

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
June 6, 2022
MINUTES**

Call to Order

5:30 – Chairman McGarry called the meeting to order

Present: Fred McGarry, Chairman, Richard Pitman, Vice Chairman, Alden Dill, Cynthia McHugh and Will Huebner, Selectmen.

Pledge of Allegiance to the Flag.

Chairman McGarry: Mr. Eames is the first on the agenda but I'll probably take up the paving bid, and Mr. Wallace is here and he'll like, do you want to address that, Fred, or?

Fred Wallace – Highway Agent

Fred Wallace: No not necessarily. Good evening. I just wanted to see... I see the bids and I know there was some, line item three, that some didn't bid for and I wanted to see where we were headed.

Chairman McGarry: All right, uh, my interpretation on it and some discussion I had on it with John and John also talked with town council, we basically have a choice and it's a rather limited choice. The, you know that we had Brox and R&D Paving that did not bid on Item number three and Pike and Continental did and they bid on all the items that were in the bid itself. So consequently, Pike and Continental were responsive bidders. They responded fully to what the bid was so they would be considered to be responsive bidders. Brox and R&D were not responsive. So, our choice, my understanding, my interpretation is that, we either award the contract to the low bidder between Pike and Continental or we throw out all the bids and go through the bidding process again. So, that's my understanding and I think town council is pretty much in agreement with that?

John Harrington: That was the opinion of the town council.

Chairman McGarry: Okay. Dick?

Vice Chairman Pitman: How bad do we need number three? Is that antiquated? Was that put in there by mistake or...?

Chairman McGarry: No, that was one of the, one of the items that they, that DOT had recommended when they do full depth reclamation. That you should end up having one and a half percent bituminous concrete in the material that has been ground up and that's how you make it up, is by injecting this, the actual asphalt.

Vice Chairman Pitman: Are you making a mistake not doing that, today's standards?

Chairman McGarry: I don't know what. Fred, are you familiar with that process at all?

Fred Wallace: I am not. I mean I have an understanding of it. I think one of the surrounding towns used it and they had good outcome with it. I don't have any experience with it.

Chairman McGarry: So, the choice have is again, fight between the two low bidders, between the two bidders who were responsive. Pike is the low bidder by eight thousand dollars roughly. Cindy?

Selectwoman McHugh: I don't know if I asked this last meeting, did we find out why they didn't bid on item number three? Why didn't the other two?

Chairman McGarry: I think it was some question as to whether or not they could find somebody who do that injection and apparently Pike and Continental were able to. Alden?

Selectman Dill: yeah, that was the explanation we got from the town resident who also worked, I believe, for Continental, that, they were big enough to pull in a subcontractor from New York and the other two weren't.

Chairman McGarry: That's, that was my understanding.

Selectman Dill: Yeah.

Vice Chairman Pitman: (inaudible)

Chairman McGarry: So, we haven't, the most recent ones we haven't done the full depth reclamation. So, we're actually grinding everything down ten inches. That's what the spec calls for. Ten inches and grinding it all up and really needing that for what's, South Road and that section of Middle Road too.

Vice Chairman Pitman: So, do we five hundred and eighty-two thousand or are we over our budget?

John Harrington: It's over the budget line and the warrant article by twenty-five thousand.

Vice Chairman Pitman: that's all?

John Harrington: And I believe we could find that in the budget to offset it.

Selectman Huebner: I thought we had four fifty in the warrant?

John Harrington: we had two...

Selectman Huebner: (inaudible) extra.

John Harrington: Correct.

Selectman Huebner: And then we had how much in the normal?

John Harrington: Two fifty-seven.

Selectman Dill: I'm thinking next year we probably ought to jump that two fifty up in the warrant article quite a bit, and suddenly it doesn't go that far.

Fred Wallace: With the prices today too.

Selectman Dill: No, yeah.

Fred Wallace: It's even hurting us worse.

Chairman McGarry: Right.

Fred Wallace: We're getting half done what we probably could have got done just with the prices alone.

Selectman Dill: Yup.

Selectman Huebner: Do we have any experience with Pike or Continental in the past that might color our judgement of the award?

