

Approved

**Town of New Boston
Selectmen's Meeting
July 7, 2014**

PRESENT:

Rodney Towne	Selectman
Dwight Lovejoy	Selectman
Christine Quirk	Selectman
Peter Flynn	Town Administrator

Peter Kress, Dick Moody, James St. Jean, Jay St. Jean, Police Chief Jim Brace, Building Inspector/Code Enforcement Officer Ed Hunter, Willard Dodge, Mark Suennen, Brandy Mitroff and Road Agent Dick Perusse.

A. CALL TO ORDER: A regular meeting of the Board of Selectmen was called to order by Rodney Towne at 6:00 p.m. beginning with the Pledge of Allegiance.

Consent Agenda – The Selectmen signed the consent agenda. Christine Quirk moved to approve the consent agenda. Dwight Lovejoy seconded the motion. All were in favor.
3-0

B. PUBLIC FORUM:

Item 1: Public Hearing:

Public discussion and comments pertaining to:

1. Two renewal applications for Discretionary Preservation Easements. Easements locations are at 1 Bradford Lane on behalf of Winfield Clark as Trustee for Family Home Trust and 19 Baker Lane on behalf of Elizabeth W. Moody.

- Rodney Towne invited interested parties to address the Board with regard to the above-captioned matter; there was no discussion.
- Christine Quirk moved to renew the Discretionary Preservation Easement for the Family Home Trust, Map 11, and Lot 15 at Bradford Lane in the amount of 50% for a total abatement of approximately \$8,550.00 in assessed value. Dwight Lovejoy seconded the motion. All were in favor. 3-0
- Christine Quirk moved to renew the Discretionary Preservation Easement for Elizabeth Moody, Map 9, and Lot 28 at 19 Baker Lane in the amount of 25% for a total abatement of approximately \$5,200.00 in assessed value. Dwight Lovejoy seconded the motion. All were in favor. 3-0.

2. One new application for Discretionary Preservation Easement at 170 South Hill Road on behalf of Peter B. Kress.

- Peter Flynn advised that the above-captioned application was new and that he had spoken with George Hildum, the contracted assessor. He stated that George Hildum had advised him that the application qualified for abatement and provided the amount of the abatement based on 25% and 75% assessed value. He added that he had provided numbers based on 50% assessed value.
- Christine Quirk stated that in 2004 she had based her decision on which percentage to use on the following criteria:
 - i. Location of the barn, i.e., could it be seen from the road;
 - ii. Age of the barn;
 - iii. Condition of the barn;
- Christine Quirk noted that some of the money saved through the abatement for Discretionary Preservation Easements would be used to help preserve the barn.
- Peter Kress stated that the barn was located approximately 15' – 20' from the roadway, was built between 1820 and 1860, and that he intended on using the barn to house cattle. He noted that currently he had pigs and chickens at the property. He indicated that he wanted to restore the barn to its original state.
- Rodney Towne pointed out that the barn in question contained one of the last ice houses in Town.
- Christine Quirk moved to grant a Discretionary Preservation Easement for Peter B. Kress. Map 13, 39-1 at 170 South Hill Road to include the barn only and not the cattle loafing shed, in the amount of 75% for a total of \$2,674.00 in the assessed value. Dwight Lovejoy seconded the motion. All were in favor. 3-0
- Rodney Towne asked if there were any other comments regarding the issues at hand.
- Mr. Moody asked why their abatement was not consistent with the others and was much lower. Rodney asked¹ Peter Flynn to look into it and get together with the Moody's and come back with a recommendation as to whether the amount should be changed.

C. APPOINTMENTS:

Item 2: Louise Robie – Re: Disposition of Town Wide Yard Sale Footbridge donations:

- No one present to discuss.

Item 3: James St. Jean and Jay St. Jean – Discussion and recommendation, re: Land Sale on Weare and Lull Roads:

