

Selectmen's Meeting Minutes

Town Hall – 7PM

August 23, 2021

Opened with Pledge of Allegiance

Attendees include Robert Fee – Chairman, Stephen McGerty- Selectmen, Chris Madden – Selectmen, Michelle Pong – Town Administrator, Harry Power – Compliance Officer and Vickie Williams – Secretary.

Guests: Ray & Noreen Durand, Angel Nicoletti, Joe Traniello, Corey Clark – NHDES Dam Bureau, Fred Pasler – HLM Waterfront Director, Don Healy – Davis Library, Jason Kovarik, Brian Michaud, Randy Weaver, Herbert Healy and Peter Athearn.

Guests/Requests:

Corey Clark, NHDES Dam Bureau re: Water draw down schedule

Corey stated He was there to answer questions on the public notification drawing down of Island Pond and Highland Lake to install 3 stainless steel gates at Island Pond dam. In order to install the gates the water must be as low as possible and do it at a time of the year when the sealants will adhere to the gates. Goal to start drawing down the water just after Labor Day. Reason for doing Highland Lake is also to have a buffer due to the rainfall. Install the gates, once the gates are installed the system would be automatically controlled from Concord. They will only be lowering Highland lake by 1 foot after Labor Day. The other 2 feet will be lowered after Columbus Day. Steve – “When will the automation system be in? Corey stated they need power to both sites. Highland Lake is good to go. Island Pond still needs easement looking to automate both by next year. Island Pond will go down 3 feet normal winter draw down.

Public Questions:

Roy Durand asked if the drawn down on Island Pond will be for the rest of the Year? It will take 2 months to complete the project? How long to get the boats out of the water?

Corey responded yes Island Pond will be on winter draw down from Labor Day on. It will take 2 months to complete the project by then will be drawn down to winter levels anyway. In the Spring it will come up to normal levels.

The project will take until Halloween. The gates can only be set one at a time. Corey believes that by the end of the weekend boats should start to be pulled out of the water. All work is on Island Pond. All work is done on Highland Lake.

Don Healy – Library Request – Fence Repair

Monadnock Fence was contacted to let them know the fence was not straight and loose in places. Believe the fence was put in last Spring. Monadnock Fence said they came and looked at the fence and did notice the problems, but that they were so backed up. Concern of liability issue and eyesore. Can the Town Lawyer send them a letter.

Angel will get the information on the purchase of the fence to Michelle Pong. Michelle will start by writing them a letter before getting the Town Lawyer involved.

Don also discussed the Alarm System in the Library. The alarm has been periodically going off at night. Tattersall Electric has been in several times to look at the problem. Consolidated says it's the Alarm Co. The Alarm Co says it's the fiber cable with Consolidated. Library wants to put in voice over internet protocol. The alarm system Southwest Mutual requires a land line. The Library Board preference is to get rid of Consolidated. Rates are high problems with the alarm system. Chris stated alarm systems and fax machines do not work over internet protocol. Don says they are looking at UMA which provides phone system and as their own security system. Don will investigate the UMA system. Michelle state the contract with Southwestern has been signed. If the Library switches to the different system that would be the responsibility of the Trustees of the Library. With Southwestern there is no switching of hardware or systems. The only difference instead of calls going to PMM as they do now the calls will go directly to Southwestern Mutual.

Appointments:

Harry Power – Compliance Officer

Harry requested from Shoreland PB# permit by notification, the permit does not tell you the scope of the work. On this PB# he does not know if there will be a Building Permit needed – just that there is work on the shore. When talking with the owner he found that out there was to be an addition. Harry

asked the owner for a description of what was being done. He requested from Shoreland a brief description on the document if a building is being proposed.

106-18 – gazebo covering a barbeque 8 X 14 no digging on shoreland, back 50 feet. Complies without a Shoreland permit. Signed and Approved.

131-12 – repairing deck & extending roof over deck. Harry visited the site not a problem. Not a living space or porch. Signed and Approved.

113-11 – repairing/rebuilding cottage. Has to tear roof off for repair. Signed and Approved.

115-68 – LaValley Garage cold storage only. Signed and Approved.

116-22 – well only, Check for Pat for \$50.00

415-16.6 – 4 season gazebo has shoreland permit & conditions. Pat has collected the money on this. Signed and Approved.

To Be Signed/Approved

1. A/R and or P/R Manifest
2. Minutes of 7/9/2021

Signed and Approved by all.

Old Business:

Transfer Shed –

Michelle stated the Air Conditioning is in, Electricity is in, Consolidated has to come back to hook up the phone, Tattersall only installed the jack.

