

**TOWN OF CHARLESTOWN
SELECTBOARD MEETING
JUNE 15, 2011**

Selectboard Present: Doug Ring, Brenda Ferland

Staff Present: David Edkins – Administrative Assistant
Keith Weed – Highway Superintendent
Edward Smith – Police Chief
Regina Borden – Recording Secretary

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: In the absence of Chairman Steve Neill, Mr. Ring called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited. He advised that meetings are tape recorded and asked anyone wishing to speak to identify themselves for the record.

Mr. Ring called the Public Hearing to order at 7:02 PM.

PUBLIC HEARING – PROPOSED FIREWORKS ORDINANCE: Mr. Edkins explained that over the last couple of years after the 4th of July this office and the Police Department had many complaints about fireworks and the dangers they present, therefore the Selectboard asked him and Chief Smith to put together a proposed Fireworks Ordinance. Residents would be required to obtain a permit for New Hampshire permissible fireworks rather than the Town taking action to prohibit them. The advance permit would require a sign-off by the adjacent property owners saying they do not have a problem with it, and an inspection of the display site for potential fire hazards. At the request of the Fire Chief it also includes a provision that even if they provide a permit the Town reserves the right to revoke the permit if the fire conditions warrant. In that event the applicant would receive their \$10.00 permit fee back. Chief Smith stated that this is for safety and reaching out to their neighbors if they are within 300-feet. He is not opposed to fireworks but they would like to get a handle on them. Mr. Edkins noted that the Town has the authority to adopt this Ordinance pursuant to New Hampshire RSA 160-C:6. It gives towns the authority to decide how they are going to treat permissible fireworks. Many NH towns have restrictions: 28% of NH towns have none; 23% of the towns require a permit; 14% prohibit fireworks all together; 35% have not reported to the State. It is mostly smaller towns that have no restrictions; larger towns do.

A letter was received from Wesley VanVelsor who strongly opposes this ordinance based on personal freedom. It will be included with the Minutes.

Judy Murray wondered where the liability is if someone fills out the permit form and the neighbor signs off but ends up with damage. Mr. Edkins responded that the person shooting off the fireworks is always responsible.

Nancy Houghton noted that the Town just seems to charge for everything. It is a shame for a small town. Phil Shaw agreed. There isn't any reason to have a fee for this.

There being no other comments, Mr. Ring closed the Public Hearing at 7:12 PM.

REGULAR SELECTBOARD MEETING

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Mr. Ring called the regular Selectboard meeting to order at 7:13 PM.

BID OPENING – 2011 ROAD WORK: Mr. Edkins advised that the two bids were opened today at 3:00 PM. They are for 2011 Road Work on Corral Avenue, Thomas Avenue and the Old Claremont Road.

2011 Road Work Bid Results with Asphalt Injection:

- Lane Construction - \$337,197.40;
- Pike Industries - \$323,876.80.

2011 Road Work Bid Results with Portland cement:

- Lane Construction - \$249,816.28;
- Pike Industries - \$292,257.31.

Mr. Weed just had time to put the numbers together so would like time to study them in the best interest of the Town. He would like to meet with the Selectboard and Mr. Edkins ASAP. This meeting was scheduled for Friday, June 17th at 3:30 PM.

MINUTES OF PREVIOUS MEETING(S):

Mrs. Ferland moved to approve the Minutes of the regular Selectboard meeting of June 1, 2011, as printed. Mr. Ring seconded the motion. With two members in favor, the motion was approved.

DEPARTMENT HEAD REPORTS:

Police Department: Police Chief Smith said they had a good turn-out for the Special Olympics Torch Run two weeks ago. They held their first State sponsored DWI saturation patrol last week-end. He expects to sign the State Speed Grant next week. On Saturday, June 18th there will be two events in Town. The first one is the annual Harpoon Brewery Brewery-to-Brewery Bike Race that starts in Massachusetts and ends in Windsor. They come through Charlestown and have a rest stop on Lovers Lane Road from 1:00 to 4:00 PM. About 800 bikes will go through town. The second event is an Antique Show on the former Foundation lawn. They will put up signs that morning as to where to park. Chief Smith asked that, in the future, groups let him know about major events as soon as a date has been set. Some work is being done on the handrails in the new building. They assisted with the Camp Good News Race. He thanked Keith Weed for the use of some barricades. Mr. Ring asked Chief Smith to have somebody available next Friday night for the Touch-A-Truck event that the Recreation Department is sponsoring as there will be a lot of equipment there. The Highway Department will have their new truck w/plow and backhoe there. The two individuals that did damage on Town property on Chase Circle will be given two options.

