



Board of Selectmen Meeting
Town Office
Wednesday, 4/17/19 Approved 5/1/19
6:00 p.m.

MINUTES

Present: Selectmen: Bob Hamilton, Roberta Oeser, Karl Pruter, Town Administrator Joe Byk, Executive Secretary Michele Christian, Finance Director Laurie May and Members of the Community

CALL TO ORDER / PLEDGE OF ALLEGIANCE

The meeting was opened at 6:00 PM.

GENERAL BUSINESS

Selectmen's Announcements – Roberta stated that the fundraising for the fireworks is going well.

Citizen's Forum – Bob reviewed the general rules of order for citizen's forum. Dawn Dunbar read a letter to the Board regarding Dale Farm Road. The letter accused the Zoning Board, Planning Board and Board of Selectmen of breaking laws in order to side with the developers, and suggesting that there was something to be gained by allowing the P.U.R.D. Bob stated that he has no benefit or gain from any developer in this town. He stated that Dawn Dunbar made an accusation against this Board and all of us here. I have no gain or a personal relationship with anyone involved. Roberta stated that this is true for all of the board members. Karl said that when he was running for office this was the sort of difficult thing that he didn't want to face because I hear your anger and frustration. He said that he is trying to figure out the process on all of this and he hasn't quite figured it out yet. He asked the Dunbar's if they have presented a written argument and the Dunbar's said that their attorney is appealing. She is appealing to the ZBA and to Superior Court.

Sally Dunbar said that she can't say much because she is too emotional and is heartbroken over all this. Because she was crying some of what she said was inaudible.

She stated that she is concerned about their well. She stated that she just learned from their lawyer that the well is going to be very close to their land and half of the well protection radius is on their property and they did not get permission to do that. Nobody knows anything about what is being built. She stated that she doesn't even want a one family home built because they love it the way it is, but we would welcome one home but not 27 they will drain our well and the way we live.

Judy Unger-Clark stated that she thinks that something has been pointed out to all of us through this procedure which is that the zoning regulations and the PURD regulations don't align. She said that before more development comes into this town there needs to be more regulations that will not allow this type of development on a class VI road. Roberta stated that when the original P.U.R.D. ordinance passed it was allowed up to 6 units in zoning. This was the warrant article. These units were allowed in Residential and Residential-Agricultural Districts. When Taggart Meadows was built, it was a private road.

Roni Hamilton stated that it was passed in 1978, amended in 1986 and then in 2009 with regard to the PURD. The town has grown and maybe we need to change the zoning laws. Bob stated that the laws can be addressed by petition warrant articles. Craig Clark asked if the zoning articles were changed it would have to be on the ballot. Bob stated yes, that it would be by petition.

Changes to the Consent Agenda

Roberta said that the consent agenda should be limited to payroll accounts, accounts payable and minutes for the next two meetings. Seconded by Karl. Approved 3-1-0 Bob said that he thinks the consent agenda is fine the way it is.

1. Consent Agenda

2. Approval of:

- **Minutes 4/3/19**
- **Payroll 4/11/19, 4/18/19**
- **Accounts payable 4/11/19, 4/18/19**
- **Camper Permit – Map 19, Lot 9**
- **Camper Permit – Map 19, Lot 11**
- **Conservation Commission appointment request – Paul McPhie**

Roberta made a motion to approve AP and Payroll, seconded by Bob, Approved 3-0-0.

Karl made a motion to approve the minutes of 4/3/19, seconded by Bob with Roberta abstaining. Approved 2-0-1

Camper Permits on Coot Bay Drive: Roberta made a motion to approve the camper permits, seconded by Karl. Approved 3-0-0 Roberta stated that she thinks that the address for the Camper Permit requests need to be on the agenda so people know where they are.

Roberta made a motion that Paul McPhie be appointed to the Conservation Commission for a three year term. Seconded by Karl, Approved 3-0-0

2) Old Business-

a) LED RFP Proposal

This was approved by the voters at the election and it is \$8,000. Karl made a motion to accept the RFP for LED lights, Seconded by Roberta 3-0-0 Proposals need to be in by June 13th. Joe will work with Pat if the date needs to be changed.

b) Dale Farm Road re: Building Permit

The policy for building on a Class BI road has already been established. This hands the authority to the building inspector. It is just allowing the issuance of a building permit. Rick is not going to issue the building permit until all of the requirements have been met. Karl asked who has authority over the well issues. It is DES. The well radius is within the site as proposed. Paul Graz said that the well locations have not yet been approved but DES is reviewing. Dale Farm Road waiver of liability was discussed. Joe said that has proposed a bond for construction and maintenance. Kirk Stenersen came up with the number of \$25,000 which is in the third draft of the proposal. Roberta spoke to Dave DuVernay and she said that there needs to be something that goes with the rental agreement. There is also a rider that on the multi-family property that if they don't pay their mortgage the rent goes directly to the mortgage company. There should be a way to get the town's money back if we have to get EMS vehicles out on the road. Joe said that the rental proceeds would go to the town as an assignment of rent in case the road maintenance needed to be taken back to the town. Obligation to pay attorney fees in the need to enforce the assignment and collections of rent. Bob asked that Rick work on getting the road renamed and approved.

