

SELECTMEN'S MEETING MINUTES

July 13, 2015

The meeting opened at 7:00 PM with the Pledge of Allegiance.

Attendees included John Halter, Selectman Chair, Stephen McGerty, Selectman, Margo Santoro, Selectperson, James Coffey, Town Administrator, Harry Power, Compliance Officer and Patricia Putnam, Administrative Assistant. Several members of the public were in attendance.

APPOINTMENTS:

7:00 Harry Power – Harry Power referred to the minutes of the July 29th meeting and the discussion on Dale Smith's questioning the chain of command for the Compliance Officer. He said he reported to the Board of Selectmen, who have the authority to enforce any regulation. He read a letter from Atty. Sam Bradley dated 1/23/1999 and noted that the law is still in effect: Planning Board enacts regulations but the Board of Selectmen have the enforcing authority and the ZBA acts as the court, should anyone have an issue with the regulations. The final action can come from the Superior Court.

Harry Power also reported that he, Atty. Gavin, Ben and Tanya Wilder have a meeting scheduled for July 14 to go over the things that should be removed from Ken Holland's property.

Harry Power presented the following Building Permits for signature:

1. Tax Map # 137, Lot # 29 – Robert Russell II – deck – approved
2. Tax Map # 116, Lot # 32 – David & Betty Jane Ferner – Red Coat Lane – shed – approved
3. Tax Map # 423, Lot # 5.2 - Jeremy Hamilton – Jackson Road – house – approved
4. Tax Map # 135, Lot # 35 – Robert Verbanas – replace and enlarge deck – approved, Pending signature on building permit
5. Tax Map # 125, Lot # 24 – Kathleen & Kenneth Durward – Shedd Hill Road – house – approved
6. Tax Map # 422, Lot # 15.1 – Matthew Cerbone – Route 9 – building permit submitted with no drawing and an indication that the Compliance Officer does not have permission to visit the property to inspect setbacks – not approved

7:15 – Steve Philbrick – met with the board concerning the danger where Juniper Hill Road meets Route 9. He said he had spoken to the DOT engineer – on the matter and learned that the SWRPC is working on a road audit safety review. DOT officer Frank Linnenbringer told Mr. Philbrick that the Town had not responded to the State's request for feedback on the issue. John Halter reported that the Town had responded to the State and that the State had not dealt with the Town's concerns. John Halter remembered that about 10 years ago, Louis GrandPre' and David Vaillancourt met with Rene Fish on realignment of that intersection with some work done. We did do some work on Juniper Hill in conjunction with the State at the specific time mentioned. The State cannot say they weren't aware of the problem. They did make slightly larger turning lanes for the intersections of Routes 123 North and South, but that was it. That was also when we had to start paying for the street lights on Route 9 or they would have been disconnected. The alignment was also challenged when the State last paved Route 9 and we were told that they had no funds for improvements. John Kalfelz, District Engineer for District 4, told Mr. Philbrick that the Town would have to file a written complaint in order for the DOT to investigate further. Steve Philbrick asked if there could be a moratorium on building permits being issued on Juniper Hill Road until after something is done on the safety issues. John Halter did not think a Moratorium was allowed on existing parcels but the Planning Board could certainly take the safety issue into account before acting on any further subdivision on the road.

The board decided to write a letter to the State, with a copy to the Planning Board, to learn of any pending corrections to the dangerous intersection.

SELECTMEN'S COMMENTS:

1. Steve McGerty submitted a list of unfinished projects for future consideration.
2. Steve McGerty asked if the \$418.25 hose replacement cost could be put in the 2014-2015 budget – John Halter said it would be illegal to do so. Jim Coffey will journal the receipt that the Town of Lempster sent so it can be paid out of the current budget with no change to the current Forestry Department budget.
3. Steve McGerty reported that Joe Sarcione had a \$2,957.49 order for protective forestry gear of shirts and pants with a reimbursement grant from the State of \$1,400. He wanted that cost to be backed into the 2014-2015 budget also. The board denied that request.

TO BE SIGNED/APPROVED:

1. Accounts Payable Manifest
2. BOS Board Meeting Minutes of May 28, and June 8, 2015
3. Six pistol permits
4. Letters (2) to Primex for use of credit from Workers' Compensation and Unemployment Insurance toward Property & Liability invoice.

All the above were signed.

PUBLIC QUESTIONS & COMMENTS: Arlene DiCorcia met with the board on several issues. She said the board needed to address Dale Smith's comments. She asked how much Harry Power was paid for meetings, in the previous year, such as the one scheduled for 7/14 @ the Holland property – Harry reported that the fee is \$75.00/hour on those meetings.

