

Board of Selectmen
Minutes May 3, 2011

Convened: 6:30 pm

Present: Andrew Artimovich, Chairman
Jane Byrne
Jeffrey Bryan
Michael Hubbard
David Menter

Also present was town administrator Karen Clement.

The Board met and reviewed payroll, accounts payable and signed the register. The Selectmen reviewed and signed the recreation register. The payment for Down East Auto for the detective's cruiser repair will be held. The accident was the fault of the other car and the BOS want the payment to come from the insurance company. LGC will be called regarding this.

Jonathan Ellis was in to present the weekly Treasurer's report. He said they received both the Highway Block Grant and the FEMA money last week.

Motion made by Bryan, 2nd by Byrne to approve the April 26th minutes: all were in favor.

The Board reviewed the notes:

- Regarding the trees on Rowell Road East, they have not been deemed a hazard, and cannot be removed on a road classified as a Scenic Road. Mrs. Vadas will be sent a copy of the RSA that addresses regulations of Scenic Roadway.
- Motion made by Byrne, 2nd by Menter to have Artimovich sign the Special Permit to Construct a Sewage Disposal System at 55 Middle Road: all were in favor.
- Motion made by Byrne, 2nd by Menter to sign the annual NHSPCA contract: all were in favor.
- Chief Robinson told the Board that an officer driving the 2009 Dodge Charger cruiser swerved to avoid hitting a deer about 5:30 Sunday morning. Kingston PD covered the accident. He said there was no personal injury, but the cruiser had to be pulled from the ditch, and was towed back to the PD. Robinson took the cruiser to Nici Auto, and the repairs cost \$501.92. This falls below the \$1,000 deductible, so the cost will come from the PD budget. Robinson said that they forgot about the new drug testing policy until it was too late. He said they will follow through with this in the future.
- Artimovich said there is enough money in the Detail Account, and for Robinson to use some of those funds to purchase a new radio for the new cruiser.
- It will cost \$448.59 to keep an extra cruiser insured for the year. Robinson said he would like to keep the SUV for one year and use as a trade.
- Motion made by Menter, 2nd by Byrne to keep the car: all were in favor.

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Robinson was asked why the town was paying for the repair to the detective's car, and Robinson said there were two vehicles involved, and he understands that the one that hit the cruiser has insurance. Artimovich said the payment is being held while LGC is called to clarify this matter.

Building Inspector Gil Tuck was in to have the following permits signed:

- Matt Bergeron, 9 Greenleaf Drive, to finish a basement: signed by the Board
- Russell Shute, 191 North Road, for house renovations: signed by the Board
- Michelle Powers, 404 Rte 125 to put up a 4 x 4 sign for her business. This location is where Short's Wholesale and Brentwood Fence is, and there is currently a sign for Short's Wholesale, and Brentwood Fence. The Town's ordinance allows only one free-standing sign per property and Artimovich said the Brentwood Fence sign is non-compliant, and that another free-standing sign cannot be allowed. He recommended that the property owner replace the signs with one free-standing, that can accommodate all the businesses. Tuck said Brentwood Fence did not get a permit. A letter will be sent to Brentwood Fence and the landowner, to remove the sign. Bryne said that the sign ordinance needs to be reviewed by the Planning Board, and changed to be more "business friendly". Hubbard will bring this back to the PB. The permit for Powers was not signed.
- Tom and Kathleen Shippee, 171 Pickpocket Road for a barn and indoor riding arena: signed by the Board.

Tuck said he will be back before the end of the meeting with another permit.

Members read over the letter from Town Engineer Steve Cummings, (on file) regarding the drainage work on 39 Stevens Drive, done by Brian Leclerc, who was also present and received a copy of the letter. Cummings provided two recommended solutions: one recommending that the pipe be redirected to put the flow of water back into the swale along the roadway, and the other was to remove the pipe and create a berm that would also direct the water back to the swale, and not to the swamp area in the rear of the abutting parcel. PB Chairman Bruce Stevens was present and said he visited the site with Cummings and said the town needs to reserve its options for drainage work up and down the road that will need to be done in the near future. He said the disadvantage of using the pipe is if it clogs, the town will have to dig it up to rectify any drainage issues. The berm and open swale is the preferred option of Cummings to maintain. Members agreed that the drainage needs to be redirected back to the swale.

