

MINUTES

**SELECTMEN'S MEETING
TOWN HALL**

**July 3, 2023
6:30 PM**

ATTENDEES:

Selectman Troy Merner Selectman Leon Rideout Selectman Shane Beattie
Town Manager Benjamin Gaetjens-Oleson Charity Baker Michael Nadeau
Department Heads Members of the Public Phlume Media

The meeting was called to order at 6:30 p.m. by Selectman Troy Merner.

Troy started the meeting by saying, last meeting got out of control and moving forward the board will set rules of procedure and the public will be able to speak at the end of the meeting on matters that are on the agenda with a limit of no more than three minutes.

DEPARTMENT HEAD UPDATES –

Highway Foreman Tim Brown reported they have been working with water/sewer department on a few projects. They've also been working on getting Elm Street ready to pave, and trying to get the line painting finished however the weather has not been cooperating and hopefully they will be able to start grading as soon as it dries up again.

He also has two paving bids. He contacted four companies last fall (Central Paving, Pike, Hutchins and GMI) and only 2 responded (Hutchins and Pike). Hutchins is the cheapest. He called Hutchins and Pike to verify the pricing because pricing has been up & down. Tim wanted to know how the board wanted him to move forward when the companies responded with the updated pricing, choose the cheapest? Tim did confirm with the board that both companies received the same bid information. He did mention they have changed the streets that will be paved this year from Page Hill and Railroad Streets to the lower part of Bunker Hill and High Streets and also Elm Street.

Motion by Leon and seconded by Shane to accept the Hutchins paving bid as long as it stays consistent with what was quoted previously. All in favor. Motion carried.

Bob Elwell complimented the Highway Department on the recent grading this season.

PUBLIC HEARING – Expenditure from Fire/EMS Capital Reserve Fund.

- To raise and appropriate the sum of Twenty-Five Thousand Dollars (\$25,000.00) for the purpose of purchasing a new ambulance for the Fire/EMS Department with said funds coming from the Fire/EMS Capital Reserve Fund.

Leon asked what will the remaining balance of the fund be if this expenditure is approved. Ben believes it will still be well over \$100,000. There was no public input regarding the withdrawal and expenditure.

Motion made by Leon and seconded by Shane to raise and appropriate the sum of Twenty-Five Thousand Dollars (\$25,000.00) from the Fire/EMS Capital Reserve Fund for the purpose of purchasing a new ambulance. All in favor. Motion carried.

APPOINTMENTS:

Bob Elwell wanted to openly state, no matter what side you come down on with the issue concerning the event at the library, everyone on both sides of the issue are good people. He shared a couple quotes.

Sam Mayne – Ben believes there may have been some miscommunication with Sam as to whether he would be able to attend the meeting, so Ben went over the letter in the boards packet regarding a grant that is being proposed for the Connecticut River cooperative invasive species management area, part of that money would go toward following up some of the work that has been done around town over the last year treating the knotweed and other invasives that are around town in public rights-of-way but it will also will help fund some education to certify individuals as sprayers to treat the invasives. Sam is looking for a letter of support from the board to go along with the grant proposal.

Motion made by Leon and seconded by Shane to approve Town Manager Benjamin Gaetjens-Oleson writing and signing a letter of support for the grant on the board’s behalf. All in favor. Motion carried.

OLD BUSINESS –

- Review and approval of the June 19, 2023 meeting minutes.

Motion made by Leon and seconded by Shane to accept the June 19, 2023 meeting minutes. All in favor. Motion carried.