Roberta made a motion that Barkley Enterprises be allowed to begin the upgrade on the section of Dale Farm Road to Route 202 which has been laid out by Graz Engineering, Karl seconded. Approved 3-0-0

Roberta made a motion to confirm the policy on the issuance of building permits on Class VI roads. Seconded by Karl with Bob Abstaining. Approved 2-0-1

c) Abatement Request – Ben Asaff

Dave DuVernay stated that in the Spring 2018 Ben Asaff removed material from the sand pit for Carol's ice cream location. Based on our observation at the time we determined that he had basically removed current use property below the 10 acre threshold. At that time Dave issued a land use change tax. The tax is for \$4600 and Ben promptly filed an appeal on February 12 claiming that the property was released in 2004 due to 2 acres not qualifying land and that no current use lien was recorded. None of the land is in current use. Prior to the land use change tax 10 acres was in current use in 2017. DRA provided aerial information confirming this.

Ben Asaff stated that the land is not in current use and it is not recorded with the registry of deeds. In 2004 there wasn't enough land to be qualifying as in current use. Discussion ensued regarding the acreage on the property. The land has been taxed as it was in current use, but \$16,000 was abated. Ben Asaff stated that he has been taxed at the commercial rate on the back property. In 2004 there was right of survivor on the property. Ben and Red White were both on the deed.

Roberta stated that the land has had the benefit of being in current use for the last 16 years. Bob stated that Red fought to keep the land in current use. If Ben could provide something that shows it was taken out of current use then there could be more discussion. Roberta said that a lien could be put on the property.

Roberta made a motion that the abatement request be denied, seconded by Karl. Approved 3-0-0

Bob stated that an appeal could be made to BTLA or New Hampshire Superior Court. Ben has until September 1, 2019 to file the appeal.

3) New Business

a) Police Department Pay Scale Request

Max Rocheleau came in with a proposal for the Police Department pay scale. Roberta stated that the police department needs a different pay scale but there should

be a pay plan for the entire town. Max had been talking with Chief Anair about the pay scale because of the high turnover in the department. He said that the police get raises when the rest of the town does. He also said that the current pay scale does not go up incrementally by percentage. What is being proposed is that after the first year the next two years would have a 5% pay increase and the third year would have a 10% increase. Upon employment the police sign a three year contract and the 10% increase is an incentive for the officers to stay in Rindge. Max stated they are not retaining officers that are fully trained. It takes 28 weeks to train an officer with very little road experience. Max provided a cost comparison showing the cost for the training of one officer for the first 6 months and 4 officers for the first 6 months. Because of the short staffing, Chief Anair has been doing patrols. The starting pay in Rindge for the police department is 11% behind the State average. Roberta stated that she looked at the pay plans for several towns and their increase is 4%. Max stated that there have been 4 people that have left the PD since he has been here. Three of them left for higher pay. Bob asked what happens at 9 years is that the end of the step increases. Max said that at that point the increase would be 2% annually. The cost of living raise would be added to the step plan. Bob stated that the step plan should be tied to performance. Roberta stated that there is a step plan in Laurie's office that was in effect at one time.

4) Informational Items/Communications/Updates

Roberta asked where things stood with the server. Joe said that we are waiting for it to come in. Phil Motta is working on the server. The original server is on order, but the one that Phil is looking at is cheaper and has more memory. They will need to coordinate with Tom Roy to make sure that the server Phil is looking at will be compatible. Roberta also said that we are two years behind on computer replacements. Joe and Laurie are working on this with Tom Roy. Karl asked if there was a pecking order. Joe said yes there is a list of which computers should be replaced first.

5) Committee Updates

Teltech – Karl stated that the committee looked at the Warrant Article in Chesterfield NH which was approved and will have Consolidated Communications build a broadband network. They also discussed the server. They are looking at a Hewlett Packard server which may be cheaper and have more of the functions that we would like to have.

CIP – Karl stated that Jason Paolino is withdrawing as Chair of the CIP Committee. He has conflicts with his work at this time. He may come back later in the year.

Recreation – Roberta stated that she attended her last Rec Committee meeting and the Easter Egg Hunt was a big success. Karl said that it was very well organized.

The Feasibility Study for the School will be meeting for the first time tomorrow.

Town Gown – Bob stated that the Town Gown yesterday and they said goodbye to the student rep. Hannah Eldridge and VP Jim Earl who is retiring. Hannah brought her replacement who is Jeremy Wood.

6) March 2019 Revenue and Expenditures

Roberta said that there are discrepancies in the numbers. She also said that the percentages are wrong. Laurie will review the numbers.

7) Other Business

Lydia Hatch was present and requested that the Destination Imagination group be allowed to sell flower bulbs at the transfer station on Saturday, April 27.

Karl made a motion to allow Destination Imagination to sell flower bulbs at the transfer station on April 27th, Seconded by Roberta. Approved 3-0-0

Karl made a motion to adjourn the meeting, seconded by Bob. Approved 3-0-0

Adjournment 8:25 PM

Respectfully Submitted,

Michele Christian, Executive Secretary