- Jay St. Jean provided the Board members with a packet that contained a proposed budget, fee agreement, and memorandums used by other towns with regard to the sale of tax deeded property. He advised that they worked off what was known as a “buyer’s premium” and explained that they hoped to generate between \$20K and \$25K; 10% fee for sales. Jay St. Jean advised that he and James St. Jean had recently walked the property and had determined that a few out buildings needed to be removed. He continued that a portion of the parcel closest to Weare was most likely build-able. He noted that the portion of the parcel located near Lull Road was wet.
- James St. Jean explained that townspeople and the investment community typically attend auctions. He indicated that most recently Manchester investors had been attending auctions which had made for a very competitive bidding.
- James St. Jean explained that banks would not finance tax deeded sales and as such cash buyers were required for the sales.
- James St. Jean stated that the Town could either create a minimum bid for the sale or the property could be sold absolute. He explained that selling the land absolute meant that there would be no minimum bid. He stated that they would like to have some input regarding the minimum bid if the Town chose to create a minimum bid.
- Christine Quirk asked if James St. Jean and Jay St. Jean would receive 10% of the sale of the property no matter what the final sale price; Jay St. Jean answered yes.
- Jay St. Jean advised that their print advertising included the Nashua Telegraph, Concord Monitor and Union Leader. He continued that weekly email blasts were sent to 7,500 addresses. He noted that they also utilized social media, i.e. Facebook and Twitter. He requested a list of the abutters from the Town in order to send them notice of the auction directly.
- The consensus of the Board was to move forward with the absolute sale option.
- It was determined that the auction would be scheduled for the 2nd or 3rd week in September.
- Dwight Lovejoy moved to allow James R. St. Jean Auctioneers to handle the sale of the Riley Property located at Lull Road as absolute. Christine Quirk seconded the motion. All were in favor. 3-0

Item 4: Town Engineer (Planning Board) Search Committee report to the Selectmen.

- Mark Suennen stated that he was part of the Committee that looked at submitted engineering proposals. He advised that Northpoint Engineering had served as the Town’s Consulting Engineering firm for the last seven years and had been renewed in the spring for six months.
- Mark Suennen advised that concerns about Northpoint Engineering had been raised by the construction and development and therefore, it had been determined

that other engineering options be reviewed. He noted that two of the biggest concerns were quality and cost.

- Mark Suennen noted that eight proposals had been submitted for review by the Committee that was made up of the following: Road Agent, Town Manager, Code Enforcement Officer and Planning Board member.
- Mark Suennen stated that the Committee had met three times in June and July and discussed the review process. He indicated that the proposals were narrowed from eight to six at the first meeting. He explained that the Committee reviewed the relevant experience of the firms as well as the qualifications of the key staff members, i.e., engineering and construction resumes. He indicated that subcontractors that were listed were reviewed with regard to billing rates and verification of appropriate insurance policies. He stated that the top three candidates were ranked in the following order, 1) Northpoint Engineering, 2) Jones & Beech and 3) Dubois & King.
- Rodney Towne asked for a comparison of the fees that were charged. Mark Suennen answered that fees were supplied for project managers, project engineers as well as various other items specific to the firm. He stated that the lowest fee charged for a principle engineer was \$85.00 and the lowest fee charged for a project engineer was \$75.00. He continued that the highest fee charged for a principle engineer was \$132.00 and the highest fee charged for a project engineer was \$109.00.
- Dwight Lovejoy thanked the Committee members for putting in a lot time into this matter.
- Dwight Lovejoy moved to accept the findings of the Committee and continue to let Northpoint Engineering stay on as the Town's Consulting Engineer. Christine Quirk seconded the motion. All were in favor. 3-0
- Rodney Towne thanked the Committee members for their time spent on researching this matter.

Item 5: Dick Perusse – Road Agent – Discussion re: North Road and Byam Road

North Road

- Dick Perusse indicated that he was present to discuss maintenance to North Road that included closure of the road during the winter. He explained that North Road was a continuation of Middle Branch Road that crossed over Tucker Mill Road and ran to Colburn Road.
- Dick Perusse stated that the road was in rough shape and that bank run gravel was used to make it passable. He noted that making the road more accessible would be beneficial to property owners as well as the Police Department.
- Dick Perusse stated that the road would be assessed at the end of summer/fall and revisited at a later date.
- Christine Quirk asked if there were plans for a possible winter closure of North Road. Dick Perusse answered that he had thought about closing the road. Christine Quirk asked how many residents lived along the road. Dick Perusse answered that there were no residents along the road.

- Willard Dodge stated that he was concerned about safety along North Road. He advised that he could hear partying and shooting from his home. He stated that there were piles of tires and lots of trash. He hoped that once the road was passable that “No Trespassing” signs could be placed along the road to keep ATVs and dirt bikes from driving through the surrounding conservation land.
- Willard Dodge commented that he would hate to see any of the Fire and Police vehicles traveling on North Road because of its condition.
- Rodney Towne stated that normally the Board did not discuss fixing Class VI roads, however, it was allowed under the law without having to return the road to Class V status. He stated that he would like to encourage the Road Agent to continue the process of fixing the road. Christine Quirk agreed with Rodney Towne.

