

**TOWN OF CHARLESTOWN  
SELECTBOARD MEETING  
OCTOBER 6, 2010**

Selectboard Present: Brenda Ferland (Chair); Steven Neill, Doug Ring

Staff Present: David Edkins – Administrative Assistant  
Keith Weed – Highway Superintendent  
David Duquette – Water and Wastewater Superintendent  
Edward Smith – Police Chief  
Gary Wallace – Fire Chief  
Regina Borden – Recording Secretary

**CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Brenda Ferland called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited. She advised that meetings are tape recorded and asked anyone wishing to speak to identify themselves for the record.

**MINUTES OF PREVIOUS MEETING(S):**

**Mr. Neill moved to approve the Minutes of the Non-Public Selectboard meeting of September 15, 2010, as printed. Mr. Ring seconded the motion. With all in favor, the Minutes were approved.**

**Mr. Neill moved to approve the Minutes of the regular Selectboard meeting of September 15, 2010, as printed. Mr. Ring seconded the motion. With all in favor, the Minutes were approved.**

**DEPARTMENT HEAD REPORTS:**

**Fire Department:** Fire Chief Gary Wallace reported that the fire truck chassis will be delivered to the factory on November 3<sup>rd</sup>. Last Monday night they went over the final specifications. He left a copy of the specs and drawing for the Selectboard to review. Delivery of the truck to the Town is expected in late February 2011. Mr. Edkins will need the dollar amount and payee so he can get that information to the leasing company. The first payment should be out of this budget.

Fire Chief Wallace noted that they are having trouble getting the Mutual Aid tone here in Charlestown since Mutual Aid went to simul-casting. To alleviate this problem they are putting a tower up on the hill next to the cellular tower on the Olsons' property. This is at no cost to the Town. Mutual Aid is picking up the tab for all the transmitter equipment; he obtained the 75-foot tower for almost nothing. Mrs. Ferland mentioned that the dispatching service is over-budget. Chief Wallace said their annual fee came in higher than originally estimated. Mr. Edkins stated that their estimated number has to be accurate because of budget limitations.

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Fire Chief Wallace was asked to put together a package of what the fire station needs; he is in the process of doing that. Mrs. Ferland suggested that he prioritize that list.

Fire Chief Wallace will be asking for an increase in the Fire Chief's salary next year. He has been doing more fire inspections, uses his own vehicle and putting in a lot more time.

Mrs. Ferland advised that the department's vehicle repair line is over-budget. Chief Wallace indicated that this is a tough item to budget. In the spring the radiator went on their pumper; it was an unexpected expense. This truck is 20 years old. He is concerned with the recent forest fire on the hill because there were a lot of hours but the State reimburses the Town 50%.

**Transfer Station:** Keith Weed reported that the ad for bids is in the newspaper today for the building. There will be a pre-bid meeting on Monday at 9:00 AM. Bids will be opened on October 20<sup>th</sup> during the Selectboard meeting.

**Highway Department:** Keith Weed had a visit from Mutual Aid who advised that the Highway Department's radio license expired about 12 years ago. Currently they are using the Town of Unity frequencies. He needs to buy a new radio for the new truck coming in. They should have their own license and frequency.

The new truck is sitting in Ohio; it will be released at the end of this month. It is being held up for a secondary muffler; apparently they sold more trucks than they made parts for. They cannot get an answer from the International area representative. It might be December before it is all outfitted. Mrs. Ferland felt the Selectboard should send a letter to the International headquarters to let them know we are not entirely pleased for the second time.

The Highway Department employees have been doing pot hole patching. They hauled fill to Hall's Pond for the project on the dam. A culvert was replaced on Old School House Road and planks were replaced on the dry bridge. They spent time in the pit moving things around and cleaning-up. Fall road grading is being done. The street sweeper will be here next week. During last week's rain there was one area that had damage on the Springfield Road. There are 2-or-3 areas on Michael Avenue that were eroding; that will be taken care of. On Emile Avenue he will be changing to a different style of grates, etc. because that hill is so steep. They have been working on the addition; the electrician will be here at the end of the week and the plumber will be here soon. He is waiting to hear from the tree company on what day he will be here. There are some Town trees and one in the cemetery. Mr. Ring will let him know about the tree at the pool tomorrow.

Mr. Edkins noted that at the last meeting the Selectboard talked about back-charging department-to-department. Mr. Weed has been doing this for labor but not materials. Mr. Duquette agreed that when his department is billed for labor it comes out of his part-time salary line. Mrs. Ferland assumed they were still doing back-charging for both. Mr.

Edkins asked Mr. Weed and Mr. Duquette to keep track of hours, materials and equipment so adjustments can be made in the office.

Mr. Ring asked Mr. Weed about doing the repairs to the dip in the road on Lovers Lane. Mr. Weed estimated that it would cost about \$6,000 for asphalt. He explained what needs to be done for repairs.