Fred Wallace: I don't have any personal experience with Pike. I have had some experience, on the road side of things, with Continental. They marry in their seams real good. They do good work. They're in and out of here. But I wouldn't want to judge either way, Pike verse Continental because I haven't really dealt with Pike very much because Continental gets a lot of the big state bids so I've seen a lot of their work.

Chairman McGarry: Pike has certainly been around for a long time...

Fred Wallace: Yeah.

Chairman McGarry: there not a fly-by-night operation.

Fred Wallace: Right, I just wouldn't want to say anything either was because I haven't really dealt with them a lot. I've seen plenty of Continentals work.

Chairman McGarry: Alden.

Selectman Dill: Well, I guess the first thing we got to address is, are we going to go with these, one of these two, or are we going to re-bid. So, that I think is the big thing and if we re-bid I assume we'd be re-bidding without number three.

Chairman McGarry: Yeah, we could end up doing like, we dropped that item out.

Selectman Huebner: So, why did we put number three in, in the first place? We felt it was a state requirement?

Chairman McGarry: It's not a state requirement, it's just what the state ends up normally calling for but it's not a requirement as such.

Selectman Huebner: So, we have the prerogative to just say we don't want that?

Selectman Dill: Yes.

Selectman Huebner: well, that would seem like that would save us quite a lot of money if we drop number three.

Selectman Dill: My concern is just we can find the money to do this but that's like all we're going to do. I mean this would pretty much wipe your budget out.

Fred Wallace: Right, then we couldn't do anything with Haynes to hold it together with a cold shim.

Selectman Dill: That's my concern is, yeah, we have a few pieces that are literally disintegrating in front of our eyes here that we got to stabilize this year as well, so...

Fred Wallace: Because if there's some on the back side maybe we could in-house do a cold shim.

Selectman Dill: So, my recommendation is to re-bid without number three.

Chairman McGarry: Thank you.

Selectwoman McHugh: How long is it going to take us to re-bid?

Chairman McGarry: A minimum of two weeks. We probably should do three.

Selectman Huebner: Does that put the whole paving operation in jeopardy?

Selectman Dill: It puts it later, that's for sure.

Chairman McGarry: Right. And obviously subject to any additional increases in petroleum prices.

Selectman Dill: That's the, yeah. Diesel stabilized a little bit.

Selectman Huebner: Yeah, but you could save a hundred grand it looks like...

Selectman Dill: Now.

Selectman Huebner: or eighty grand or something.

Selectman Dill: fifty or eighty.

Chairman McGarry: Plus, I guess there was some question as to whether we would want to have flaggers. I know there was some, some question on whether or not we were going to take and keep the flaggers in there and uh...

Selectman Dill: that was the other one.

Fred Wallace: Yeah, we were going to do the flagging and take that cost out.

Chairman McGarry: okay, so we can drop that, we could drop that price. Cindy.

Selectwoman McHugh: So, if we re-bid, just take out number three and take out the flaggers and then have it re-bid on.

Fred Wallace: And the shoulder gravel isn't in that bid, right?

Selectman Dill: it is not.

Fred Wallace: He took that out too, yeah.

Selectman Dill: But I mean that wipes out your budget even for the shoulder gravel if we use your whole budget now.

Fred Wallace: As far as renting equipment to do it yeah know?

Selectman Dill: Yeah.

Selectman Huebner: Sounds like consensus.

Selectman Dill: Yeah. I think that's the fair way to go rather than to...

Chairman McGarry: Let's have a motion to re-bid it and drop those two items.

Motion: Selectman Huebner makes the motion to re-bid the entire thing without number and without the flagging and ask each bidder to be sure to give a complete bid.

Second: Selectman Dill

Discussion:

Selectwoman McHugh: Get it out as soon as possible.

John Harrington: What I can do is, put it out for a minimum of two weeks and call each of the current bidders and let them know it's been reposted, so they know to get the bid right in.

Selectman Huebner: And because they've already bid this and they've already looked at this, it should be...

Selectman Dill: Pretty fast.

Selectman Huebner: it's just a matter of really deleting a couple lines and re-adding it up so it shouldn't take very long.