- The tax collector inadvertently posted a sewer warrant in the tax system as a water warrant and needs the board to sign an abatement to remove that charge and add it to the tax system correctly. The board signed the abatement.
- Dog Warrant – Ben explained the warrant orders the police chief to issue civil forfeitures to all the delinquent dog owners in town. He explained to the board that calls have been made in an attempt to get all owners in to the office to license their dogs. The board signed the warrant.
- Community Power decision – Ben mentioned at last meeting there was no decision by the board whether they wanted to move forward with a community power program for the public. Troy explained the program and the process to get it approved and he feels it should go before the voters. Ben mentioned moving forward does not obligate them to use Standard Power. Leon stated he feels the board should continue to table the decision as he doesn’t feel he has enough information to intelligently bring it before the town voters. Ben also mentioned part of moving forward is establishing an Energy Committee which would gather all the information and assist the board with the resources they need. Leon would like to table it until the next meeting and they will set up a time line of what needs to be done when in order to present it at town meeting.
- Davidge Corner update – Ben mentioned there was no definitive vote on whether they are going to move forward with moving the road.

Alan Savage stated he feels that public input should be allowed during the meeting as the public may have input that may sway a decision that needs to be made by the board. Alan mentioned again that the board should just remove the hedges in the right-of-way instead of setting a precedence in moving roads. He stated this issue has been going on for 20+ years and nothing has ever been done. Shane mentioned he met with Mr. Davidge in good faith and feels it is a good plan and if Mr. Davidge doesn’t hold up his end of the plan, then the town will cut the hedges. Leon mentioned the proposed letter sets a deadline for each step moving forward and the letter asks Mr. Davidge to agree to the time frame and if he alters it in anyway then the deal is off.

Motion made by Leon and seconded by Shane to send the letter to Mr. Davidge and wait for a response. All in favor. Motion carried.

- **Road postings** – One of the recommendations in discussions regarding Mt Prospect Road was to post the road with lower load limits year-round. Ben found RSA that does allow the governing body to change the load limit of year-round traffic. There was discussion, if it was approved to lower the load limits and a landowner had a situation where a larger truck needed to access their property is there any exceptions. Ben mentioned they could apply for a waiver and such waiver could require a bond to pay for any damage if any occur. Also, if any of those roads have property owners that have a business, there may be some stipulations.
- **2022 Eversource abatement recommendation** – Ben mentioned the recommendation for denial of the 2022 Eversource abatement requires a vote to approve the recommendation to deny or not. Leon feels Sansoucy brings up a lot of good points.

Motion made by Leon and seconded by Shane to deny the 2022 Eversource abatement request. All in favor. Motion carried.

- **Airport update** – Email from Jay Ennis, manager, of Mount Washington Regional Airport (MWRA) forwarded by Rob Christie, Lancaster airport representative that explains, during one of the severe weather events, equipment was struck by lightning and they lost power. There have temporary power systems in place and they have a plan to replace the fried system.
- **Falkenham abatement request** – Ben reviewed the adjustment recommendation from Jason Call, Northtown Associates with the board.

Motion made by Leon and seconded by Shane to approve the abatement recommendation from Jason Call of Northtown Associates. All in favor. Motion carried.

INFORMATION:

- Letter from Teri Anderson requesting the board create written rules of procedures and code of conduct for Selectmen’s meetings. Ben mentioned he participated in NHMA public officials’ workshop and they recommend a written rules of procedure for board meetings. Ben said if it’s something the board is interested in creating, he will move forward in drafting something for the board’s approval. The board is in agreement that rules of