Mr. Edkins attended the Department of Environmental Services (DES) Workshop on the new Stream Crossing rules. If you have two or more culverts using the same stream crossing then you get put up a notch in the new permitting process. They have adopted the new rules but have not finalized them yet so copies were not distributed. The new permitting process will be difficult and expensive. Many feel that the new rules constitute an unconstitutional unfunded mandate.

**Police Department:** Police Chief Ed Smith reported that they gave Mr. Weed and Miss Dennis some assistance during the Saturday Transfer Station sticker sale. The Tractor Club and the Congregational Church both had their food drives for the food shelf this past week-end. He has been working on his budget. His staff has been hit with the “bug” that is lasting two-to-three weeks. The grant paperwork on the DWI and speed details has been submitted for reimbursement. He would like to schedule a workshop with the Selectboard and Mr. Edkins to do a walk-thru of the Police Station building. He sent notices around on uniforms so he will be putting in a purchase order for that and for new winter tires. Mr. Frazier handed him some information on alleged violations in the Town; he will do a follow-up on that. Mr. Edkins will make copies of the list for the Selectboard.

Police Chief Smith had an anonymous call today about the upper end of the Old Claremont Road. An outfit that had been hired by a bank came in to do some clean-up and make changes on a foreclosed property. He would like to get an advance notice from these banks/companies so the Town would be aware of what is happening on these properties. Mr. Edkins noted that the Town does not have a lot of control over the banks and foreclosure companies but sometimes Debra Clark gets notice. He will make sure that Mrs. Clark and Miss Dennis know that there is a need to set up a system so department heads know about foreclosures including the Police Department.

**Water and Wastewater Departments:** Dave Duquette advised that they have been reading meters and fixing leaks. We did get some good rainfall; the Town gained about 2-1/2 feet in Halls Pond but it is still low. It will be okay to lift the water conservation warning. There was a service line leak in the Beaudry Development.

**PUBLIC COMMENT:**

**Cummings Avenue:** Kurt Frazier is distraught about what has been going on at the Cummings Avenue area. He has been talking with Mr. Edkins for several months to try to work on a solution. On September 2, 2009, Mr. Weed and he looked at the area where the water problem is - the crushed pipe, alleged wetlands fill-ins, etc. that compromised the water table in that whole area. As of last week one of the Selectboard members,

Doug Ring, met with the DES crew who came in to evaluate and look at the area; he said that Mr. Frazier had a fill-in on his property. Mr. Edkins did an inspection of the entire length of the ditch but found no evidence of any material being put in; the ditch was a flat muddy bottom with very little water and no debris. Mr. Frazier said the problem is that the Selectboard is aware of this; he has been falsely accused by the Board. Mr. Ring actually addressed DES, with Mr. Poisson and Mr. Chase. He called to talk to Mr. Ring and was being cordial but Mr. Ring hung up on him. He called DES and found out that Mr. Ring had made the allegations knowing that the problems were on Cummings Avenue so he would like to know why the Board continues to put the problems on him. This is a continuing problem for the Town; many area residents are up in arms about this and he doesn't need hassle or false accusations that it is on his property yet it is on Cummings Avenue. This shouldn't be tolerated by the Board.

Mrs. Ferland stated that this Board gave Mr. Ring no authority to speak on their behalf. He had no authority to use his position as a Selectman to say he was representing the Town. He was there as a citizen. She did not know that DES came into Town. Mr. Neill knew about it as a business person because they were contracted by Mr. Poisson to do excavation for the test pits but he, himself, made no appearance only one of his employees did. It had nothing to do with his position as a Selectman. Mrs. Ferland noted that at previous meetings the Selectboard talked about a plan but the "Town" or "Selectboard" did not accuse Mr. Frazier of anything.

Mr. Ring stated that any project that affects this Town he can go there to represent himself as a Selectboard member. That is their job to know what is going on. Mrs. Ferland said not unless it is voted on as a group. Mr. Ring stated that he was there to find out the true facts; he wanted to see it directly. He learned that that area was filled in before he was even born. Mr. Weed stated that the Kurt Frazier ditch is not the problem. Mrs. Ferland assumes that the Selectboard will be getting a report from DES on their visit. Mr. Frazier said he just wants to be left alone; the problem is not on his property. He spoke to Linda McGoon and three other DES people about the issue. Mr. Edkins understood that DES was there to look at the Poisson property and that is all they were there for. That property was the subject of a wetlands violation about eleven years ago that was never resolved. Mr. Frazier then invited them to come over and look at his property.