Selectman Dill: Hopefully.

Chairman McGarry: And make sure, John, you're doing the, those three other organizations that, notifying them of the bid. All right, we have a motion and a second. Any further discussion? Any further input from you, Fred?

Fred Wallace: No.

Selectman Dill: um, oh, I just thought of one thing, should we put it, can, is there any way we can put Birch Road subject to bid price, just so we have a little leeway if these things come back and wipe out the whole budget again?

Chairman McGarry: Well, we could, we could delete a portion of...

Selectman Dill: well, I know it sounds dumb but I'd kinda like to see what the numbers come in at and then make a decision. If it's not possible, it's not possible. I just, I'm worried about wiping our entire road maintenance budget for the year out in one fell bid.

Selectwoman McHugh: Well, that bid might determine it, right? If it's...

Selectman Dill: Well, that's what I'm saying, is if it's gonna be as high as this was, I kinda, like you know, we could wait on Birch Road and fix some short sections of other pieces of road. John's rolling over and probably saying no.

John Harrington: No, just waiting to hear what you want to do.

Selectman Dill: Is there a way we could do it that way?

John Harrington: The feedback I got from some of the bidders is when they distribute costs it's amongst other lines so it would mean redoing the bid if you were to take it out after the bids awarded. So, my recommendation is either leave it in or take it out.

Chairman McGarry: Dick.

Vice Chairman Pitman: So, you could ask them to do the complete job with Birch Road as an option, so they knew it.

Chairman McGarry: The only problem you end having with that is...

Vice Chairman Pitman: I'm not in favor of it, I just wanted to get John's take?

Chairman McGarry: Right. The only problem with that is, how do you, how do you, what's the basis of the award?

Vice Chairman Pitman: Let's just run like this.

Chairman McGarry: Okay.

Selectman Dill: I won't throw a monkey wrench.

Fred Wallace: Because the cost of it and going by the list and what roads we've gotta do, I mean, obviously it makes sense to tie in Middle Road from, you know what I mean?

Selectman Dill: While you're right there, yeah. That's fine. I...

Chairman McGarry: All right, further discussion?

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

John Harrington: and we're doing all three roads.

Chairman McGarry: Yes, that's right. Votes unanimous.

Selectman Huebner: I saw work going on, on South Road today, any, what was that about?

Fred Wallace: Yeah, cutting shoulders, preparing for cleaning ditch lines and cutting shoulders.

Selectman Dill: That's going well?

Fred Wallace: Yeah, it's going real good.

Selectman Dill: Good.

Fred Wallace: We should be finished South Road tomorrow.

Selectman Dill: Excellent.

Fred Wallace: And then we've got a couple pipes to on Birch Road.

Chairman McGarry: All right, thanks Fred.

Fred Wallace: All right, thank you guys.

Chairman McGarry: Okay. Mr. Eames.

Mr. Eames: Do I approach the bench or (inaudible)

[Laughter]

Chairman McGarry: Mr. Eames had, is proposing to do an earth excavation operation off of Dow Road and Mr. Eames had been, had the planning board out to the property, what was it, three weeks ago?

Mr. Eames: Good Memory.

Chairman McGarry: And the only access that we have directly into the property is through Dow Road and Dow Road had been discontinued, what was it...

(inaudible)

Selectman Dill: Yeah, we can do that.

Chairman McGarry: When was it, Jeff?

Selectman Dill: A Long time ago.

Mr. Eames: I want to say, like, nineteen thirties. (inaudible)

Chairman McGarry: and...

Selectman Dill: that's not where I thought that road was.

Chairman McGarry: The question ends up being is, was Dow Road a range road? It almost looks like it probably was based on the location and, at least my understanding, the research I had done, that if it was a range road the town still owns it whether it's discontinued or not and if it, therefore is a, if it's not a range road then the abutters would then own to the center of the road and uh, but uh, Jeff has got some information that apparently Fran Menard had worked up.

