

**TOWN OF CHARLESTOWN
SELECTBOARD MEETING
APRIL 15, 2015**

Selectboard Present: Steven Neill (Chair); Art Grenier; Brenda Ferland

Staff Present: David Edkins – Administrator
Keith Weed – Highway Superintendent
David Duquette – Water and Wastewater Department Superintendent
Patrick Connors – Police Chief
Charles Baraly – Fire Chief / Emergency Management Director

CALL TO ORDER: Mr. Neill called this meeting to order at 6:30 PM and welcomed everyone. The Pledge of Allegiance was recited. Mr. Neill advised that meetings are tape recorded and asked that anyone wishing to speak identify themselves for the record.

PUBLIC HEARING – Proposed Permissible Fireworks Ordinance:

Mr. Neill called this Public Hearing on the Proposed Permissible Fireworks Ordinance to order at 6:34 PM. The proposed Ordinance provides that a Permit shall be required for the use or display of permissible fireworks within the Town of Charlestown and established procedures for obtaining such permits, permit fees and penalties for violation of the Ordinance. Police Chief Connors and Fire Chief Baraly had worked on this. Mr. Neill called upon Chief Connors to give an overview of why the Selectboard is looking to have this ordinance. Chief Connors explained that the Town never had an ordinance about the consumer fireworks that people buy in certified stores. Those are regulated by the State Fire Marshall's office and there is a Fireworks Warden. In the past people have just bought fireworks and set them off. From the law enforcement standpoint they always got the complaint calls. That always presents problems. If they knew ahead of time, by having a permit, that the person on the property had the owner's permission that would be beneficial to everybody. The other reason it would be good to have an Ordinance is that the origin of a brush fire commonly comes from fireworks. If they had a red flag day that would be a reason to deny a fireworks permit. Any person wishing to discharge NH Permissible (Consumer) Fireworks shall obtain a written fireworks permit from the Fire Chief or his authorized designee. A permit shall be obtained before any discharge of permissible fireworks is to occur. Chief Connors read through the proposed Ordinance (copy attached) and provided explanations on the procedure that would be used. They want the process to be similar to obtaining a Burn Permit. The rules are outlined on the application so when the applicant walks away with their permit they will also have the rules as they are included on the application. *Chief Baraly came into the meeting.*

Mr. Neill opened up the Public Meeting to Selectboard members. Mrs. Ferland questioned why anybody would want to be setting off fireworks during the day time hours. Chief Baraly pointed out that they took those hours from the Fire Marshall's notice as that was one of their proposals. Firecrackers are considered fireworks. Mr. Grenier feels it sounds fair. Chief Connors mentioned that prior to this ordinance they could only enforce a Noise Ordinance. Mr. Edkins asked if 10:00 PM is reasonable because in the summertime (around July 4th) it does not get dark until about 9:30 PM. If someone wants to set them off on New Year's Eve they would want to

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do it at midnight. There was discussion about most professional shows not starting until 9:30 PM or later but most are done by midnight. Mr. Neill thinks 10:00 PM is too early. Adjustments can be made during this Public Hearing.

Mr. Neill questioned 11.2.2. Failure to comply with any provision of this ordinance shall result in: a, b and c offenses. Should that be worded so if an individual gets to the point that they have been through “a” and “b” and now they are into “c” should that revocation of future denials be applied to the property as well because if you have a tenant situation and the landlord cannot control the tenant; now the next tenant starts over. Should it be landowner property as well as individual tenant? He felt the offense should be for the person as well as the property location.

There were no comments from the public.

The Selectboard discussed amending this proposed ordinance regarding holidays, rain days and times. Relative to the July 4th holiday an option would be to state four days before and four days following this holiday; it would cover this holiday being in the middle of the week. Amending both 11.1.10 and 11.1.12 were discussed. Chief Connors suggested the following wording for 11.1.12 “Permissible Fireworks shall only be discharged or used between the hours of 10:00 AM and 10:00 PM except for four days before and four days after the July 4th holiday”. He would recommend no later than 12:30 AM for New Year’s Eve. Mr. Neill thought this addition should go into 11.1.12 and leave 11.1.10 alone.