Transfer Station: Keith Weed reported that cardboard will go out Friday. They picked-up the two new bins; one rotted one was taken to Claremont for disposal. They are still painting and making signs. Mrs. Ferland would like to meet with Janet and Mr. Weed before next year's stickers go out.

Highway Department: Mr. Weed advised that they were able to get some calcium chloride out between rain storms: Cheshire Turnpike and Hackett Swamp Road were done. They are behind

on spring grading. They worked on a catch-basin on Cummings Avenue. Some work needed to be done in the pit to the retention pond. One of the crew has given his notice and will be done next Friday.

Water and Wastewater Departments: Mr. Edkins gave a brief report for Dave Duquette who is not here tonight because he is planning to do a hydrant replacement job tonight on Olcott Lane and Main Street. They previously replaced the old hydrants on Perry Avenue and Paris Avenue at Main Street. He also plans to replace the curb where the hydrant was replaced at Paris Ave and Main Street. Other than the hydrant jobs things are going smoothly.

Mr. Ring recessed the regular Selectboard meeting at 7:32 PM.

PUBLIC HEARING

Mr. Ring called the Public Hearing to order at 7:33 PM.

ACCEPTANCE OF DISCRETIONARY EASEMENT FOR THE PRESERVATION OF HISTORIC AGRICULTURAL STRUCTURE: Mr. Ring read the posted notice as follows: “Pursuant to the provisions of RSA 79-D, the Charlestown Selectboard will hold a Public Hearing on Wednesday, June 15, 2011 beginning at 7:30 PM at the Office of the Selectboard to consider the following application for the Discretionary Preservation Easement and associated property tax incentives for the preservation of an Historic Agricultural Structure. The purpose of the Hearing is to consider and take public comment on whether the subject structure demonstrates the Public Benefits required by statute to qualify for acceptance by the Town of a Discretionary Preservation Easement and the associated granting of a 25% - 75% reduction in the full assessed taxable value of said structure and underlying land.

Walter G. & Maureen J. Spilsbury, Jr. – Carriage House – 43 Paris Avenue – (Map 119, Lot 8)

A site visit to the subject property will be conducted at 6:30 PM on the date of the above referenced Public Hearing.”

Mr. Ring, Mrs. Ferland and Mr. Edkins participated in the site visit prior to this meeting.

Mr. Edkins explained that this is a State Statute intended to preserve historic, agricultural structures. The owner grants an Easement to the Town guaranteeing that he will maintain the structure, up-grade it and keep it in good condition. In exchange for that, the Town is authorized to grant a reduction in the assessment of the property for tax purposes of between 25%-and-75% based on their judgment of the historic, architectural or scenic value of the structure. There are quite a few guidelines but basically there are three questions that the Selectboard need to answer.

Mr. Walter (Terry) Spilsbury stated that his wife, Maureen, is also present. They own the property at 43 Paris Avenue that is also known as the Olcott Estate. The house was built in 1774 but the carriage house to the left was built in 1867. He passed around a print that appeared in the 1876 first history of the Town of Charlestown. He reviewed the criteria. It calls for the preservation of historic structures which is defined as a barn or other structure, including the land on which it is built, which was or is used for agricultural purposes and is at least 75 years old. The NH list includes a silo, carriage house or stable, etc. The Foundation had divided it into five

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apartments but Norm Cobb did the work in such a way that it could be returned to its original layout that was still almost all there; there is still a lot that needs to be done. The test of demonstrated public benefit is met if the structure complies with one or more of the guidelines. He believes that this carriage house meets all three of the criteria.

