

Selectmen's Meeting Minutes
Tuesday, November 10, 2015

Present: Chairman Krieger, Selectman Ives and Selectman Maxfield.

Also present was Fire Chief Rick Wright, Deputy Chief Bill Lake, Sergeant Kristoffer Burgess, Road Agent Lance Houle, Stanley Prescott representing the Planning Board and Roy Merrill representing the Zoning Board.

Chairman Krieger called the meeting to order at 6:00 PM.

- I. Selectman Ives moved to approve the Selectmen's Meeting Minutes of Tuesday, November 3, 2015 as written. Seconded by Selectman Maxfield. All in favor. Motion carried.

- II. Chairman Krieger opened Board of Permit.
 - a. Chairman Krieger stated that they received an email and picture from Mike Harris regarding what Mr. Harris is calling an illegal build. Chairman Krieger explained that it is a small building and a sap tank. Mr. Merrill confirmed that this is in the woods on Lower Ridge Road. Deputy Lake said they got a call at their office about it so they went and took a look at it. He explained that there is no power or anything running to it at this time. Deputy Lake said he received a call from Mr. Harris who asked about it, Mr. Harris was under the impression that there was going to be lights and a pump at the site. Deputy Lake said Mr. Harris called a second time and asked why as an abutter he was not notified about this. Deputy Lake said the only issue they saw was that there might be front setback issues. Chairman Krieger asked if there is a setback issue; it seems that everyone's sap tanks are next to the road. Deputy Lake said he isn't sure, normally any structure needs to meet the 50' front setback but he isn't sure if sap tanks are exempt from that. Selectman Maxfield asked what the small building is. Deputy Lake said it is a very small shed probably for the pump or something. Selectman Ives said it looks like it is about the size of a bob house and neither is on a foundation. Deputy Lake explained that the only issue that might come into play is that it is in the AFP District and the piece where those are sitting on could be in current use. Selectman Maxfield stated that you can have this type of facility on current use land. Selectman Ives said he doesn't see an issue with the tank and if the building is smaller than 10 x 10 it's okay as well. Deputy Lake asked if there is an issue with the setback. Chairman Krieger said he doesn't think so because everyone else has their tank close to the road so they are able to collect the sap. Selectman Ives said if this was a permanent tank dropped into the ground it would be different. Roy Merrill said if people were told they had to take their land out of current use to place a sap tank they wouldn't be able to sap. Stan Prescott said they don't need a building permit for anything less than 100 feet. Chairman Krieger asked Deputy Lake to contact the property owner to see what further modifications they intend to make. Deputy Lake agreed he will contact the property owner and follow up with Mr. Harris.

- b. Chief Wright submitted a Letter of Intent form NHMS for the Gift of Lights that will run November 20, 2015 through January 2, 2016. Chief Wright explained that this was already permitted March 17, 2015 so this is just a reminder.
- c. Chief Wright said they had a complaint from Mike Smith on 129 about his neighbor. He explained that there were three issues. The first was about a deer fence that Mr. McCarthy put up around his property; Chief Wright said fences are allowed in the setbacks so there are no issues there. The second was excavation on the property; Mr. McCarthy moved soil around and screened rocks out of it. Chief Wright said there is no issue with that. Chief Wright said the third is that Mr. McCarthy intends to plant trees on approximately 1 acre of his property for Millican Nurseries. Chief Wright explained that the trees will be dug up and sold by Millican Nurseries when they are ready and something else will be planted in their place. His question is whether there is a zoning issue because this property is in rural residential and they are planting trees to be sold commercially. He said Mr. McCarthy stated that he won't be making a profit from the trees; Chief Wright asked if Mr. McCarthy needs to see the Zoning Board. Roy Merrill said he doesn't see that it makes any difference if he's making a profit or not; it's agriculture. He said if Huntington's can sell millions of dollars worth plants then he ought to be able to put in a few trees. Stan Prescott stated that it looks like a greenhouse/horticultural use. Selectman Ives asked if it's behind the house. Chief Wright confirmed that it is. Deputy Lake said it sounds like Mr. Smith is more worried about trucks in and out when they remove the trees. Selectman Ives said it takes 3-4 years for trees to grow; he doesn't think there is a problem with it. Mr. Prescott agreed that it will take time for the trees to grow and he doesn't see where there will be a mass exodus, he doesn't see a problem with it.
- d. Chief Wright said they received a complaint from Polly Touzin of 57 Berry Road. She said the Rhino shelter that it is on the property of Mr. & Mrs. Darling of 58 Berry Road is 7 feet from the road so she is wondering about the setback. She is also concerned about a spotlight that shines towards her house. There was an issue with junk in the road but that has been worked out. Deputy Lake explained that they are in a district that should have a 50 foot setback but being on the pond there is no way to meet that. Discussion ensued about the fact that the shelter is not taxable and portable. Selectman Maxfield stated that if people start putting up portable garages all over town it could become an issue. Deputy Lake said it only goes over the car, if it's not there the car will still be there. Chairman Ives asked Chief Wright and Deputy Lake to look into it further. Roy Merrill suggested they check the measurement because it might be in the right of way. Road Agent Houle said the right of way is 33 feet from the center of the road.
- e. Deputy Lake explained that there is a home on School Street that owns a camper sale business, all the business is supposedly done on the internet. There is a complaint by the neighbors that they have a bunch of campers on their property. He explained that they have been dealing with this issue since September and anytime they go there there is only one camper. Deputy Lake said they got a call this week that there is propane tanks, generators and extra stuff there so they went and talked to them. He explained that the police have been there; it sounds like a civil issue. Deputy Lake said the owners are adamant that it is an internet business, they own a lot in Northwood where they normally keep the campers. He explained that they rent