There was a consensus to amend the wording for 11.1.12 as follows: “Permissible Fireworks shall only be discharged or used between the hours of 10:00 AM and 10:00 PM except for New Year’s Eve and four days prior to and four days after the July 4th holiday by order of the Fire Chief not to extend past 12:30 AM.”

With reference to 11.2.2 – there was discussion pertaining to if a property changes hands it should have a clean slate. Chief Connors felt there should be an addition, 11.1.14, to state “One permit shall be issued per household”.

Mr. Tom Cobb stated that if somebody comes in from another state and brings their fireworks with them. They will then find out about the Fireworks Ordinance but will not have their receipt with them. Mr. Neill advised that the State does not want them imported in.

Mrs. Ferland read the following nationwide statistics from the Fire Marshall’s letter: Since 2011 fireworks caused an estimated 17,800 fires, including 1,200 structure fires, 400 vehicle fires and 16,300 outside and other fires. These fires alone resulted in an estimated eight civilian deaths, 40 civilian injuries and \$32 million in direct property damage.

Chief Connors noted that they should send a copy of the ordinance to the State Fire Marshall’s office, vendors and fireworks stores so they are aware of it. Anytime somebody in NH sells fireworks they have to inform the buyer of the regulations. Mr. Neill pointed out that the ordinance should be published in the Our Town and put on the Town’s web site. Copies of the State Fire Marshall’s statistics should also be included. Notices should state that copies of the

Ordinance are available here. Mr. Neill thanked Police Chief Connors and Fire Chief Baraly for their time and effort in putting this ordinance together.

Mrs. Ferland moved to adopt the Permissible Fireworks Ordinance with the two amendments. Mr. Grenier seconded the motion. With all in favor, the motion was approved.

BID OPENINGS:

Line Striping: One bid was received for line striping. Mrs. Ferland advised that this bid was sent to the Town Clerk's office, they opened it and realized it did not belong there so they immediately sealed it and sent it back to this office.

- Poirier Guidelines, Athol, Mass.: An insurance certificate was included and it named the Town of Charlestown as an additional insured. Eleven (11) items were bid on – Total \$4,640.00.

Mr. Neill pointed out that they usually give the bids to Mr. Weed to review but he would like to expedite this as there was only one bid. Mr. Weed noted that this bid is a little over budget by \$140.00.

Mrs. Ferland moved to accept the bid for Line Striping from Poirier Guidelines. Mr. Grenier seconded the motion. With all in favor, the motion was approved.

Crack Sealing: Two bids were received and opened as follows:

- Maurice Enterprises: An insurance certificate was enclosed.
 - Morningside Lane - \$490.00
 - Pepe's Road - \$360.00
 - Calavant Hill - \$3,874.40
 - Judland Heights - \$1,262.00
 - Sunnyside Circle - \$690.00
 - Cedarwood Road - \$760.00
 - Hillview Circle - \$550.00
 - Municipal Lot (New) - \$370.00
 - Municipal Lot (Selectboard office) - \$375.00
 - Municipal Lot (Police & Fire) - \$675.00
 - Total: \$9,406.40
- Nicom Coating Corporation, Barre, VT: There was no insurance certificate but the Town has worked with them in the past.
 - Morningside Lane - \$750.00
 - Pepe's Road - \$600.00
 - Calavant Hill Road - \$3,100.00
 - Judland Heights - \$2,100.00
 - Sunnyside Circle - \$450.00
 - Cedarwood Road - \$750.00
 - Hillview Circle - \$800.00
 - Municipal Lot (New) - \$550.00

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Municipal Lot (Selectboard office) - \$650.00
Municipal Lot (Police & Fire) - \$650.00
Total - \$10,400.00

Mr. Grenier would like to discuss this with Mr. Weed as he is going through the bids. Mr. Weed will work on the numbers but would like to make a decision as soon as possible therefore he will let Mr. Edkins know what his decision is prior to the next meeting.

Chip Sealing: Mr. Weed advised that this bid is for 30,000 square yards. It is for all of Morningside Lane and Pepere's Road. Mr. Weed had \$75,000 in his budget. One bid was received and opened as follows:

- All States Asphalt, Inc.: \$2.34 per square yard / Total \$70,200.00.

Mr. Grenier moved to accept the Chip Sealing bid from All States Asphalt, Inc. for \$2.34/square yard. Mrs. Ferland seconded the motion. With all in favor, the motion was approved.

