

Selectmen's Meeting
Monday, May 15, 2023

Chairman Les Babb called the meeting to order at 6:30 p.m. Present were Selectmen Les Babb, Ernie Day and Melissa Florio, and Stacy Bolduc, Town Administrator, who recorded these minutes. This meeting was held at the Town Office.

Also in attendance were Jamie Mullen, Rob Cunio, Scott Brooks, Charlene McCurtain, Lindsay Pettengill

Public: Brian Taylor, Robert Libby, Scott Pettengill.

Review of Mail, Sign Manifests, Approval of Minutes:

The accounts payable, payroll manifests, and red folder, including correspondence, were reviewed.

Ernie made a motion to approve the Selectmen's Meetings and Non-Public Session minutes of the May 8, 2023, and May 1, 2023, as written. Melissa seconded. All in favor, the motion Passed 3-0-0.

Department Head Updates:

Highway Department – Scott presented a handout to Selectmen regarding the May 1st rainstorm. Outlining the material, and hours used to date. He also provided the paving bid that he would like to post for Swett's Hill and the wearing surface for Durgin Hill. If approved Scott will post the bid and bids will be opened two weeks from tonight. Because of Memorial Day the bids will be opened Wednesday May 24th at 8:00 a.m. Bids need to be submitted by 3:00 on May 23rd.

Scott and Jim Stone will be on a webinar phone call with FEMA at 9:00 a.m. May 16th for the December storm.

Fire Department- Rob reported 4 medicals, mutual aid fire, a flooded basement, and a chipper fire. Everything passed pump testing except engine two has a leaky pump that is being fixed. They tried to do training with the boat but one of the motors quit, so the boat is now at Wards. The bills pump was not working either.

Fire dangers are very high. The fishing derby is Sunday, and the State will stalk the fish.

Police Department – Rich has finished putting together the exercise equipment and will order a couple more pieces. Renee Wheaton helped find a walker for a gentleman that Jamie assisted when he fell. Rich has the second of three leadership classes coming up. In June there will be another triathlon. The new hire will start June 1st.

Transfer Station – Charlene reported the brush burn is going well and every week it burns better and better. Casella had a truck break down they were able to pick up the canister and will be able to schedule the pick-up of the other two.

Office- Stacy reported that Sam and Lindsay called surrounding towns to inquire about IT companies that they are using and have come up with a list to call and inquire about. Sam would like to hire a deputy tax collector. Les said where Sam is hired, Selectmen need to do the appointment. Stacy gave

Selectmen a packet to review regarding Durgin Hill. Lindsay worked on the food truck application and will present it to the Selectmen under new business. An email regarding shooting off a cannon in honor of Mr. Apanel. Permission was granted as long as they notify their neighbors. Chief Cunio asked to find out what they are packing it with.

Appointment

Nerine Sullivan came before the Selectmen to present her driveway survey. The road agent denied her driveway permit due to needing a better line of site. She has since had a driveway survey done by a certified land surveyor, and the survey states she has enough line of site. The plan is based on AASHTO standards. The survey was reviewed by both the Road Agent and Selectmen. The surveyor stated that the brush would have to be cut back to maintain the line of site which is not a problem, Nerine said, because it is on their property. Les asked what speed they set the survey for. Scott commented a surveyor from Newton, NH did the survey. Nerine thought the speed limit was set for 35 mph. Les explained the background of setting the speed at 30 mph so they could achieve a median speed of 37 mph. Jamie said the numbers change from judge to judge. Les asked what the height was. Scott said 3'9" people don't sit at that height. Nerine argued the survey is per AASHTO standards and Scott is not a professional licensed land surveyor. Scott said you need 350" of sight distance for 35 mph; the survey is for 300". Nerine argued it meets the towns requirements. Les said it is temporary access that is there now, not a driveway, and asked if the driveway was staked out. Nerine responded yes, it is and that is a licensed survey, and if you don't know how to read it, she suggests finding someone who does. Nerine argued a civil engineer did the survey and it is professionally done.

Ernie said he agrees with the road agent, and this is all about safety; we are in this town every day and know what the traffic is like there unlike the surveyor from Newton. Nerine asked what difference does it make where the surveyor is from. Ernie said it didn't matter. Scott suggested having a plan done by the town's engineer and comparing them. Nerine responded she is letting the town know the next step is to seek an attorney and sue the town. She is done with doing this and feels the town has treated her poorly. Ellen told her before she left to get a professional driveway survey which she did. She continued to say if the town pushes her to get an attorney this town will have egg all over its face. Melissa asked if there was a house on the property. Nerine responded no. Melissa supports Scott's suggestion to have the towns engineer look at it because the liability is on the town not the homeowner. Nerine said there has never been an incident with big trucks going in and out of there. Scott stated there had been no truck traffic since Winter Green Ridge was built. Nerine said she has done everything right and wanted to know if the Town would accept the professional survey.

Les said they are trying to determine if the location of the driveway is safe. Camp Robin Hood used that access way in the pre- summer seasons, and the protocols were to have the radios off, windows down and listen. To him this is an unsafe driveway in his opinion. Ernie agrees with Les. Les explained he could not approve this in good conscious and that Nerine could go to the Zoning Board of Adjustment to appeal the Selectmen s decision. Nerine stated she will not she will go to the State of NH, and everything will come out and people would be subpoenaed.