- 1) “It provides scenic enjoyment of the structure by the general public from a public way or from public waters.” *Mr. Spilsbury noted that Paris Avenue is a heavily walked and traveled roadway so anyone going by can enjoy this historic structure. They feel it is important to keep the property looking as it has in the past – estate-wise with a substantial amount of open space.*
- 2) “It is historically important on a local, regional, state or national level, either independently or within an historic district.” *Mr. Spilsbury stated that this property is in a National Register Historic District. The building is an architectural gem.*
- 3) “The structure’s physical or aesthetic features contribute to the historic or cultural integrity of a property listed on or determined eligible for listing on the National Register of Historic Places, State Register of Historic Places, or locally designated historic district.” *Mr. Spilsbury noted that in Charlestown they are fortunate to be listed as a National Historic District. There are many contributing structures that make up this district.*

They feel they are stewards of this property. It is their home so they try to keep it up. They want to restore the carriage house as they view it as a Town asset. It is now used for storage but previously was used for agriculture purposes.

Mr. Edkins mentioned that the Town had granted four Discretionary Preservation Easements in the past (around 2004). They ran from 35%-to-75%.

Joyce Higgins noted that in 2004 the Historical Society did a barn inventory and they did encourage other buildings to be written up and sent to the State. They did barns over 50 years old. At that time they did not know that the carriage house existed on the side of that building. She asked Mr. Spilsbury to fill out the form to make their list complete with the State. The Historical Society hopes that the Selectboard will look favorably on this.

Mr. Ring closed the Public Hearing at 7:48 PM.

REGULAR SELECTBOARD MEETING: Mr. Ring resumed the regular meeting.

DISCRETIONARY PRESERVATION EASEMENT:

Mrs. Ferland moved to grant Walter G. (Jr.) and Maureen J. Spilsbury the 75% reduction in value of their historic carriage house structure. Mr. Ring seconded the motion. With all in favor, the motion was approved.

PUBLIC COMMENT:

Tree Committee: Aare Ilves advised that this past Sunday they planted the spruce tree on Swan Common in memory of Jackie Kasprzak. This week they started planting lilacs behind the Police Station.

Project by Dan's Max Saver Property: Mr. Ring advised that two bids were received.

- Innovative Concrete, LLC - \$10,800.00; and
- Vermont Hardscapes - \$12,800.00.

Mrs. Ferland moved to accept the low bid from Innovative Concrete, LLC of Chester, Vermont for \$10,800, subject to their providing a Certificate of Insurance. Mr. Ring seconded the motion. With all in favor, the motion was approved.

Sullivan Street – Sidewalk: Mr. Poisson asked for an up-date on his request for a sidewalk on Sullivan Street. In researching the Deeds for the motorcycle business he finds reference to the Charlestown walkway; it is 4-or-5 feet from the edge to the boundary so in the past there was a sidewalk. He feels they should take action on a sidewalk, particularly in front of that building, as the proposed parking area for the motorcycle business includes the 4-to-5 feet. Mr. Weed responded that the sidewalk will cost \$13,000 for materials plus the cost for moving the utility poles.

Sidewalks: Phil Shaw noted that by Dan's Store there is a difference in height between the new piece of sidewalk by the driveway and the older section. His wife fell there a few days ago. Mr. Weed will look into this.

A letter was received from Norm Cobb expressing concern about the sidewalk in front of his building on Main Street. Barbara Lumbra has also expressed concern about the condition of sidewalk in front of her building.

OLD BUSINESS:

Fling Road Bridge Project: Mr. Edkins reported that they have cast the new beam and the engineer approved it. Mike Hanson, contractor, will be in Town tomorrow; the clock starts tomorrow.

Route 12 Project: Mr. Edkins attended a meeting at the Upper Valley Lake Sunapee Regional Commission Transportation Advisory Committee last night. They received word that the Route 12 project was pushed back one year until 2013.

Mr. Ilves heard that the railroad was planning to replace the rails with new welded rail. With the Route 12 Project he does not want to see them waste taxpayers' money by moving the rails twice. When Mr. Ilves told Mr. Edkins about this he brought it to the attention of Nate Miller of the UVLSRPC and Don Lyford the Project Manager at DOT. DOT has not officially explained why they pushed it back one year.