Street Sweeping: Three bids were received and opened as follows:

- Charlestown Property Maintenance: \$175.00/per curb mile.
No insurance certificate was attached.
- BDM Sweeping, Inc.: \$240.00/per curb mile.
No insurance certificate was attached.
- Maurice Enterprises: \$185.00/per curb mile.
An insurance certificate was attached.

Mrs. Ferland moved to accept the bid from Charlestown Property Maintenance for \$175.00 per curb mile. Mr. Grenier seconded the motion. With all in favor, the motion was approved.

A certificate of insurance will be required.

MINUTES OF PREVIOUS MEETING(S):

Mrs. Ferland moved to approve the Minutes of the regular Selectboard meetings of March 18th and April 1st, 2015, as written. The Minutes were signed by the Selectboard. Mr. Grenier seconded the motion. With all in favor, the Minutes were approved.

Mrs. Ferland moved to approve the Minutes of the Non-Public Selectboard meetings of April 1st and April 9th, 2015, as written. The Minutes were signed by the Selectboard. Mr. Grenier seconded the motion. With all in favor, the Minutes were approved.

Mrs. Ferland moved to approve the Minutes of the Selectboard Workshops of April 8th and April 9th, 2015, as written. The Minutes were signed by the Selectboard. Mr. Grenier seconded the motion. With all in favor, the Minutes were approved.

PUBLIC COMMENT:

DEBORAH & RICHARD BARTH: Mrs. Deborah Barth advised that they had an issue over the weekend with their water. They were out of town and it was allowed to run all weekend on their property. Their neighbors tried to call the Water Department because they were having problems with their water as well. She asked who makes a decision on this as the water ran into their leach field. Mr. Neill was the first person to call the Water Department on Sunday to make them aware of it and asked that they check it. Mr. Duquette called Mr. Rumrill who checked and then reported back to Mr. Duquette; since it was not a large leak he felt it could wait until Monday morning. Mr. Duquette then called Mr. Neill back about 12:05 PM to advise that they would deal with it the next morning. About an hour later Mr. Grenier called Mr. Duquette about the same leak. Mr. Duquette got there about 6:00 AM the following morning, the leak had opened up a little more; it was running down the side of the driveway but did not reach the leach field. He displayed pictures of the area. About 7:30 AM he notified the neighbors that the water would be shut off to make repairs but did not shut it off until about 8:00 AM. They were done about 12:30 PM. It is a 1-1/2" line that will be replaced this summer. Mr. Richard Barth looked at the pictures. Mr. Duquette could not contact Mr. or Mrs. Barth because nobody was home. If the leak was undermining the road or ruining their driveway or garage they would have made the repairs that day. Mr. Barth called all three pager numbers but received no calls back. Following a discussion it was discovered that Mr. Barth did not enter his phone number; that is the reason he did not get a call back. Mr. Duquette explained that phone calls can be made to both the Water or Wastewater buildings to contact them; it indicates there are pagers. They do not depend on cell phones as they do not work in all areas. Police Chief Connors pointed out that they can always call the Police Department as they are there 24/7.

FALL MOUNTAIN REGIONAL SCHOOL DISTRICT STUDY COMMITTEE – Article #13: Mr. Tom Cobb and Mr. Garret Neill were present. There was discussion regarding formation of this committee. Mr. Cobb felt they would meet two times a month for now; it would be on alternate Wednesday evenings with the Wednesday Selectboard meetings.

Mrs. Ferland moved to appoint Tom Cobb, Garret Neill, Bob Beaudry, Tina LaFlam, and Emmy Green as the Fall Mountain Regional School District Study Committee for Charlestown. Mr. Grenier seconded the motion. With all in favor, the motion was approved.

Mr. Edkins pointed out that notices of their meetings will have to be posted and they will have to keep Minutes of their meetings. They can also be put on the Town's web site. Mr. Cobb advised that their first meeting will be on Wednesday, April 22nd.