Food Trucks- Lindsay gathered food truck applications from other towns and safety handouts. Melissa questioned the peddler's license and Lindsay explained that was done through the State. Signage parameters need to be added still. Points discussed:

- One person needs to be food safe certified
- What the Planning Board outlined for food trucks is part of the application

- Noise (food trucks can't be solely dependent on generators).
- Lighting in commercial and residential areas
- Should the food truck be further than 10" from a building
- Hood suppression
- Hours of operation
- How long is the permit good for (week, month, day or year).
- No porta potties
- No picnic tables/ no seating
- They need to pay a fee. Ernie pointed out that area restaurants pay property taxes and will be competing with the food trucks so they should pay a fee. A day vs. a year was discussed. If the food truck is registered with another town and State permits and prove it, they can get a day permit. Les suggested \$50.00 for a day permit if they can prove they have a permit in another town and \$250.00 for annual because now Gary and Chief Cunio need to look at the food truck.
- Hours could be ½ hour before dawn and ½ after dusk. Special events would be different than the annual permit.

Rob will try to get together with Lindsay.

Tax Warrant

Selectmen signed the tax warrant.

Transfer Station

Stacy gave the blue transfer station sticker to Charlene. They will be good until 2025.

Les made a motion to have a second full time person at the transfer station, motion seconded by Ernie; Motion passed 3-0-0.

Ernie received a call over the weekend regarding someone who saw a snowblower or a lawnmower beside the office. We have a no dump picking policy. There is no gas or oil in either of them so they can not be started. It was agreed there is picking at all even if it is outside the office. DES inspections are now happening and they are looking for hazardous wastes.

Melissa said Wolfeboro has agreed to take Freedom's wastes and Effingham is planning a Hazardous wastes day in August, they are waiting for SAU to approve the use of the building. The metal brackets are being made to hold 2 x 6's . The reconfiguring won't happen until June.

The paving bids will be accepted until 7:30 a.m. May 24th and will be opened at 8:00 a.m. May 24th .

Melissa asked how Charlene is supposed to know if someone is a contractor doing business someplace else. Les said this all will be addressed when we do the brochures. Stacy asked if we can look into scales. Jim Stone and Melissa found a grant that may cover buildings and scales. Stacy will call to see if Maine Scales can give us a quote.

Ernie updated the board that the roller shed is full and would like to bring in a roll off dumpster. Stacy will coordinate with Brandy to have Waste Management come.

Public Comment

Robert Libby questioned if the denial for Nerine Sullivan was a personal opinion regarding the site line or based on it did not meet the town specifications. Les responded that the distance that she had documented did not match the speed limit therefore did not meet the towns regulations.

Robert also questioned the hours of operations for the food trucks if, the hours cover being there to prepare the food. He thinks there should be a definition of open hours vs. preparation hours because lighting and traffic will be less while preparing the food. He also asked about fire suppression hoods if Rob Cunio has checked into what the fairs do. He would like us to look at towns more our size to see what they are doing.

The self-contained power for the food truck was also discussed. Les said the most desirable would be not having to run a generator. Robert also questioned what the fee should be for a food truck. Les said he agreed with Ernie's argument about the property owner who has to pay taxes on their business and then compete with the food truck.

Robert questioned the Totem Pole stickers why are they a different color. Les explained what they can drop and when they can drop is why they need the different color stickers because they have access to dumpsters. He also questioned if we would be hiring a part-time person for the transfer station in addition to the full-time person. Les said no but, we are working with per-diems to have three people on staff. Robert also questioned if we were going to have a picking shed. Les said probably not based on what is happening in other towns with audits. Robert said sounds like we have a lot of conflict at the transfer station when people are turned away. He asked what we are doing for employees' safety. He questioned if they are trained in not engaging in conflict. Les responded that the reconfiguration of the transfer station will help with that. Examples of possible engagement were discussed. Jamie said security issues should be discussed under 91-A and should not be discussed publicly.

Brian Taylor added regarding food trucks, there should not be parking on both sides of the road and he is an abutter to the driveway application and attended the Zoning Board meeting when it came up and it was a different story than what he heard tonight. There was a lot of discussion around the driveway.

Non-Public Session(s):

Les made a motion enter into a non-public session at 8:25 PM pursuant to RSA 91-A:3, II (L), reputation. Ernie seconded. Roll call vote was taken: Ernie-yes, Melissa-yes, Les-yes. All in favor, the motion passed. Les made a motion to resume public session at 8:30 PM. Ernie seconded. All in favor, the motion passed.

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Adjournment:

Being no further input, Les made a motion to adjourn. Ernie seconded. All in favor, the motion passed.

The meeting adjourned at 8:45 PM.

Consent Agenda:

Accounts Payable – Week ending 5/10/2023	Approved
Payroll Manifest – Week ending 5/12/2023	Approved
Minutes – Selectmen’s Meeting & Non-Public Sessions– 5/08/2023	Approved
Request for Abatement – N/A	
Property Tax Warrant-	Approved

Correspondence:

Newsletter – NHMA Legislative Bulletin No. 19	Reviewed
Jeannette Benz – RE Patrick Apanel Cannon	Reviewed
Meena May 8 th update	Reviewed
NH DRA Cyclical Monitoring	Reviewed
Diane Gorrow Cotter letter	Reviewed
IT Companies	Reviewed
Robert Libby Ref to Historic Properties	Reviewed
May 1, 2023 Storm costs Scott Brooks	Reviewed

Respectfully submitted,
Stacy Bolduc, Town Administrator

Approved by the Board of Selectmen on _____:

Leslie R. Babb

Ernest F. Day, Jr.

Melissa M. Florio