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

Purchase Orders: The Selectboard approved and signed the following Purchase Orders: 1) Fire – MES – New York \$1,025.10; 2) Water – USA Blue Book (replaced the previous purchase order) - \$676.91; 3) Fire – MES – New York \$1,056.50; 4) MES – New York \$566.34; 5) SWNH – Radio Repair Shop \$518.56; 6) Southwestern NH District Fire Mutual Aid \$1,844.80; 7) Wastewater – Airgas \$622.90; 8) Highway – Atlantic Highway Sign Company \$2,249.50; 9) Water – Allen Engineering Corp. \$6,333.75; 10) Transfer – Ron’s Fix-It Shop \$655.20; 11) Town Office – DiBernardo Associates LLC \$500.00; 12) Highway – St. Pierre, Inc. \$1,154.79; 13) Water – Powers Generator Service \$2,092.08; and 14) – Highway – All States Asphalt \$4,348.12.

The following purchase orders were put on hold pending additional discussion: 1) Fire – HB Plumbing and Heating \$2,220.00; and 2) Fire – Blanc and Bailey \$1,550.00.

Fling Road Bridge Project: The engineers have over-extended their budget so they are looking for an amendment to their contract. The amount is \$8,456.52; 80% will be paid by the State.

Vouchers: The Selectboard approved and signed several Vouchers.

Warrants: The Selectboard approved the Tax Collector’s Warrant in the amount of \$281.70. The property changed hands but the Deed was not recorded so the new owner was not charged.

Town Clerk – Delinquent Dog Licenses: The Selectboard signed the Town Clerk’s Warrant for Delinquent Dog Licenses.

Abatements: Three Abatements were approved and signed:

- Property Taxes - \$560.39;
- Property Taxes - \$417.91;
- Property Taxes - \$26.45.

Water Bill to Twin Valley Estates: The owners would like to meet with the Selectboard in a non-public session before the next meeting relative to their water bill. Dave Duquette will be asked to attend. This meeting was scheduled for Wednesday, July 6th, at 6:30 PM.

Tax Collector’s Deed – Extension Request: The Selectboard approved an additional 30 day extension request.

Department of Revenue Administration: The Selectboard signed the form to confirm that the Town will be using the Inventory of Taxable Property forms next year.

Annual Audit: The Town is currently in the process of their annual audit. There is a questionnaire from the auditors asking the Selectboard if they are aware of any fraud, mismanagement of funds, etc. The Selectboard signed the form. Many Department Heads received a similar form.

Town Hall Permit: The Selectboard signed the Permit for use of the Town Hall for a wedding anniversary party on June 25th. Alcohol will be permitted.

New Hampshire Electric Co-op: Mr. Neill had signed pole license to grant New Hampshire Electric Co-op permission to erect a new pole.

National Grid: The Selectboard signed the pole license to grant National Grid permission to erect a new pole.

Flu Vaccinations: An application for an employee flu vaccination program was received from the insurance company. This is a part of their benefit at no charge to the Town.

NH Retirement System: A memo that will be going out with pay checks was enclosed in the Board's packet. It is to inform employees that there have been significant reforms passed by the legislature with regards to the NH Retirement System that will result in higher premiums for the employees effective July 1st if the Governor signs it. It will increase employees share from 5% to 7% and Police Department from about 9% to 11%.

Blueberry Hill Project: A memo was received from Donna Lane relative to the CDBG Grant for the Blueberry Hill Water Project. The Town received a mortgage from the owner of the park guaranteeing that rents in the park would remain affordable for low to moderate income people for 20 years. The park owner has applied to the Department of Environmental Services for a loan to cover his portion of the project. In order to get that loan the Town needs to make their mortgage subordinate to the State's mortgage.

Mr. Ring moved that Mr. Edkins was authorized to sign off on the Subordination Agreement with Castle Trust with regard to the Blueberry Hill Project. Mrs. Ferland seconded the motion. With all in favor, the motion was approved.

APPOINTMENTS, PERMITS, LICENSES, & RESOLUTIONS: None.

CORRESPONDENCE:

Energy Audit: The Upper Valley Lake Sunapee Regional Planning Commission is doing energy audits. They want to know if the Town has a building they would like to have evaluated for energy efficiency. Mr. Edkins suggested that the Selectboard think about this as it is not due until July.