Byam Road

- Dick Perusse advised that Mark Debowski of 181 Byam Road had expressed concern over ditch work that had completed last fall and felt that the work was done properly.
- Dick Perusse indicated that he spoke with Mark Debowski on May 2nd and had told him of a plan to hydro-seed the area in question as well as the placement of some stone. He advised the Board that he had waited to have the hydro-seed work completed because he wanted to have Bedford, Byam and Old Coach Roads all done at the same time in order to save money.
- Dick Perusse referred to Mark Debowski’s email to the Conservation Commission with regard to the statement, “It doesn’t help my perspective that the highway department plowed over our rock wall this past winter...” He indicated that he had spoken with Mrs. Debowski about the rock wall and explained that the Town was unwilling to rebuild that wall that had been hit by the Town’s winger because it was built in the Town’s right-of-way.
- Dick Perusse advised that he welcomed Mark Debowski to contact him directly with concerns in the future.
- Rodney Towne stated that landscaping encroaching onto the Town’s right-of-way was a result of the Board’s kindness. He suggested that the Board either require that items be removed from the right-of-way once they became a problem and clearly state that the Board was not in favor of replacing things that became damaged. Christine Quirk noted that this issue had happened in the past, specifically, with regard to a home on Old Coach Road. She explained that a letter was sent to the property owner advising them that the Town was not responsible for damage to their fence as it existed in the Town’s right-of-way.
- Rodney Towne recommended that a letter be drafted advising the Mark Debowski that the wall existed in the Town’s right-of-way.
- Rodney Towne stated that he was concerned that Mark Debowski, a member of the Conservation Commission, was abusing his position by trying to circumvent the system and tell the Highway Department what to do without going through the proper channels. He requested that Burr Tupper attend the next meeting to discuss this matter.

- Brandy Mitroff added that this was the second time that a member of the Conservation Commission has done this.

Item 6: Chief James Brace – re: update on police transmitter replacement:

Police Transmitter Replacement

- Jim Brace stated that he had received a call from 2-way communications during the first or second week in April advising him to figure out what to do with equipment on Dodge Road. He advised that a tech was sent from 2-way to inventory the equipment.
- Jim Brace indicated that he received a call from James Heath from Sprint who was attempting to transfer the lease to the Town. He stated that during the conversation he learned that there was no power going to the tower.
- Jim Brace stated that the inventory revealed that [they/Sprint] took everything, i.e. the concrete hut, stripped antenna and pole. He continued that he had received a picture of his equipment from Sprint and that the picture showed that the equipment was in doors.
- Jim Brace indicated that there was almost no coverage on that side of Town.
- Jim Brace stated that James Heath had contacted him to advise that all of the equipment had been destroyed. He then contacted Swans Solutions who admitted that they had stripped the site and offered to rectify the situation. He advised that Swans Solutions did not object to paying for the lost equipment.
- Jim Brace advised that Jim Dodge gave them permission to put the equipment back out on Dodge Road and gave a second location of a hut on his property that could also be used.
- Total cost to replace the site \$57K. He noted that the total also included upgrades to the Ridgeview transmitter location.
- Jim Brace added that significant upgrades to equipment and Ridgeview with no cost to the Town.
- Christine Quirk asked if officers were able to radio anywhere. Jim Brace advised that they had the ability to self-initiate through cellular technology in the cruisers. He stated that in-town the officers could hear each other but the Town of Bow could not hear them. He stated that the Police Department had contingencies in place for times when there was no radio or cellular service available.

Highway Safety Committee

- Jim Brace handed out a packet of information to the Board members that had been generated from a recent Highway Safety Committee meeting. He noted that the information contained were highlights from the discussion and not specific recommendations for Byam Road.
- Jim Brace advised that the packet contained a list (#1 - #5) of issues brought forward to the Committee as well as discussion points (#1 - #5). Issues #1- #5; 1) road was not designed for the amount of truck traffic that currently traveled it and safety concerns for pedestrian, vehicle and homeowner traffic; 2) Noise created by jake-braking from trucks; 3) Vibrations created by the traffic; 4) Overall traffic

was affecting the overall quality of life; and 5) Homeowners believed alternate route was available.

