**MINUTES**

**SELECT BOARD MEETING** **September 3, 2024**
**TOWN HALL UPSTAIRS** **6:30 PM**

**ATTENDEES:**

**Select board members:** Leon Rideout, Shane Beattie, Kathy-Jean Lavoie
**Others in Attendance:** Charity Baker, Department Heads, Members of the Public, Zack D Video

The meeting was called to order at 6:30 p.m. by Selectman Leon Rideout

**PLEDGE OF ALLEGIANCE**

**DEPARTMENT HEAD UPDATES:**

**Water/Sewer Supervisor Timmy Bilodeau** mentioned he glanced over the report regarding the lead service lines. He feels they missed a lot of stuff. He will review it more. He said according to them there are a lot of unknowns and their report has a lot more connections than what we actually have. He also mentioned there is an opportunity to have a zoom meeting with them to review the report.

He also reported they have been working on the storm damage to the intake and water crossing. He would like to see that done before cold weather comes. October is when they usually clean the intake and it would be good to schedule the repair work with the cleaning.

**Highway Foreman Tim Brown** reported they are still making repairs from the storm damage. They have some culverts to change and then they should be ready for winter. He asked if it would be possible to have Carroll Concrete haul the remainder of the winter sand where time is getting close and the board was good with that. Selectman Beattie mentioned he wanted to talk with him about possibly purchasing less and using some of funds elsewhere.

**Transfer Station Supervisor Rusty Scott** reported everything is full where Lyndonville is still not able to take items due to their storm damage. Hopefully they will open up soon. He reviewed what will be shipped and when. He mentioned Tim may start working on the tire barn next week. Rusty and Rob are going to start cleaning out the MSW container.

Selectman Lavoie reported the knotweed spraying at each of the departments' locations went very well. They were not able to make it to some of the ROWs due to the rain.

**Land Use Coordinator Robin Irving** reported she attended an HSEM briefing with Town Manager Cyr last week. She also attended the North Country Council Transportation alternatives meeting where they discussed the 10-year plans that were being ranked. The bike lanes on Main Street project came in last and the sidewalk project on Bridge Street ranked around 20$^{th}$.

The Conservation Commission designated one of their members, Mike Webster, as a representative on a trails group that are working on the trails objective for the town forest. He will be working with Racheal Stuart on the trails project. Commission Chair Sam Mayne is finding it very difficult to administer the ARM funding and is wondering how that funding can be returned. Coordinator Irving reported that nothing has been expended from the fund and also mentioned that returning money that has been awarded is not looked at favorably. Town Manager Cyr asked if it was something Coordinator Irving could administer and she stated she could. Selectman Rideout mentioned he would not be in favor on returning the money because of how it may affect us down the road.

The zoning board met and they approved the variance for 79 Main Street, the Democrat building. She reviewed the details of the variance and the approval to allow him to have the additional density of one additional commercial unit. So, they will have two small office like units on the first floor.

The zoning board also voted to withdraw the funds from the land use checking account for the CIP software. She will also get the planning board vote in order to withdraw the funds. They also voted to withdraw $1,000.00 from that account to be used as the match for the road surface management planning study.

She forwarded the lead line report that Timmy mentioned to Underwood to review. One of the statements made in the report was the town did not send them the correct number of connections and they counted all the mobile homes and multi-unit buildings as connections however they only have one meter.

Last Wednesday, HEB Engineers visited the public works building to assess the condition of the building and the land. She does not have a time line for the report turn around.

She is doing research to update chapters in the master plan.

She has finished a vendors' application and is working on a vendor policy. She mentioned the State dissolved the hoppers and peddlers' statute however, she stated the town can use the same kind of language as the statute and that it doesn't need to be very in depth and list what types of people need to get a permit.

The hospital called regarding the NBRC grant for the water tank to see if they need to encumber the commitment on the match. She discussed the status of the grant with them and they need to do what they feel is prudent. Robin mentioned if they withdraw the match for the grant, which the grant has already been submitted to the State with their commitment. She thinks it will be more unfavorable than having it go to the voters and get voted down.