Mr. Eames: Yeah, for the record my name is Jeff Eames. My wife and I own lot three of map 404. Town identifies it as a twenty-one-acre lot but after the survey was done it shows that's it's twenty-five point one four acres. It is recorded registry of deeds book four thousand four hundred and twenty-two page six eighty. So, Dow Road, Swamp Road, Mount Delight Road when you're doing deed research up in there they tend to reflect, it's not a real good description but, we've cut three different big parcels of land up in there. One was for Green Crow which is now called Great Woods. Second one would be Edythe Boisvert. Edythe Boisvert transferred that property to the town of Deerfield at the same time there we cut timber personally on that. If you look at the cover map, you're going to see the three corners of Epsom, Allentown, and Deerfield. Dow Road runs somewhat to the north there's a match line there where I had to match up the two tax maps to give you a good description of where it comes out. It comes up and goes through the town property. The next property that goes through is Great Woods or now, we always call it Green Crow property, it comes down to the town and then it ends up going right down through onto one sixty-nine Mount Delight Road which is Paula and Thomas Dunnigan. Now his driveway goes right through on that road. If you're interested to go for a little trek, you're going to find old foundations up in there where it was Old Homestead property.

Selectman Dill: So, just, sorry to interrupt you, but you're the, if we're coming off Mount Delight you go from Paula and Thomas through the town lot, you're the next lot?

Mr. Eames: How we would access that property, okay, if you go on the Epsom, Deerfield, Allentown line, okay, you're going to see a farm on the south side of Mount Delight Road, Swamp Road, okay, we'd be going up Dow Road, the abutter to the east is Dave Mahn, David Mahn. Dave has passed away and then our lot would be lot three which says (inaudible -someone talking over).

Selectman Dill: Thanks.

Mr. Eames: Now, doing a little research on this we bought property, like I said, back in two thousand twenty. Back then Keith Rollins was alive, and Dave Mahn and Keith said the town hall gravel right there at one time. There's a big face there. Okay. So, that's kind of a layout. Being in the land and timber business, you know, we're always looking for descriptions of property. There's been three surveys up there. One was done by David, the late David Sidmore. One is done by New England Land Consultants and the other one was the one when the town took ownership of the Boisvert property. So going through on the next page, Cartographic Associates, they were the ones that probably did the first Deerfield tax maps and this is a letter, I believe, to the selectmen, July twenty-eighth two thousand, and it says, we have two property owners that have questioned the possibility of building on Dow Road. This road was discontinued at the 1932 Town Meeting. Research indicates that the town is probably the owner of the land over which the road was originally laid out. Both the original layout and the wording of the article discontinuing the road indicate that Dow Road ran from Swamp Road to Mount Delight Road. Simply as the tax map shows it. Our previous

map shows this road looping around from Swamp Road to Mount Delight Road. The road is designated as discontinued. See enclosure. On the new maps which you created for the Town of Deerfield Dow Road shows as discontinued but only a small section of the road is shown from its starting point at Swamp Road. Another section is shown ending at Mount Delight Road. These sections are not joined. See enclosure. We need an explanation of why these two maps differ. Then going back, this is research Fran Menard did that David Sidmore collected to come up with, primarily, the owner of Dow Road and the three surveys that were conducted up in there. All three different surveyors and David worked on theirs, nonetheless there, another land surveyor, feels that the town still owns Dow Road. On March 8, 1932, the Town Meeting voted to "discontinue the highway leading from Deerfield-Epsom Road to the Jake Dow place in Mount Delight Neighborhood". At a Selectmen's meeting in 1998 Mrs. Boisvert asked the town to deed to her the portion of Dow Road which runs through her land, shown as lot 2 on map 404. And that's still consistent with the front cover page. She stated that she believes, and then it goes on. And then the next paragraph, The Town of Deerfield records, book #2, show that this road was laid out 2 rods in width on March 4, 1806, from the Epsom line to Mount Delight Road through land owned by James Langley and Jacob Dow. The record further states that these owners were paid \$20.00 in full compensation for this road going through their land and did "release and quitclaim to The Town of Deerfield the land occupied for said Road." Even if a title search does not reveal a recorded deed, the validity of the deed is not voided by such omission. The vote in 1932 to discontinue this road does not address the ownership of the land the road occupies, so it would appear the town still owns it. Now looking at the surveys, I think the surveyors and abstractors feel the same way. Over a period of years prior to this request Ms. Boisvert had questioned the location of the road on the town maps. She also had many complaints regarding the condition of the road, vandalism, and hunting out of season. It's not a problem anymore because Mrs. Boisvert now sold the land to the town, you guys on the land. The new town map shows Dow Road as running along the Deerfield/Epsom town line (as the tax map shows on the cover page) and turning in and ending along a section of the lot line. The prior town map shows the road running along the town line and turning in between the same lots, numbered 12 and 13 on the old map, but continuing on through the lot line of the two adjacent. This is in agreement with both the original layout and the discontinuance voted in 1932. It appears some research needs to be done to determine why the maps are different. It is not clear whether the entire road was ever built. This situation also affects the request to build on lot 5 (Map 404). A further problem exists in reference to Ms. Boisvert's claim that Dow Road does not follow the Deerfield/Epsom town line. Checking back through old tax maps shows Dow Road indeed did not run along the town line. The map showing the status of roads, dated January 1, 1994, shows Dow Road running along the town line for a short distance then veering off a bit into Deerfield and running parallel to the town line. However, this map does not show Dow Road looping around to Mount Delight Road. Furthermore, research with the town of Epsom shows a lot on their side, which is the lot that we own, which is the problem I had with the town of Epsom, which has now been corrected.

