- j. The Board received an acknowledgement from PRIMEX regarding extension of the Workers Compensation Insurance program until 2013. This agreement saves the town 5% on their workers compensation coverage.
- k. The Board received a copy of the Wiggins Road monitoring report from The Louis Berger Group for review.
- l. The Board received an email from Jim Presher of the Concord Regional Solid Waste Resource Recovery Co-Operative regarding single stream recycling.
- m. The Board received notification from the Labor Board on a new law going into effect January 1 regarding notification of lay off for employers of 75 or more employees.
- n. The Board received information from Fairpoint Communications on their bankruptcy filing.
- o. The Board received a questionnaire from Office of Energy and Planning for review and comment.

Selectman Ives moved to adjourn at 8:01 P.M. Second by Selectman Maxfield. All in favor.
Motion carried.

LOUDON BOARD OF SELECTMEN

Dustin J. Bowles, *Chairman*

Roger A. Maxfield, Selectman

Steven R. Ives, Selectman