Selectman Lavoie asked what the next steps are with ARPA and getting funds encumbered. Coordinator Irving reported that Water/Wastewater Supervisor Bilodeau gave her the specs for Causeway Street and now she would like to get an RFP out so those funds can be encumbered.

**APPOINTMENT:** Harrison Gates was present to urge the board to create a policy to prohibit open air smoking on publicly controlled land within 25 feet of inhabited buildings and to allow property owners the freedom to control air quality within their buildings. Selectman Lavoie mentioned she looked at RSA 147:1 which Mr. Gates sited and has reviewed a court case she found with the Town of Colebrook versus a restaurant in the town and found that the only latitude the board would have is if it was a concern with public safety or fire not public health. She asked that Town Manager Cyr look into as well to confirm her findings. Mr. Gates wanted to clarify that the request was for publicly controlled land not private land. Selectman Rideout is concerned with how it will be enforced. The board will look into it and consider the request.

**REVIEW OF MINUTES:** August 19, 2024

**Motion made by Selectman Beattie and seconded by Selectman Lavoie to accept the August 19, 2024, meeting minutes. All in favor. Motion carried.**

**SIGN VARIOUS PAPERWORK:**

- Abatements – The board signed an abatement for taxes owed on 37 Forbes Street. The mobile home is no longer on the property and was abandoned by the owner several years ago.
- Land Use Change Taxes were signed:
    - Jacob Cooper, Tax Map R02, Lot 82 - $5,500
    - Scott Lambert, Tax Map R02, Lot 90 - $13,500
    - Walter Maendel & Sarra Wabrek, Tax Map R02, Lot 86 - $4,700
    - Janet Savage, Tax Map R02, Lot 84 - $5,500
    - Janet Savage, Tax Map R02, Lot 85 - $5,000
    - Janet Savage, Tax Map R02, Lot 91 - $10,000
    - Paul O'Brien & Diana Drouillard, Tax Map R02, Lot 9 - $7,500
    - Wendy Eardley, Tax Map R17, Lot 21 - $10,000

**NEW BUSINESS:**

Town Manager Cyr requested the board vote on the backflow preventor testing fee that was presented at the public hearing to discuss water/sewer rates.

**Motion made Selectman Lavoie and seconded by Selectman Beattie to approve a fee of $70 per test of the required backflow preventors in the Town of Lancaster. All in favor. Motion carried.**

**OLD BUSINESS:**

Oil Bid opening for winter heating oil.

- Superior Plus – $2.799 fixed rate / $0.40 over rack
- C.N. Brown – $3.029 fixed rate / $0.42 over rack
- Irving Energy – $2.63 fixed rate / $2.60 variable rate
    - Note included on Irving's bid that the rate does not include .01375 per gallon environmental fee and the .001 per gallon federal tax. Selectman Beattie mentioned the municipality is tax exempt. Selectman Rideout stated even with the additional fees noted.

**Motion made by Selectman Beattie and seconded by Selectman Lavoie to accept the Irving Energy bid at $2.63 per gallon fixed rate. All in favor. Motion carried.**

**Storm update –** The major disaster declaration was received from President Biden on August 20th. Town Manager Cyr hosted an applicant briefing with several surrounding communities and members of Homeland Security who spoke to the process. They have done an initial assessment and have asked that the town block off their calendar for September 17-20 to perform a full measuring evaluation of all the roads.

She is working with FEMA who is handling most of the town's roads situation and some of our water infrastructure improvements and she is also working with the USDA State Watershed Protection to address the rest of the water facility. She will be sending out bid requests for the

work that is in the stream beds soon. Town Manager Cyr's plan is to get the requests out so the board can take action at the next meeting.