Selectman Dill: I was about to say, we've done this before, not that long ago, right?

Mr. Eames: Well, I had done it, I had notified Mr. Pitman that there was an issue there for the town of Epsom and they had a lot screwed up.

Selectman Dill: But out of that you found out that the road is pretty much on our side.

Mr. Eames: That the road is on your side.

Selectman Dill: Okay. Right.

Mr. Eames: It does not go into Epsom.

Selectman Dill: Okay.

Mr. Eames: And part of that is, you know, that perambulations. You know, you guys are supposed to walk the boundaries every five years or whatever. Lots of times it's in a pickup and you look at a monument and then you look at another pickup but I have all the perambulation studies. It's in my box over there. In the fall of 1998, the Selectmen of Deerfield and Epsom completed a perambulation of this area of the town line starting at Swamp Road. The report notes that the Selectmen were unable to locate the next five markers, those five markers are over towards Griffin Road, until they got to a marker on the north side of Griffin Road. Perhaps the apparent change in the location of the town line would account for this. The maps I found do not appear to be dated. And in the last paragraph, it might be helpful to ask Cartographics, the company which produced the latest maps, why they did not show the connection between the section of Dow Road starting at Swamp Road and the section of Dow Road starting at Mount Delight Road as it appeared on the previous map. I spoke to them on the phone. So, there's a little bit of research that Fran Menard did with the tax map people. The page is primarily is just a little research that I did regarding layman law if I can use that word. Any class IV, V or VI highway, or any portion thereof, in a town may be discontinued by vote of a town and it primarily says no owner of land without the owner's written consent can be deprived access over such highways such as the owner's risk. So, my quick dirty appraisal, town still owns it even though it is discontinued. Now, I'm not an abstractor. I didn't go to the registry and start doing all kinds of deed research but, the three surveys that are up there do show the town still owning that two-rod road. So, we had a site visit. I made somewhat of a generic appearance in front of the planning board and it was subject to a site visit and Selectman McGarry wanted to come up with some type of analysis of where the status of that road is and here, we sit tonight.

Chairman McGarry: And, uh, in discussions with Jeff, the, if the town owns it then we obviously need to give Jeff permission to use the class six road going into the property since the board of selectman have jurisdiction over class six roads as well.

Selectman Dill: and to improve it. Which I assume you're looking to do.

Mr. Eames: Yeah, we're not going to put our trucks in there.

Selectman Dill: Yup.

Mr. Eames: We've hauled wood out of there three times so, in the three different instances the selectboard of Deerfield did give us permission to use that road.

Chairman McGarry: I did find it interesting, Jeff, to look at the... (inaudible, people talking over) which requires the board of selectmen to send a letter to all of the property owners on a class five road which is to be discontinued to get their permission otherwise if they don't get their permission, you can't, basically turn it over to the property owners or you can't even discontinue it.