National Grid: Mr. Edkins advised that National Grid is coming out with some new equipment for the street lights to save electricity but it is fairly expensive. Mr. Edkins would like to look into this for the smaller Town street lights around the municipal complex.

Old Town Hall: A letter was received from Chuck Lessard of the River Theater Company relative to the Town Hall. They would like to work with the Town on the improvements as they would like to use the second floor and to discuss future plans. Mr. Edkins suggested that the Board should bring in the stakeholders on this building: Rotary, Historical Society, Boy Scouts, River Theater, etc. to talk about where the Town goes from here.

Noise Complaint: A noise complaint was received on the Old Claremont Road as it continues after midnight. Mr. Edkins explained that the people would like the Town to adopt a Noise Ordinance. However, it is difficult to put one together that will stick in terms of enforcement.

Charlestown Rotary Club: The Charlestown Rotary Club will be at the Old Fort #4 on July 21st. This is their District Meeting. It includes a tour and dinner with guest speaker L. Paul “Jerry” Bremer.

SELECTBOARD COMMENT:

Selectboard Member: Mrs. Ferland noted that Steve Neill is still ill and unable to attend meetings.

Douglas Street: The speed bumps have been put in as well as the signs put up. The neighbors feel it is working well.

VFW Flag Pole: Mrs. Ferland reported that the VFW flag pole at the Police building will be repaired tomorrow night.

Fireworks: Mrs. Ferland received a lot of negative input from the public on the proposed Fireworks Ordinance. Very few people were in favor of it as they feel people should be allowed to use permissible fireworks. They expressed concern about the permit fee. Police Chief Smith advised that the department receives complaints from neighbors from Memorial Day to the winter months. Mr. Edkins mentioned that the Fire Chief is concerned when it is dry - a red flag day. This is something that was put together as the result of complaints by the public; it was not originated by the Selectboard or Chief Smith. Mr. Ring recommended that an article be placed in the Our Town to ask for public feedback.

Mr. Ring moved to table the proposed Fireworks Ordinance until a future date. Mrs. Ferland seconded the motion. With all in favor, the motion was approved.

ADMINISTRATIVE ASSISTANT’S REPORT:

All items were previously discussed in this meeting.

COMMITTEE REPORTS:

Conservation Commission – Steve Neill: There was no report.

CEDA – Brenda Ferland: There was no report.

Planning Board – Dave Edkins: Mr. Edkins reported that the PB met last Tuesday night. They approved a temporary sign for a hot dog vendor on Main Street; he can use that sign as long as he is open for business and has a valid Hawkers and Peddlers Permit. Mr. Poisson expressed displeasure about the approval for the motorcycle business on Sullivan Street and as a result has filed an Appeal with the Superior Court.

Solid Waste Committee – Brenda Ferland: Mrs. Ferland and Janet went to the NRRA Solid Waste Conference and attended several lectures. It was interesting to talk to the vendors. She is writing an article for the Our Town. A Solid Waste Committee meeting will be scheduled soon to talk about where they go from here.

Heritage Commission – Doug Ring: They will be meeting next week.

Highway Advisory Board – Brenda Ferland: They have not met since the last report.

Recreation Committee – Doug Ring: Mr. Ring reported that they are getting ready for the Touch-A-Truck event next week-end. There have been some incidents with unruly parents so the Recreation Committee has sent out letters stating that if parents are going to act inappropriately with the coaches and officials, their kids will not be allowed to play. The Rec Committee is taking a stand on out-of-control parents. Coaches are volunteers.

Pool: Mr. Ring advised that they are trying to find the break in the line at the pool. There is a crew there tonight working on that. The lines are not up-to-code. Life guards were hired. They hope to be open by July 1st.

CIP Committee – Brenda Ferland: There have been no recent meetings.

Adjournment:

Mrs. Ferland moved to adjourn this meeting. Mr. Ring seconded the motion. With all in favor, the motion was approved. The time was 9:08 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

Approved,

Steven A. Neill, Chair

Doug Ring

Brenda L. Ferland

(Note: These are unapproved Minutes. Correction, if necessary, will be found in the Minutes of the July 6, 2011, Selectboard meeting.)