John Ayers asked if the FEMA funding will help with the water/sewer rates that are changing. Selectman Rideout mentioned the FEMA assistance will not change the rates adjustment that has been proposed. Reta Ayers asked if the proposed rate has changed from the rate that was proposed at the public hearing. Selectman Rideout stated the board did discuss a different rate at their work session however the rate will not be implemented until Spring 2025 and a public hearing will be held before the change takes effect.

**SELECT BOARD MEMBERS' REPORTS:**

Selectman Beattie – Nothing at this time.

Selectman Lavoie reported on the knotweed project. This is the 3rd year of spraying. They were able to spray 16 roadways, 4 town properties, 38 residential land owners and 11 commercial entities. She has already added some to the list for next year and will get pricing. She is not sure they are at a point of dropping properties off the list and adding more until they assess next year.

Selectman Rideout thanked the road crew for all the hard work through the storm and the repair work since.

**TOWN MANAGER'S REPORT:**

Preliminary 2025 budget documents have been distributed to the department heads.

EMS at the fair only had 21 calls for service and 3 transports to Weeks Hospital. It was very uneventful and great fair for them.

She spent a lot of time with the recreation department over the last couple of weeks. Al Pryor has retired after 19 years of service to the town. She has spent some time with Eli and Megan reviewing the facilities and potential funding for improvements. Robin mentioned she went to the Rotary meeting last week and inquired if there may be funds to help with the pool pump and they mentioned that Col. Town used to be a regular line item in they budgeted, however it dropped off over the last few years. When they have their next meeting, they may consider that to be a regular line item again. They would like Megan and Eli to come to a meeting and give a presentation of things they could use funding.

She also met with representative from Northeast Resource Recovery Association (NRRA). They won an EPA grant which included a letter of support from former Town Manager Ben Oleson. It will require some capacity from the town staff to facilitate their baseline information for the grant reporting.

There were two workers comp claims in the last week in unrelated incidents. Everyone is fine, they were not major incidents.

There have been two welfare cases in the last couple weeks totaling about $830 in assistance. She is pulling together a workfare program and will present it to the board at a future meeting.

**INFORMATION:**

Planning board meeting notice – September 11, 2024 @ 6:30 p.m.

Land use permits for the board to review.

**PUBLIC INPUT –** Alan Savage asked if there has ever been a competitive bid for road gravel. It was mentioned they don't believe it has been done in a few years. Alan believes it is required by law that a public official should not be providing services without a competitive bid. Selectman Beattie mentioned he was providing gravel to the town well before he was a Selectman. Selectman Rideout mentioned they will research it and it will go out to bid.

Town Manager Cyr requested the board enter into non-public session due to RSA 91-A:3 II (l) consideration of legal advice provided by legal counsel.

**Motion made by Selectman Lavoie and seconded by Selectman Beattie to enter non-public session pursuant to RSA 91-A:3 II (l) consideration of legal advice provided by legal counsel. Roll call vote taken – Selectman Beattie – yes, Selectman Lavoie – yes, Selectman Rideout – yes. Motion carried.**

The Select Board entered Non-Public Session at 7:27 p.m.

The Select Board exited Non-Public Session at 7:52 p.m.

**Motion made by Selectman Beattie and seconded by Selectman Lavoie to return to public session. Roll call vote taken – Selectman Beattie – yes, Selectman Lavoie – yes, Selectman Rideout – yes. Motion carried.**

**Motion made by Selectman Lavoie and seconded by Selectman Beattie to seal the non-public session minutes indefinitely. Roll call vote taken – Selectman Beattie – yes, Selectman Lavoie – yes, Selectman Rideout - yes. Motion carried.**

Nothing else from the public.

**Motion made by Selectman Beattie and seconded by Selectman Lavoie to adjourn. All in favor. Motion carried.**

Respectfully submitted,

Charity M. Baker

Board of Selectmen Date: _____

_____
Leon Rideout

_____
Shane Beattie

_____
Kathy-Jean Lavoie