Mr. Eames: Yeah, I'm not a lawyer.

Chairman McGarry: It should be interesting to see if the selectmen actually followed that procedure in nineteen...

Selectman Dill: Nineteen thirty-two. We keep butting up against this Nineteen thirty-two town meeting. I mean, it comes up a lot lately. None of us were there.

Vice Chairman Pitman: What do we need to do to act on this?

Chairman McGarry: Well, my guess right now it that we should turn this information over to town council to get an opinion as to whether they think that the road is still owned by the town. Certainly, the information that Jeff is providing us here and that Fran had dug up seems to imply that it is. That it's still owned by the town but just to verify that and then get back to Mr. Eames afterwards.

Vice Chairman Pitman: Do you need a motion for that, Fred, or what do you need?

Chairman McGarry: Yeah, I'd say so.

Motion: Selectman Pitman makes the motion.

Second: Selectman Dill

Discussion:

Selectman Dill: So, again, all you're looking for, from the town after we pass it through that way, is that we can just reach an understanding for improvement on the class six road? So that you can pass trucks over the road.

Mr. Eames: We've granted it three times, okay, so...

Selectman Dill: I don't have an issue with it at all.

Mr. Eames: but that's, we're not asking for the town to underwrite this. We're not asking for the town to do anything except for in the event there was some vandalism that we work with the police department. That would be the only potential case that I can see that could be an expense to the town. The good thing, it is a very valuable material. It has a sharp sand that has a presby speck and there is a shortage of sand and just lucky for me, buying land as my wife and I aggressively bought land and it wasn't until I was doing work for a large contractor that he told me he can't find sand and all of a sudden, a light bulb went off. We have hired a geologist. We have made applications to the state for an alteration of terrain. We have surveyed the property and there's been a little confusion too, when we first made application here. We were referred that we need to probably go to the zoning board and Selectman McGarry corrected all of that and said, no we need to go to the planning board first. So, we're on the right track.

Selectman Dill: It's not one we deal with every day in town.

Mr. Eames: No, it's not and I understand it and...

Selectman Dill: But time is of the essence somewhat on your part I'm guessing.

Mr. Eames: Yeah, you know...

Selectman Dill: Yeah.

Chairman McGarry: Just as a side note, Mr. Eames' wife, Rachel, used to be a babysitter for my kids.

Vice Chairman Pitman: She used to live across the street from where I live.

Chairman McGarry: That's right.

Selectman Dill: She sold me my first house. There we go, small town stuff.

Chairman McGarry: All right, we have a motion and a second. Any further discussion?

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Mr. Eames: How long do you think that opinion might take to get?

John Harrington: I'll send it out tomorrow. I will need a copy of...

Mr. Eames: Thank you for your time.

Chairman McGarry: All right. Review outstanding minutes.

Selectman Dill: I'll Second So we can discuss.

Motion: Selectman Pitman makes the motion. So moved but not by choice.

Second: Selectman Dill: I'll second so we can discuss.

Discussion:

Chairman McGarry: Good. Alden.

Selectman Dill: I'll let Will do it cause I didn't notice it. He pointed it out to me. There's a slight problem.

Selectman Huebner: Well, there's a big improvement over the last one but it doesn't identify the speaker.

Chairman McGarry: Right.

John Harrington: I've already talked to Randi. I'm hoping the third time we've got it right.

Selectman Dill: I mean, I can kinda remember who talked. So, are we going to adjust these or what's what plan?

John Harrington: It would take quite a bit of time to go back through and identify everyone if you want to. I mean we can but...

Selectman Dill: No. I don't think we were that controversial last time.

Chairman McGarry: All right. We have a motion and a second.

Vice Chair Pitman: inaudible... on both or just...

Chairman McGarry: oh yeah, right.

John Harrington: There's two sets.

Selectman Dill: Well, we had the twenty-third and thirty-first.

Chairman McGary: Dick had made a motion on the Twenty-third.

Inaudible.

Chairman McGarry: All in favor of the motion of minutes of may twenty-third signify by saying aye.

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Chairman McGarry: Cindy.