Open Issue: 2105 RT 9 – Carport in Right of Way

Michelle gave an overview of the situation. Mr Ahearn came in to address concerns of the carport blocking his driveway in the Winter. There was a question to the carport being in the Right of Way. Assuming the carport was in the Right of Way, the Compliance Officer contacted the owner of the carport to remove or move the carport. Michelle then received a visit from the owner. She told Michelle that she had a building permit for the carport. The permit was issued only after the construction of the carport was

complete. Assuming the distance between the carport and the house was 75 ft. Harry went out to measure the distance and the distance was only 70ft. A lot of Building & Land uses. Michelle will work trying to figure out the best for both parties. The distance of the Right of Way has to be 50 feet. According to the Selectmen who approved the permit the position of the Right of Way was not in the deed. (Will get a copy of the deed to confirm) This means if they want to leave the carport there the Right of Way begins 20 feet from there and the Right of Way will be across the front yard. The Right of Way is 50 feet no matter where the right of way is. Michelle will go back to the owner and confirming the position of the Right of Way is not in the deed. That is fine if they don't want to move the carport, but then the 50 foot Right of Way has to move and remain 50 feet. The owner of the property is not going to give up his 50 foot Right of Way. It is a part of his deed. Michelle will confirm with the deed and legal council and then return to the home owner with the carport.

Public Comments:

Mr. Peter Ahearn – Mr. Ahearn is the owner with the 50 foot Right of Way. Provided a copy of the Subdivision Map (Will provide a copy to the Board) The board looked over the map. On the map it shows a State Marker that aligns with the edge of the Right of Way. Mr. Ahearn measured from the carport and believes the Right of Way would put him 8 feet into their driveway. Michelle believes the Right of Way would most likely go through their front yard and he can build a road to get to his property. They park their cars there. Michelle stated that this is the point at which it would have to go to a Lawyer or Court because that means they are in his Right of Way.

Mr Ahearn wanted to mention a couple of other things. Provided the Board with his Purchase and Sales Agreement wanted to establish that as the date he first owned the property. June 15, 2004.

He wants to bring up other things. He came in about the debris in the road. Them blocking the road. The snowbank up against the carport. The day the letter arrived from Harry the Ex Husband was there too he gave Mr Ahearn a couple of middle fingers. She stated the ex was upset and she would talk to him when he was gone. He has not heard from her. Had some run ins with the son. Mr. Ahearn and a contractor friend went out to do measurements. He measured 68 feet, where Harry had 70 feet. Found signs he put up 15 years ago gone or rehung upside down. In the front of his garage his found a note. Peter – you are irrational and I will pay personally to see you in court. Mr Ahearn believes this is harassment plain and simple. This makes him nervous. The sign was placed on his property, they had to go onto his

property to accomplish this. Mr. Ahearn state he has asked him to stay off his property.

The Selectmen suggested that he talk to David Vaillancourt (Police). He can issue paperwork stating they have to stay off his property and discuss his concerns.

Mr. Ahearn spoke again even after all this he offered to move the carport at no cost to them. MR AHEARN WOULD LIKE THEM AND THE BOARD TO KNOW THAT HE IS TAKING THIS OFFER OFF THE TABLE.

Had a problem with the Federal Express driver. Asked he not turn around in his driveway. Was told by the other land owner to use that as a turn around.

Once again the Board recommended that he contact the Stoddard Police to let them know what was going on. Michelle will also look into the deed and talk to legal counsel and get hold of the owner again.

Quotes for work on Old Fire Station

There were 2 quotes sent in.

1. J A Jubb Co for \$19,300 – it would also be an additional 1500 for steel doors if wanted.
2. New Logs New England for \$29,500 – it would also be less 700 for non steel doors.

Bob motioned to accept J A Jubb Co bid with one door up to \$20,000.
Chris seconded the motion. Motion Carried

New Business:

Center Pond Road Access – Michelle would like to ratify permission for Eversource to access transmission lines on Center Pond Road.

Bob made motion to Approve. Steve Seconded. Motion Carried.

Fire Department Purchase Order Approval -

Randy stated the Quote was messed up on quantity. They want 1 ice water rescue suit (675.00) and 1 boot cover (36.00). The Quote was wrong. The purchase order is correct. He will help look for a replacement to recommend to the Board and the State.

Voting Booths purchase order-

Bob motioned to accept. Chris Seconded. Motion Carried

Public Comments –

Wanted to know the date for Kings Highway paving. Steve talked today with Dave and told the paving was to start on 8/24/2021

Wanted to know if the State was going to drain the 2 springs that popped up on the area where the tore up Route 123 North. Will get Dave to talk to the State.

Camp off Shedd Hill Road. The porch is in the water. Will there be enforcement on the Variance. Mr Healy stated the ZBA does not enforce. If they became aware a variance granted was not being followed they could ask the Compliance Officer to follow up to investigate not enforce. Variance had to stay in existing footprint it was not. ZBA said there was no complaint filed. Chris stated the person came to him personally and said they had spoken to the Secretary of the ZBA.

Bob motioned to close Public Session to go into Non-Public Session. Chris Seconded. Motion Carried.

Bob motioned to open Non-Public Session. Steve Seconded. Motion Carried.

Returned to Public Meeting at 8:49PM

Chris motioned to close Public Meeting. Bob Seconded. Motion Carried

Meeting Adjourned 8:50PM

Submitted

Vickie Williams - Secretary