DEPARTMENT HEAD REPORTS:

Water and Wastewater Department: Mr. Duquette reported that meters were read last week. This week they are working in the plant. They repaired a leak on James Street on Monday. He will be going out for bids on the Fenderson Circle water line project. He requested that the Selectboard signed the new policy for the State on the Bull Run Well. Mr. Duquette discussed a water/sewer user on James Street that had their water shut-off but after the repairs were made they turned the water back on themselves. This is against the Town's ordinance. Mr. Duquette suggested that he draft a letter for the Selectboard's signature to state that it is illegal for a

property owner to do shut-offs and turn-ons themselves. Mr. Grenier explained that they felt they were doing the right thing to get the leak fixed as quickly as possible. Water Quality reports will be mailed out shortly. Mr. Neill felt they should add a notice that shutting water off and on is against the rules. If it is on the existing notice it should be explored to see if it needs to be more explicit. Mr. Duquette will be sure this information is on the next print-out. There was discussion relative to looking for a larger envelope in the future to accommodate not only the bills but also any extra notices.

Fire Department: Fire Chief Charles Baraly did not have anything new to report. Mr. Edkins noted that the Southwest Fire Mutual Aid annual meeting is next Wednesday. Mr. Neill said at the last meeting they talked about Chief Baraly starting to work on the agreements with other surrounding towns and the Upper Valley Fire Mutual Aid. Police Chief Connors said Hartford holds the cards for Upper Valley Fire. Mr. Edkins did not receive a response from SWFMA to his letter. Mr. Grenier stressed the need to get agreements in place with area fire departments because the issue with SWFMA could still take quite a bit of time before being resolved. Chief Baraly displayed a copy of the 2009 agreement between the towns. He is waiting for Miss Dennis to get a copy of the agreement that New London has. Mr. Neill stated that they need to do something as soon as possible because time is getting short.

Police Department: Police Chief Patrick Connors reported that relative to the dispatch project the FCC license was approved. On May 19th Zybec will be at the station to set-up the furniture. The Tri-Tech system was installed; they will be training on that. Doug Hackett will be coming in to help them put information into the system. On the downstairs project, he worked with LaValley's who will give them a \$500 credit plus they will sell them the materials at cost. These will be delivered in the next week. The total bill came to \$1,690.15 but with the credit the bill will be \$1,190.15. Chief Connors submitted a purchase order for the computer items that are needed for the towers. Mr. Adam Howard graduated from the Police Academy last Friday. He will be back on Tuesday. They will then be fully staffed for the first time since he became the Chief. The day shift officer will be walking through the Village, weather permitting, plus doing bike patrols. They will be doing whatever has to be done to connect with the community. They will be paying attention to the youth by going into the schools and ball fields. There have been a couple of burglaries reported. The department has been busy with arrests. They are way up on arrests and investigations. The Sullivan County Police Chiefs have been talking about sentencing. There were 26 crashes this year and 1,579 calls for service.

Relative to the ambulance calls there has been 162 calls. Charlestown responded to 105 calls, Golden Cross responded to 52 calls, Walpole responded to 4 calls and Springfield responded to 1 call. The Police Department is still going to ambulance calls when available. Mr. Neill advised that there was an interesting article in the Union Leader recently about getting volunteers. It had a lot of good information. It pointed out that there is a change in the role of the Fire Departments from what it used to be; they are doing less calls of a fire nature but on the EMS side numbers are skyrocketing.

Transfer Station: Mr. Weed reported that the Transfer Station is quiet right now.

Highway Department: Mr. Weed advised that they have been doing pot-hole patching and working on wash-board areas. The asphalt plants will be open next week. Roads are in pretty good shape; they made it through mud season but the roads will remain posted. The Lovers Lane project will be started on Monday and they hope to finish on Friday.

Relative to the Railroad Crossing Project, they were notified today by the representative in Florida that she never saw the permit or the check. She is willing to take a credit card for the payment however somebody saw the mailing as it was sent certified mail. He advised her that we have a pre-construction meeting scheduled for April 21st. He asked who our contact person would be for the right-of-way entry so they could begin. She keeps saying there is no record for the Town of Charlestown, no correspondence or checks. In August the Town sent two checks that were cancelled and in November they were re-submitted with the application. The \$3,000 check for the permit was cashed in November yet she said it never existed. Ms. Darrow wants copies to pursue it again. Everything gets funneled through the representative in Florida. The Illinois representative works under the lady in Florida. The Town's insurance for the project will expire yet they have not been able to use it. Mrs. Ferland asked Mr. Weed to get the company home base phone number and the actual railroad owner before she can contact our State representatives.