Selectwoman McHugh: Can I ask if, did Diane show Randi how she did it or?

John Harrington: I gave Randi a sample of Diane's minutes and asked her to replicate those. I need to reinforce that, that she needs to replicate the same setup.

Motion: Selectman Dill makes the motion to accept may thirty-first as written with the caveat that, obviously we need to add names.

Second: Selectwoman McHugh

Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Chairman McGarry: All right, vouchers and payroll.

Accounts Payable Manifest - \$37,022.00 – for the Fire department command vehicle

Motion: Selectman Dill

Second: Selectwoman McHugh

Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Selectman Huebner: Fourth of July falls on Monday. Are we having a meeting on that day?

Selectman Dill: No. Usually we'll go to Tuesday after that.

Selectman Huebner: Is that Tuesday?

Inaudible.

Selectman Dill: Here you go planning ahead. Yeah, generally we just bump to the Tuesday, I assume.

Accounts Payable Manifest - \$2,232,847.93 -of that \$2,214,387.00 is for the school

Motion: Selectman Dill

Second: Selectwoman McHugh

Discussion:

Vice Chairman Pitman: How do we decide, instead on their final payment to the school, how do we decide that then we find out at the end of the year that they had five hundred thousand left over. Is there a magic number that says...

John Harrington: I think they set up the quarterly payments. This is the last of the quarterly.

Inaudible speaking.

John Harrington: Correct. That's my understanding.

Vice Chairman Pitman: Thank you.

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Chairman McGarry: All right. We have American Saddle Bred Association of Maine. This is for a horse show at the fairgrounds.

Inaudible speaking.

Chairman McGarry: Yeah, that one we have summer jubilee horse show on August twelfth to the fourteenth. We have Summer Kickoff horse show July seventh to the ninth. We have Northeast Parisian horse show June twenty-third to the twenty-sixth and we have New Hampshire Horse and Trail horse show on May sixth through the eighth.

Selectwoman McHugh: I'll never mind that one.

Motion: Vice Chairman Pitman

Second: Selectwoman McHugh

Discussion:

Selectman Dill: Just a question. We're asking, we do these because of the medical coverage, right? Did we, did you guys, I know last year we talked about looking at the cost cause, what are we, did we adjust that? Because, what are we charging a day?

Chairman McGarry: Let's see, the American Saddle Bred is four hundred fifty bucks.

Selectwoman McHugh: It's a hundred and fifty dollars a day.

Vice Chairman Pitman: So, that what, three days and then...

Selectmen Dill: Okay.

Chairman McGarry: and the others are one fifty.

Inaudible.

Selectman Dill: Yeah, but it's how many people, like two?

Selectwoman McHugh: No. One usually.

Selectman Dill: Okay.

Selectwoman McHugh: On person says ere, somebody might come and relieve them in first shift.

Selectman Huebner: Does that cover the cost?

Selectwoman McHugh: Mmmhmm.

Selectman Huebner: Put that down.

Chairman McGarry: All right: so, we have a motion and a second.

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Inaudible speaking.

Chairman McGarry: Summer Jubilee, what's the story on that.

Inaudible speaking.

Selectwoman McHugh: They each have two. One copies for us and one copies for them.

Chairman McGarry: Okay. I'm not going to give my social security number however.

Selectwoman McHugh: No, I think they want mine.

Selectman Huebner: John, there's been no update on the meeting with the fair to negotiate?

Selectman Dill: Must see TV. Will and I are just laughing about it, passes though, you know. It's not official until it hits the pile.

Inaudible speaking.

Selectman Dill: You don't want to hear it. At least I stopped sneezing.

Chairman McGarry: Cemetery lot application. Inaudible speaking... Raymond Road.

Motion: Vice Chairman Pitman
Second: Selectwoman McHugh
Discussion:

Chairman McGarry: Fee is five hundred fifty dollars which is the new number we have.

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Chairman McGarry: All right. Do we need a vote on this one John, to accept the fee? I guess we do to accept the... the timber cut. This is for...

Selectman Dill: Timber Tax.

John Harrington: Inaudible (someone speaking over him)

Chairman McGarry: yes, right.