campers; they rented a bunch of them for the September race and brought them back to the house 2 or 3 at a time to clean them. They would take them to the next place where they were going to be rented. Deputy Lake asked if they need to see the Zoning Board, would this be considered running a business out of their home. The owners claim they are not running a business from their home. Stan Prescott asked if they have a home occupation permit. Chief Wright said no. Selectman Ives suggested that they might need to at least get a minor home occupation permit for the internet sales, if they have an office in the house. He said this might be their best bet so there are no questions. Stan Prescott said this would give the neighbors a chance to voice their opinion. Selectman Ives recalls the Zoning Board giving someone a permit for a home occupation for detailing cars. Chief Wright said that sounds like a good idea; they will contact the Towle's.

Chairman Krieger closed Board of Permit.

- III. The Board met with Chief Rick Wright.
 - a. Chief Wright explained that the old cruiser is at Lane's Automotive getting a paint job. It should be done next week.
 - b. Chief Wright said they inspected the water levels in all seven cisterns and they all look good except for the one on Creekwater. He explained that that one continues to lose significant amounts of water. He said that is a private road and they will ask Mr. Merullo to address the cistern issue.
 - c. Chief Wright said there was a small brush fire on Mudgett Hill Road last week caused by pellet stove ash, and there was a brush fire yesterday on Clough Hill Road, cause unknown. Chief Wright said conditions are dry until snow comes.
 - d. Chief Wright submitted a confidential personnel issue to the Board.

- IV. The Board met with Sergeant Kristoffer Burgess.
 - a. Sergeant Burgess said they have been receiving complaints about the end of Berry Road. He explained that the issue is with Mr. Page having his family members using the turnaround on private property. Sergeant Burgess asked if this is a Canterbury issue since the turnaround is on Canterbury land. Chairman Krieger stated that it is however the town needs to know if they will be allowed to use the turnaround for plow trucks. Road Agent Houle said he already spoke to them and they have no issue with them using the turnaround for plowing. Chairman Krieger suggested that Sergeant Burgess contact the Sergeant in Canterbury and let him know about the issue so they can address it with Mr. Page and his family. Sergeant Burgess said he did contact Canterbury. Selectman Ives said he thought the issue was resolved however it seems like Mr. Page is pushed the issue by using family members to turn around there.
 - b. Sergeant Burgess said the new cruiser is equipped and on the road.
 - c. Sergeant Burgess said last week they discussed the opening in the department for a full-time officer. He proposed that the Board of Selectmen appoint Dimitrios Lazos to the position; Officer Lazos will attend the academy in January. Selectman Ives asked if there is a procedure about putting someone through the academy. Sergeant Burgess said the agreement is that they will stay with the department for three years. Selectman Maxfield asked what happens if they leave before the three years. Sergeant

Burgess explained that the town would then decide whether to pursue repayment. Selectman Ives made a motion to appoint Dimitrios Lazos as a full-time patrolman for the Town of Loudon, this appointment shall have a twelve month probationary period, and the appointment starts November 10, 2015. Seconded by Selectman Maxfield. All in favor. Motion carried.