- Discussion points #1 -#5; 1) The companies using the road are taxpayers and are entitled to use the road; 2) No signage prohibiting trucks; 3) Limiting the truck traffic would only shift the problem to another neighborhood; 4) Posting “No Thru Trucking” signs from 8:00 p.m. through 8:00 a.m.; and 5) Posting a load limit sign.
- Jim Brace stated that no formal action had been taken on these issues and that they would be discussed again and possibly formalized at the August Highway Safety Committee.

New Police Cruiser

- Jim Brace advised that he took delivery of a new police cruiser in mid-June. He noted that the rear-facing camera system had not been completed upon delivery. He continued that since delivery the system had been completed, however, a light trigger was not working and he had a scheduled appointment to fix the issue on Wednesday.
- Jim Brace advised that he used a policy written by the Town of Pelham to assist him in writing a policy for the Town with regard to the new camera system.

Skateboard Application – Kennedy Lane

- Peter Flynn advised the Board that he had received an application to operate a skateboarding event for one day on Kennedy Lane as a fundraiser for the Cystic Fibrosis Foundation. He explained that the applicant had requested that the road be blocked off from 9:00 a.m. – 5:00 p.m. He noted that the Fire and Police Chiefs had concerns with the event and added that 50 – 75 people were anticipated to attend. He noted that the Fire Chief had some concerns with liability.
- Christine Quirk commented that she had a lot of concerns.
- Jim Brace had concerns with parking for 50 – 75 people as hazardous would be created if cars were parked along Kennedy Lane, Ridgeview and Joe English Road. He stated that residents might get frustrated if they were not able to leave the neighbor and call the police department for assistance.
- Rodney Towne stated that he did not have a problem with people long boarding but he was not giving them his permission.
- Jim Brace noted that other than for a block party on Mill Street no other roads in Town had been closed for a private event.
- Peter Flynn stated that the applicant had advised that they planned to have a volunteer to stand-by as an EMT.
- Rodney Towne stated that he appreciated what the applicant was trying to do but he did not believe the location was good for the event.
- Brandy Mitroff asked if all of the neighbors had signed off on the event; Jim Brace answered that he did not believe the neighbors had signed off.

- It was the consensus of the Board not to approve the application.

D. OLD BUSINESS:

Item 7: Approval of Public Minutes of June 16th and 26th, 2014.

- Peter Flynn referred the Board to page 2 of the June 16th minutes, Item 2, bullet #8 and read as follows, “The Town Clerk’s office was audited as the Avitar computer software was not appropriately registering boat decals”. He suggested the following language be used to replace the bullet #8 for clarification, “The Town Clerk’s office had the routine State audit and detected Avitar computer software was not appropriately registering boat decals”.
- Dwight Lovejoy moved to accept the Public Minutes of June 16, 2014, as amended. Christine Quirk seconded the motion. All in favor. 3-0
- Peter Flynn noted that he had attached documentation from George Hildum as part of the record.
- Dwight Lovejoy moved to accept the Public Minutes of June 24, 2014, as amended. Christine Quirk seconded the motion. All were in favor. 3-0

E. NEW BUSINESS:

Item 8: First Half-Expenditures and Revenues Reports

- Peter Flynn advised that the expenditures were looking good and that more than 50% of all the budgets remained. He noted that motor vehicle registrations were almost at the halfway mark.
- Peter Flynn stated that there were no emergency expenditures.

F. OTHER BUSINESS:

Item 9: Town Administrator’s Report

- Peter Flynn reported that things were moving forward with the Rose Meadow development. He advised that he would keep the Board posted on the HUD issue.
- Peter Flynn advised that he had received a call from the State with regard to the transfer of land for the Riverdale Road Bridge. He stated that he had to get in touch with Matt Low from Hoyle-Tanner in order to parcel out the exact section.
- Peter Flynn stated that painting bids for the Town Hall had been posted and submissions would be reviewed after July 18th.
- Peter Flynn advised that a new door had been purchased for the Historical Society building.
- Peter Flynn stated that he was going on vacation the first week of August. The Board decided not to have the first scheduled Board of Selectmen’s meeting in August. They noted that if necessary an emergency meeting could be held.

Item 10: Selectmen’s Reports

- Christine Quirk reported that the next Planning Board meeting was scheduled for July 22, 2014, and Rodney Towne would be attending as a member of the Board of Selectmen.

Public Forum: None.

ADJOURNMENT: Dwight Lovejoy moved to adjourn the meeting at 7:40 p.m.
Christine Quirk seconded the motion. All were in favor. 3-0