DES dug a number of test pits but he has not seen a report. Mr. Ring said one of the DES ladies stated that she was there to deal with that one problem and nothing else. He stood and watched and just said "Hi" to her. Mr. Edkins advised that there is a problem in the Cummings Avenue area. They need to take a look at the budget line and get somebody to take a look at the entire project. Mr. Frazier would like to have Mr. Edkins contact DES to find out exactly what was said. He has done everything the way the Town asked him to do it. Mr. Ring requested a formal apology from Mr. Frazier if it comes out otherwise. Mrs. Ferland noted that they will contact Ms. McGoon and ask her directly about the conversation.

**SELECTBOARD COMMENT:**

**Police Department Building:** Mrs. Ferland reported that Bill Cote, the Town's Risk Management insurance representative with the Local Government Center, did an investigation of the new police station. He is comfortable with everything that has been done and he is pleased with the quality of construction.

**Selectboard's Authority:** Mr. Ring does believe that, being elected by this Town, the Selectboard members have every right to check out everything that pertains to the Town. As a neutral person you will be doing your job as a Selectboard person; if you don't do that he doesn't understand it. If there are projects going on, maybe some things are on other people's land like the drainage issue, as a Selectboard member he does not feel he needs the permission from the other members to check it out. Mrs. Ferland referred to the Code of Conduct that was adopted by the Town that says he cannot go in and say that he is a Selectboard member and is representing the Town. Mr. Edkins said an individual Selectman does not have any authority; all authority comes from the Selectboard. They have no right to make individual decisions on behalf of the Town. Decision making is different than gathering information.

*(The Selectboard took a break from 8:18 to 8:26 PM.)*

**OLD BUSINESS:** None.

**FINANCIAL ADMINISTRATION – Payroll, Purchase Orders, Vouchers, Warrants, Abatements, Etc.:** The **Payroll, Vouchers, Warrants and Abatements** were approved and signed.

**Purchase Orders:** The following Purchase Orders were approved: 1) Water – Charlestown Cornerstone \$850.00; 2) Highway – Town Line Equipment Sales \$1,035.50; 3) Highway – Rick's Electric \$3,900.00; 4) Highway – Cota and Cota, Inc. \$2,867.26; 5) Highway – Nortrax \$1,478.14; 6) Highway – Atlantic Broom Service, Inc. \$2,896.45; 7) Highway – Cold River Materials \$577.17; 8) Highway – Atlantic Broom Service, Inc. \$755.00; 9) Transfer Station – East Coast Electronics Recycling \$683.00; 10) Fire – Ralph's Super Market \$926.90 (Mr. Neill asked that they enclose a receipt with the bill); and 11) Fire – Semi Annual Testing \$1,728.27.

**Notice of Intent to Cut Wood or Timber:** The Selectboard approved a Notice of Intent to Cut Wood or Timber for Ted Putnam on Morningside Road.

**MS-1:** A note was received from Miss Dennis requesting that the Selectboard sign the memo asking for an extension for filing the MS-1. The State cannot set the tax rate until this is completed and filed.

**APPOINTMENTS, PERMITS, LICENSES, & RESOLUTIONS:** None.

**CORRESPONDENCE:**

**Annual Town Meeting:** Mr. Edkins submitted his suggestion for the Deliberative Session date; Wednesday, February 9<sup>th</sup>, 2011. The Selectboard approved this date. They asked for copies of his memo on the various Town Meeting related dates.

**2011 Holiday Choices:** This will be distributed to the Department Heads for their choices.

**Zoning Board of Adjustment:** The Zoning Board of Adjustment will be holding a Public Hearing on Monday, October 11<sup>th</sup>, 2010 concerning a property on 343 Springfield Road. The owner is looking to change an existing building into a convenience store.

**Board of Land and Tax Appeals:** A memo was received from Miss Dennis to advise that on Wednesday, October 27<sup>th</sup> TransCanada with Joe Lessard, the Town's assessing contractor, will meet to discuss the possible settlement of the TransCanada abatement appeal. TransCanada filed an Abatement application on their property; the Town denied it therefore TransCanada has filed an appeal with the BTLA. BTLA procedures require a settlement meeting between the parties prior to the scheduling of a formal hearing. The Selectboard is welcome and encouraged to attend.

**Auditing Services:** Miss Dennis submitted a memo asking if the Selectboard wishes to put the Town's auditing services out to bid. Mr. Edkins noted that the Department of Revenue Administration recommends a change in auditors periodically. Mr. Neill and Mr. Ring felt it does not hurt to get competitive bids; Mrs. Ferland would like to stay with the same firm. There was a consensus of a majority of the Board to go out for a bid.

**M & W Soils:** M & W Soils submitted a letter regarding drainage issues on Dell Street. Mr. Weed advised that the Highway Department did some work there but feels it is a grade difference. It is resolvable but he is waiting to hear from Warren Stevens.

**National Grid:** The Selectboard acknowledged receipt of a notice from National Grid to advise that there will be a meeting in Manchester, NH on their emergency response procedures. There was a consensus to ask Charles Baraly if he would like to attend.