- d. Sergeant Burgess explained that currently the part-time salary for police officers is \$16.67 per hour. He checked part-time pay with other departments in the area; Loudon is the lowest in the area. Sergeant Burgess said they range from \$17.00 to \$20.00 per hours. Chairman Krieger explained that they are losing a part-time patrolman because he can make \$20.00 per hour somewhere else. Selectman Maxfield asked if they wanted to do this now and asked if there is money in the budget. Chairman Krieger explained that they can raise the hourly rate they just have to limit the number of hours so they don't go over the budget line. Chairman Krieger explained that Officer Arkell was a part-time police officer and he got shot and killed. He said "there is no "P" on an officer's chest that says he is part-time so don't shoot him". Chairman Krieger said where he works they pay the part-time people the same wage as full-time people because they are doing the same thing. He explained that it used to be that part-time people used to work detail but now they are better trained they have more knowledge and he thinks they need to be paid more. Chairman Krieger said he thinks \$19.00 per hour would be good, he thinks that maybe the guy that is thinking about leaving would stay for that. Sergeant Burgess said they are currently interviewing part-time people. Selectman Maxfield made a motion to raise the part-time police officers pay to \$19.00 per hour starting immediately. Chairman Krieger added that all part-timers will be making the same; it doesn't matter how long they have been here. Selectman Ives added that it shall not exceed the total budget. Seconded by Selectman Ives. All in favor. Motion carried.
 - e. Sergeant Burgess asked that now that Officer Lazos is full-time he would like to bring his pay up to what the full-timers are making. The Board agreed that Officer Lazos pay rate should be brought up from his current \$16.67 per hour to whatever the lowest patrolman is making.
 - f. Sergeant Burgess said they completed their budget and has submitted it to the office manager.
 - g. Sergeant Burgess thanked the Fire Department for helping them move the boxes out of the storage unit at the dump; they were able to put all of them in the storage unit at the town office parking lot. He said the Fire Department did a great job and he appreciates their help.
 - h. Sergeant Burgess said everything is going well and everyone is adapting to the changes.
 - i. Chairman Krieger asked if they got carpet prices. They received two and are waiting for one more.
- V. The Board met with the Supervisors of the Checklist; Marge Schoonmaker, Tracy Huckins and Francine Clave.
- a. Marge Schoonmaker explained that they talked to two people about the moderator position. One declined and the other gave them her resume. Ms. Schoonmaker submitted the resume to the selectmen. The Supervisors said she has experience in

meetings, seems very competent and interviewed very well. Chairman Krieger asked for her name. Ms. Schoonmaker said it is Sharon Drake. Chairman Krieger said this normally an elected position but she will be appointed until the next election. Ms. Schoonmaker said that is correct and Ms. Drake intends to run for the position. Ms. Schoonmaker said she has saved a spot for Ms. Drake in the January moderator training so she will be ready for the primaries in February. T

b. Ms. Schoonmaker stated that they submitted their budget today.

VI. The Board met with Road Agent Lance Houle.

- a. Mr. Houle explained that their uniforms are pretty worn. He said that he and Tad Flagg met with another company; they were not impressed with the representative. Mr. Lance met with their current company and received a contract for new uniforms at the same price as they pay now. He explained that the new shirts and jackets will have reflective trim and be safer. Chairman Krieger asked how long the contract is for. Mr. Houle stated three years. Chairman Krieger asked if it is a fixed price for the three years. Mr. Houle said it is. Selectman Maxfield asked if the names will be on them. Mr. Houle explained that he would like to upgrade that and include the town seal with the town name. The Board agreed to the uniform upgrade.
- b. Mr. Houle said he has a few more hills where they intend to pick up the leaves before snow.
- c. Mr. Houle said the road tractor for the transfer station had to go to Liberty; they were having dash issues.
- d. Mr. Houle said they have a truck at Liberty now that has a fuel problem.
- e. Mr. Houle said one of his employees gave his notice yesterday. Chairman Krieger said he was made aware of that so he asked the office manager to get an ad put together; he understands that she worked with Mr. Houle on that. Chairman Krieger stated that the price to put the ad in the Concord Monitor ranged from \$381.00 to \$759.00. Chairman Krieger said they can put it on the NH Municipal Association website, the town website, post it around town and put it on Craigslist all for \$25.00. Selectman Ives recommends giving that option a try. The Board agreed that is the way to go.

VII. Selectman Maxfield moved to go into nonpublic session per RSA 91-A: 3, II (c) at 6:56 PM.; seconded by Selectman Ives. 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 7:25 PM; seconded by Selectman Maxfield. 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 began their review of weekly correspondence.

- a. The Board received the Merrimack Valley School District November invoice for \$722,040.64.

- b. The Board received NHDES information regarding Private Well Sampling in Loudon.
 - c. The Board received NHDOT information regarding the Traffic Signal Erection Permit for Staniels Road/Route 106.
 - d. The Board received a letter from Upton & Hatfield regarding the Fairpoint Litigation.
 - e. The Board received an email from Loudon Center Freewill Baptist Church regarding a cleaning quote. The Board agreed that they are not willing to contribute to the cleaning cost.
 - f. The Board received Bankruptcy Court information for a piece of property of Route 106.
 - g. The Board received miscellaneous correspondence.
 - h. The Board received a petition last week to accept Dragonfly Drive. They set the public hearing date for Tuesday, December 15, 2015.
 - 1. The Board received the Comcast Renewal Agreement. The Board set a public hearing for Tuesday, December 1, 2015 at 5:00 pm and will ask the town attorney to be present to answer any questions.
- IX. Selectman Ives moved to adjourn at 6:35 PM. Seconded by Selectman Maxfield. All in favor. Motion carried.

LOUDON BOARD OF SELECTMEN

Robert P. Krieger, Chairman

Steven R. Ives, Selectman

Roger A. Maxfield, Selectman