- procedure need to be created and would like Ben to draft them to be reviewed. Ben mentioned the webinar explained the difference between public meeting and public hearing and they also shared several recommendations for rules of procedure.
- Letter from CASA thanking the Town for their continued support of funding.
- Planning Board monthly meeting notice for July 12, 2023 @ 6:30 p.m.
- NHDES report of Hazardous Waste Inspection for the Transfer Station. Ben mentioned there were things identified throughout the inspection and those things have been corrected.
- Land Use permits –
 - James Parks, 19 First Street – Construct concrete slab situated under MH 1st runner, enlarge bathroom, construct porch & install front door.
 - Kyle Van der Laan & Melissa Grella, 4 Stone Street – Demo & reconstruct stick-built mudroom from existing front porch with modified landing & steps, shingled roof, new siding, flagstone walkway.
 - Construct wood-framed 1BR/1BA Tumbleweed Roanoke model tiny house onto 4-ft masonry foundation with open-roofed porch, septic, generator backup and pole-mounted solar array.
 - Jeffrey & Amalia Carty, 20 Hodge Road – Demolish existing barn; construct Reed’s Ferry wooden shed on gravel pad situated next to barn footprint; extend laundry room and update hookups.
 - Daniel & Angela Kenison, 7 Sunny View Drive – Install fixed-tilt rooftop solar array.
 - Candy & Thomas Anderson, 8 Mary Elizabeth Lane – Construct stick-built ICF framed 2-story single-family dwelling on full concrete basement with open front porch, attached garage w/2nd floor ADU on frost wall/slab floor, septic, install shed on gravel pad.
 - Wendy Ann Eardley, 260 Portland Street – Construct carriage-barn-style fabricate kit single-family home with walk-out basement on full concrete foundation.
 - Kevin Blakely, 12 First Street – Installation of 2023 Hagan’s Pine Grove Model single wide mobile home onto concrete pad, shed, deck, ramp access.
- Sign permits –
 - Mark Newman obo Chadwick Baross, 369 Main Street
- Public Input –

Teri Anderson wants the board to know she wrote the letter because she felt the previous meeting was contentious on her part and how she perceived on their part. She mentioned that Troy keeps referring to the meeting as a circus and she feels that is because the select board never gave clear concise rules. She would like to hear in this meeting that the board will officially adopt a motion, so it’s recorded in the minutes, that they will create a select board meeting rules of procedure and also conduct rules. She would like to see everybody welcomed at meetings and everybody receive their full three minutes to talk.

There was much discussion back and forth with how the last meeting was conducted. Troy admitted he was wrong with the way the last meeting ran and apologized.

Leon definitely feels they need to come up with a draft of rules of procedure and have asked Ben to come with a draft. He mentioned the draft may not be ready for the next meeting however they are working on them. All of the board members agree they should have formalized rules.

Rachel Stuart mentioned the Conservation Commission also follow rules of procedure and they state that it is at the discretion of the chair to recognize people either during a topic or at the end of a meeting to speak however they don’t have to let anyone speak. She hopes they have the spirit that Leon mentioned and allow people to speak.

Joe Bachofer mentioned he has been coming to meetings for years and it was always free discourse, his concern is the select board understand when the people of the town come together on a particular topic, they should have a voice whether others agree with them or not. His point is, they are elected by the people and when the people come together to voice their opinion the board should listen.

Bob Elwell agreed with Joe and mentioned it should not matter if it is personal opinion, the people should be heard.

Troy expressed he feels public input should be kept to the agenda topics and not personal opinions.

Kate Hartnett asked when looking at rules of procedure if select board members are allowed to provide personal opinions during the course of discussion on agenda topics. She also thinks it would be best if Troy apologizes to Teri either in public or private for the interaction at the last meeting.

Troy apologized to Teri and he does realize he handled the situation last meeting inappropriately.

Les Hilton wanted to mentioned regarding the Davidge Corner topic, his wife drives that road every day and she has almost been hit several times on that corner. He feels it needs to be handled and feels they should just go ahead and take the trees down. He also mentioned he has concern that if anyone is ever severely injured in an accident on that corner the town may be liable where this is on record and the town didn’t take the trees down in the right-of-way.

Bob Elwell asked about the water quality here in Lancaster, at one point when he was on the Conservation Commission, they were very concerned about the invasive pathogen called Rock Snot found in Vermont waters and would like to know if that has been detected in Lancaster. Ben is not aware of it here.

Motion made by Leon and seconded by Shane to adjourn. All in favor. Motion carried.

Respectfully submitted, Board of Selectmen Date: _____

Charity M. Baker

Troy Merner

Leon Rideout

Shane Beattie