Arlene DiCorcia reported that the King's Highway culvert replacement left a dip in the road that she finds damaging to her vehicle. She also complained that plowing and sanding was not performed on King's Highway last winter.

Arlene DiCorcia complained that Officer Busto was not fired for the accident with the cruiser last winter. She was told that the Police Department handled the issue as a personnel matter.

Margo Santoro reported Officer Busto is doing due diligence in patrolling and issuing speeding tickets as he finds violations.

Arlene DiCorcia also complained about the dress code of Board of Selectmen's members at meetings, remarking that they looked like they had just plowed the "back 40".

OLD BUSINESS:

1. Discuss with Town Administrator Log Cabin Road status and letter from Merriewoode Village, Inc. Copy of letter sent to Merriewoode attached. Jim Coffey and David Vaillancourt will go over the length of the road with one Selectman to report back to the Board on verification. They will take photos to document the blocked way.
2. Letter from Harry Power to Matthew Gelardi, building without a permit. – Mr. Gelardi told Harry that he simply replaced the existing, rotting deck. Harry researched and found that the deck was enlarged. He will not require a building permit for this.
3. Letter from Harry Power to Matthew Cerbone for building without a permit. See above report @ Harry's appointment with the board.

NEW BUSINESS:

1. Discuss meeting/interview with Matthew Serge at next meeting. Jim Coffey reported that Matt Serge and a couple associates will meet with the board on July 27 @ 6:00 PM in the Gould House to discuss moving the Town's legal needs to Matt's new firm.
2. Request from Waste Management for heating improvements to the Transfer Station building before next winter. Margo Santoro moved and John Halter seconded to provide

1/2 cord of wood for heating the building, the board approved.

3. Request from the Monadnock Region Child Advocacy Center for funding in the next fiscal year for \$1,000. Margo Santoro will check out this center to see if it replaces another child advocacy program in Keene.

4. Notice from DES (Department of Environmental Services) for Shoreland Permit Application to be placed in the property record file.

5. Discuss with Administrator a policy for dealing with nuisance requests from recalcitrant members of the public that minimizes taxpayer cost. Jim Coffey will put together a policy of when not to call an attorney but to consult LGC on general legal matters. He will provide a definition of "recalcitrant" for the boards to refer to.

6. Discuss Health Officer Appointment/Re-appointment and Deputy. John Halter will get the form from Dr. England, sign it and submit it to the State for appointment. John Halter moved and Margo Santoro seconded to re-appoint Dr. England to the Town Health Officer position, the board approved.

7. Meeting request for CAC (Community Assistance Contact) for NFIP (National Flood Insurance Program) to Harry Power.

8. Discuss purchase of flags. Jim Coffey reported that he has a request for reimbursement for the flags that Steve McGerty provided for the telephone poles. The board approved refunding Mr. McGerty the cost of \$83.09 for the 13 flags.

9. Discuss recent tax deeding with Administrator. The Tax Collector has completed the tax deed process for several properties. There are two (2) parcels that have structures on them. Jim Coffey will investigate to learn if they are inhabited. The Town has to hold the properties for three (3) years and one (1) day during which time the former owners have the right to repurchase them with all the fees, interest and penalties being recouped by the town.

OTHER CORRESPONDENCE:

1. Water Test Results from DES (Department of Environmental Services) – some E.coli present but not in dangerous levels.

2. Health Notice for Arbovirus Disease – turned over to Margo Santoro to pass onto the rescue captain.

3. Financial Reports for FY 2014-2015 – Jim Coffey reported that the town ended the year with 1.51% of the original budget remaining.

ADJOURN: Steve McGerty moved and John Halter seconded to adjourn at 9:21 PM, the board agreed.

Respectfully submitted:

Patricia E. Putnam
Administrative Assistant

Approved:

John Halter

Stephen McGerty

Margo Santoro

**SELECTMEN'S MEETING
AGENDA
JULY 13, 2015**

APPOINTMENTS

7:00 - Harry Power – Building Permits and Discussion
7:15 – Steve Philbrick – Juniper Hill Road

SELECTMEN'S COMMENTS

OPEN ITEMS: Discuss items to enter here.

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NEW BUSINESS

Discuss meeting/interview with Matthew Serge at next meeting.
Request from Waste Management for heating improvements to the Transfer Station building before next winter.
Request from the Monadnock Region Child Advocacy Center for funding in the next fiscal year for \$1,000.
Notice from DES for Shoreland Permit Application
Discuss with Administrator a policy for dealing with nuisance requests from recalcitrant members of the public that minimizes taxpayer cost.
Discuss Health Officer Appointment/Re-appointment and Deputy.
Meeting request for CAC for NFIP1 to Harry Power.
Discuss purchase of flags.
Discuss recent tax deeding with Administrator

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