Mr. Weed found two 2007 International trucks that are identical. One town traded them in. They are the next size larger than what we have. They are in exceptionally good shape with plows and wings. One has 74,000 miles and the other has 75,000 miles. Mr. Neill looked at the trucks today with Mr. Weed; he was very impressed with their quality and condition. The dealer will take both Charlestown trucks in trade; total price \$100,000.

Mrs. Ferland moved to purchase the two 2007 International trucks from Clark's Trucks with the \$100,000 Capital Reserve Fund money that was approved by the voters with two trade-ins from the Charlestown fleet. Mr. Grenier seconded the motion. With all in favor, the motion was approved.

PUBLIC COMMENT: There were no comments from the public.

SELECTBOARD COMMENT:

Patch Park: Mr. Grenier reported that Patch Park was opened up this week. It is pretty dry especially on the bottom. Clean-up day is Saturday. Chief Connors noted that the officers were told to close the gate when it is dark. Mr. Neill felt they should get the sign changed to indicate it would be closed at dusk or when dark.

OLD BUSINESS:

Adoption of Safety Manual: Mr. Edkins had the new Safety Manual that was updated by the Joint Loss Management Committee. They would like the Selectboard to adopt it soon. Mr. Grenier asked for time to look at it before it gets adopted. Mr. Neill wants to be sure departments have the proper safety equipment for protection.

Mrs. Ferland moved to adopt the Safety Manual as proposed by the Joint Loss Management Committee. Seconded by Mr. Neill. With Mrs. Ferland and Mr. Neill

in favor, the motion was approved. Mr. Grenier abstained as he wants time to review it.

Adoption of Hazard Mitigation Plan: Mr. Edkins pointed out that this plan has been worked on for close to two years. It is the document that needs to be adopted to make the Town eligible for FEMA mitigation funds and grants. Chief Baraly read it and mentioned they made a few changes to the previous one. The Upper Valley Lake Sunapee Regional Planning Commission did a good job.

Mrs. Ferland moved to adopt the Town’s Hazard Mitigation Plan Update for 2015. Mr. Grenier seconded the motion. With all in favor, the motion was approved.

Downtown Traffic/Parking Pattern Change: Mr. Neill advised that Chief Connors and Mr. Weed made some recommendations on changing the downtown traffic pattern around the municipal block, a difference in parking in front of this building and in front of the former Jiffy Mart. They propose that coming in from Main Street on the north side of this building down to the Depot be one-way; it will be one way across the back of this building with appropriate signage. Parking in front of the former Jiffy Mart on Route 12 and between Depot Street and Railroad Street will be changed from diagonal to parallel parking to make it easier to get onto Main Street so people can see around the parked cars. Aside from the safety issue they will be picking up parking spaces across the street with the purchase of the former bank / Post Office building. There will be two handicapped spaces in front of this building and a van parking space in the Bakery Building parking area. This will take place in the near future. Chief Connors will write an informational article for the next edition of the Our Town. There was discussion relative to asking the CATS Bus to consider going around Arbor Way rather than looping around the bank building.

Fire Hydrant Policy: Mr. Neill pointed out that a Workshop Session should be scheduled. The Selectboard is not yet ready to adopt the Fire Hydrant policy as some minor edits and revisions are needed.

WATER UNIT CHARGES: A sample letter that was put together regarding the changes in the calculation of unit charges in water billings; it has not gone out yet. There will be other letters explaining changes in the volume, etc. The Selectboard approved the sample letter.

FINANCIAL ADMINISTRATION – Payroll, Purchase Orders, Manifests, Contracts, Warrants, Abatements, Etc.:

Payroll: The Selectboard signed the Payroll Check Register and the Direct Deposit Register dated April 16, 2015.

Purchase Orders: The Selectboard approved and signed the following purchase orders: 1) Water Department – Mel Chemicals - \$5,094.00; 2) Water Department – Ti-Sales - \$900.32; 3) Police Department – Esscor - \$1,624.95; 4) Highway Department – St. Pierre, Inc. - \$1,061.02; 5) Water/Wastewater Department – Gateway Motors - \$1,207.29; and 6) Wastewater Department – Normand Beaudry - \$16,990.00.

Abatement – Property Taxes: An Abatement for Property Taxes was approved and signed for Putnam Farms in the amount of \$1,451.69. The house was destroyed by fire.