**Broad Band Service:** There will be a Public Forum on Broad Band Service sponsored by the Upper Valley Lake Sunapee Regional Planning Commission. They are working on a big project to increase the availability of this service in the whole area.

**Police Station Building:** The Selectboard approved the following invoices: 1) Norm Beaudry Construction for a contract progress payment in the amount of \$48,630.00; 2) Change Option #5 in the amount of \$2,140.00 for the wall covering in the Sally Port. It was agreed to pay this from donated funding; 3) Sidewalk in the amount of \$1,700.00 to be taken out of the Highway budget; and 4) Change Order #7 in the amount of \$7,361.00 for the brick on the west end. This will be taken out of donated funding. The brick on the front of the building has already been donated.

Mr. Ring reported that they are leaning toward putting the flagpole and cannon outside the Chief's office. Mr. Neill said there are five lamp posts in the Fire Station that were spares from the lighting around the municipal complex. They will need 3-to-4 fire extinguishers. It was agreed to schedule the walk-thru for Thursday afternoon at 3:00 PM to make some final plans. This will include the Selectboard, Chief Smith and Norm Beaudry.

**ADMINISTRATIVE ASSISTANT'S REPORT:**

**Budgets:** Mr. Edkins is waiting for proposed budgets from the Department Heads.

**Taxes:** Mr. Edkins reported that they had previously talked about back taxes on a property on Salt Shed Road; those taxes have been paid.

**ZBA Alternates:** There is an immediate need for Alternate members on the Zoning Board of Adjustment. Mr. Edkins asked everyone to get the word out.

**Mowing Bid:** Mr. Edkins asked the Selectboard to consider whether they would like to put the mowing contract out for bid or go with the option to extend the present contract based on the Consumer Price Index.

**COMMITTEE REPORTS:**

**Conservation Commission – Steve Neill:** They will meet again on October 25<sup>th</sup>.

**CEDA – Brenda Ferland:** They will not meet again until November.

**Planning Board – Steve Neill:** The PB met last night. They gave final approval for a two lot Subdivision on the Acworth Road. A Sign Permit was approved for the Upper Valley Transfer/Cushman Lumber business on Springfield Road. Since it changed ownership this property has been cleaned-up and is looking much better. Final approval was granted to Norm and Mike Excavating, Inc. for construction of two pole barns for equipment storage on Caryl Lane. A Sign Permit for Salt Shed Holdings was tabled as there is a little discrepancy of what he would like and what the rules will allow. There was a preliminary consultation on a Calavant Hill lot line adjustment that was approved but never completed. Mr. Dombroski presented some options. There was some discussion about enforcement issues: 1) a camper on a lot that does not meet the new regulations; and 2) a possible wetlands issue.

**Solid Waste Committee – Brenda Ferland:** There have not been any recent meetings.

**Heritage Commission – Doug Ring:** Mr. Ring reported that they are working on their budget and talked about the signs on both ends of the Town. They also have a concern with the cannon building and would like some input on that.

**Highway Advisory Board – Brenda Ferland:** The next meeting will be on October 18<sup>th</sup>.

**Recreation Committee – Doug Ring:** The Recreation Committee met last night. They have a situation at the pool as there are tears in the cover. They are trying to get the Fire Department to pump out some water so they can get the cover out to repair it. It is three years old. The spring clean-up was easier this year because of the cover. He asked Mr. Weed to have the rubbish cans emptied as there is still a lot of stuff in them. There had been a few mowing complaints mainly in Patch Park. The new Director is not on the payroll yet but they are working with him. Mr. Edkins noted that someone needs to tell Miss Dennis when to put the new Director and Assistant Director on the payroll.

**CIP Committee – Brenda Ferland:** There will be a meeting next Thursday.

**OTHER BUSINESS:**

**Acworth Stage Road:** Mr. Weed reported that just above the bridge it appears that a resident on the Acworth Stage Road put a “man-made” ditch in across the road. Mr. Edkins had sent out letters to the residents on that road regarding the Town’s policy that they need to get permission from the Town before any maintenance is done on that road. Mr. Neill felt that the Selectboard should know who did it.

**NON-PUBLIC SESSION – RSA 91-A:3 II:**

**Mrs. Ferland moved to enter into a Non-Public Session pursuant to RSA 91-A:3 II to discuss (a) Personnel, (b) Hiring and (c) Reputations. Mr. Neill seconded the motion and, on a roll call vote with all in favor, the motion was approved.** The time was 9:34 PM.

Respectfully submitted,  
Regina Borden, Recording Secretary

Approved,

Brenda L. Ferland, Chair

Steven A. Neill

Doug S. Ring

(**Note:** These are unapproved Minutes. Correction, if necessary, may be found in the Minutes of the October 20, 2010, Selectboard meeting.)