Leclerc agreed to relocate the pipe in accordance with Cummings solution # 1. He is working with a local contractor, and will screen the upper side of the pipe and add 4 to 6 feet there, and install erosion control. The highway department had no concerns with this remedy. Stevens said the only issue that everybody needs to be aware of is, if it plugs up Leclerc needs to be aware that the town may have to go back to the swale that was originally there. Abutters Elyse and Craig Seeley were present and said they were okay with this decision, and hoped that it worked. Seeley's were made aware that there is always a possibility that the drainage area in front of their home may also need some work done in the future by the town, and they had no problem with that.

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Motion made by Bryan, 2nd by Hubbard to allow proposal number 1 by redirecting the pipe, in accordance with Cummings plan and the addition of some erosion control and pipe upstream: all were in favor. The highway department will inspect the site before Leclerc does any backfilling. Artimovich reaffirmed with Leclerc that he is agreement with the above, and Leclerc said yes.

Town Assessor Jim Michaud was in to answer questions the Board had regarding two abatements that he previously recommended.

Regarding the abatement for the Gregor's parcel, tax map 201.016.000, he said the state allows abatements to be applied to unpaid taxes.

Motion made by Bryan, 2nd by Hubbard to accept Michaud's recommended abatement amount for this piece: all were in favor.

Regarding the Hawksley parcel, referenced by tax map 219.033.000 he explained his justification of the lower appraisal value and the fact that the home is on a Class VI road, not maintained by the town, and the underwriters of any mortgage would take this into consideration. Hubbard said the appraisal is accurate to today's market value. Byrne said that some people are very much attracted to a property, knowing that they are secure around them, that one else is going to be there, or can be there. Artimovich said the mortgage company has to look at their responsibility.

Motion made by Bryan, 2nd by Hubbard to accept Michaud's recommendation: Artimovich, Menter, Bryan and Hubbard voted yes; Byrne voted no. Michaud thanked the Board for their time.

Hubbard said the PB held a site walk Monday with Steve Cummings at the Windsor Meadow condominium, because the town is going to take over the maintenance and plowing. He explained that this will be an easement deed, and not ownership. The reason for this is because all the land is common land within the condominium site, and to take ownership will require a subdivision. This will be discussed at the next meeting. The warrant article will be reviewed at the next meeting regarding the town vote. The highway department is concerned about the existing cracks in the roadway. Hubbard said that at the site walk the town engineer said the roads are in great shape. Stevens explained that the town engineer is preparing a report that will include any concerns.

Road agent Wayne Robinson provided a list of the road work done to date, and said they still have work to do on Pine Road. He asked if he could "crack seal" the road before they did the overlay. This will cost \$4,450.00. Members agreed that this should be done. Byrne said she would like to see what it would cost to crack seal some of the other town roads.

The highway department will reinstall the stop sign at the corner of Crawley Falls and South Rd.

BI Gil Tuck was back with the following permits, which the Board signed:

- Peter & Ruth Mitchell, 44 Mill Pond Rd, for a 3 season porch
- Bella Vista Homes, Lot A on South for house construction.

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With regard to the Windsor Meadows roadway, Byrne asked that the laws be checked as to whether or not the town can spend money on private property.

Menter said there is a huge dumpster at 1 Idyllwood Drive that has been collecting trash for two years and is overflowing and blowing all over. Tuck will do a site visit.

Members were reminded of the LGC workshop being held Monday at the BCC.

Motion to adjourn at 7:50 made by Bryan, 2nd by Hubbard: all were in favor.

Respectfully submitted,

Kathy St. Hilaire