Exemptions – Elderly and Disabled: The Selectboard approved and signed several Property Tax Exemptions for the Elderly and Disabled. These were for \$20,000 property tax value reductions. One was denied because the resident did not meet the five year residency requirement.

Town Attorneys: The Selectboard acknowledged receipt of the monthly bill from the Town attorneys.

Notices of Gravel Tax Levy: Two Notices of Gravel Tax Levy were approved and signed as follows: 1) Normand Beaudry in the amount of \$9.32 and 2) Norm and Mike Excavating in the amount of \$38.46.

Notices of Intent to Excavate: The Selectboard approved and signed the following Notices of Intent to Excavate: 1) St. Pierre, Inc. on Jeffrey Road; 2) St. Pierre, Inc. on Gowen Crossing; and 3) CEDA on Fling Road.

Cheshire Bridge: The Selectboard approved and signed three copies of the Municipal Work Zone agreement with the NH DOT for the work to be done on the Cheshire Bridge this year.

APPOINTMENTS, PERMITS, LICENSES, & RESOLUTIONS:

Town Hall: The Selectboard approved a permit to use the Town Hall on April 18th, 2015, for a function. Permission was granted to allow alcoholic beverages. A police officer will not be required; this was signed off by the Police Chief.

Request for Third Transfer Station Permit: A request for a third Transfer Station Permit was received from Jennifer Smith. She cannot operate the new vehicle and the other one is often traveling. Mr. Neill and Mr. Grenier approved the request. Mrs. Ferland did not approve this as they already have two stickers.

Request for Transfer Station Permit: A request was received from Mrs. Barbara Jones' family as her three children are cleaning out the house. Two live out of state. The sticker will be left at the house for any one of them to use. It will be short term. The Selectboard approved the request.

CORRESPONDENCE:

Department of Safety: The Selectboard signed the letter to the Department of Safety notifying them that the Charlestown Fire Department will no longer be dispatched by the SWFMA in Keene. This will be effective as of July 1st, 2015. They will be dispatched by the Charlestown Police Department.

Vacancies for Various Town Boards: Mr. Edkins had posted a notice of vacancies in various Town boards and committees.

Living Quarters: The Selectboard initialed a letter that went out regarding an enforcement issue on living quarters with no permit.

ADMINISTRATIVE ASSISTANT’S REPORT:

Tax Collector’s Office: Mr. Edkins felt the Selectboard should schedule a meeting with the Tax Collector’s office regarding requests for extensions, etc. The Tax Collector wants to send out letters on April 28th. It was agreed to schedule that meeting on Monday, April 27th at 2:00 PM.

Claremont Savings Bank: The Claremont Savings Bank would like to come in to talk to the Selectboard about some of the Town’s business. It was agreed to meet with them in a Workshop session on Monday, April 27th at 1:00 PM.

Workshop Session: The Selectboard scheduled a Workshop Session for Wednesday, May 6th at 5:30 PM to meet with Chief Baraly and Mr. Duquette on the Fire Hydrant Policy.

Property Liability Trust: Mr. Edkins received an email today from the Property Liability Trust to advise that as of July 1st, 2016, they are going out of business. Miss Dennis is in the process of obtaining quotes from other insurance carriers.

COMMITTEE REPORTS: Mrs. Ferland recommended that the Committee Reports be skipped due to the length of this meeting.

NON-PUBLIC SESSION:

Mrs. Ferland moved to enter into a Non-Public Session pursuant to RSA 91-A:3 II to discuss (c) Reputations. Mr. Grenier seconded the motion and, on a roll call vote with all in favor, the motion was approved at 10:05 PM.

The regular Selectboard meeting resumed at 10:40 PM.

OLD BUSINESS (Continued):

SWFMA: The Selectboard announced that the Town’s attorney will be contacted about the contract with Southwest Fire Mutual Aid.

ADJOURNMENT:

Mrs. Ferland moved to adjourn this meeting. Mr. Grenier seconded the motion. With all in favor, the motion was approved at 10:42 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

Approved,

Steven A. Neill, Chair

Art A. Grenier

Brenda L. Ferland

(Note: These are unapproved Minutes. Corrections, if necessary, will be found in the Minutes of the May 6, 2015, Selectboard meeting.)