Inaudible. (lots of movement in front of mics so couldn't hear what was being said)

Chairman McGarry: a motion and a seconded.

Selectman Huebner: What property is that?

Chairman McGarry: this is map four eleven lots one, two, three and twenty. It's six acres of cut.

Selectman Huebner: I don't understand, we, it seems like last time we had a very large amount of cutting and it was only like a hundred eighty-two dollars or something like that and this time it's six acres of cutting we have eleven hundred dollars.

Selectman Dill: It also depends what they take off.

Chairman McGarry: They have a thirty-eight thousand board feet of pine. Thirteen thousand board feet of oak. A thousand board feet of hemlock. Five thousand board feet of red pine. Inaudible.

Selectman Dill: But we've done some other ones that are just straight firewood which, is about as low that we tax, as what hits.

Selectman Huebner: So, that lot would, that we had in question, the one where the...

Selectman Dill: Yeah, Mountain Road.

Selectman Huebner: Wasn't that the one with very low tax?

Selectman Dill: Yeah, because that's firewood.

Selectman Huebner: It's all firewood?

Selectman Dill: Yep.

Chairman McGarry: So, this is off Mount Delight Road and (inaudible) Allenstown line. Basically, the property...

Selectman Huebner: Who figures out tax? Is there a town employee somewhere that's figuring out...

Selectman Dill: yeah, so they get, they get a...

Selectman Huebner: based on inspection of what they've cut.

Selectman Dill: Well, they get a report, they get a report and then they figure out the tax based on what the forest or the land owner has reported as cut.

Selectman Huebner: So, there's a forester that actually documents...

Selectman Sill: If they use a forester, you could also use just your scale slips for where it went, sawmill et cetera. It's, but as you see most of it's a very small amount of taxes in the end.

Inaudible.

Motion: Selectman Dill: So, we can discuss.

Second: Vice Chairman Pitman

Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Selectman Dill: But what I was starting to say was it's not a huge revenue source for the most part.

Selectman Huebner: Yeah. I just want to make sure it's done consistently and properly.

Chairman McGarry: Two places to sign on that one. All right, we have an application for current use assessment. This is for Steven and Carol Sarro at seven Peterson Road. It's a total Parcel of twenty acres. Eleven acres already in current use. Seven acres to be enrolled. Remaining acres not in current use. Two acres remaining not in current use. An addition of seven acres into this current use.

Motion: Selectman Dill

Second: Vice Chairman Pitman

Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Chairman McGarry: A report on excavated materials for Steven Rollins. Total of fourteen thousand eight hundred sixty cubic yards excavated and a total tax for the town of two hundred ninety-seven dollars and twenty cents. Motion to accept the gravel tax?

Motion: Selectman Dill

Second: Selectwoman McHugh.

Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Chairman McGarry: All right, notes of intent to excavate. (Inaudible) for the year twenty twenty-three. (Inaudible. Papers being shuffled in front of mic) planning board (inaudible talking) signing. All right, (Inaudible. Papers being shuffled in front of mic and others talking.

John Harrington: Those are all the different departments that Peter Lemay has applied for to utilize the state gas or diesel supply if they choose to, but you have to fill it out by department and then a list of certified users accompanies those applications. Right now, Peter has applied for certified user status to all the people that currently hold a gas card in town.

Vice Chairman Pitman: Who came up with that crazy idea?

John Harrington: to?

Vice Chairman Pitman: Town to go get gas?

Selectman Dill: It was me. Two dollars and twenty-two cents over six dollars and sixty cents.

Vice Chairman Pitman: For how long?

It says until the state contract was what, through May first. I'm just envisioning it for the, if there's a highway employee down there and we can fill a trans, a hundred-gallon transfer tank, yeah, I think it's worth it.

Vice Chairman Pitman: Send a police cruiser down, it's crazy.

Selectman Dill: That's not, that wasn't my intent. My intent was pretty much, use it for the highway department. Actually, police are somewhat near there anyway because Rockingham to Brentwood to Epping. I'm not envisioning special trips to just fill the cruiser.

Selectman Huebner: But I think that's what that's saying, right?

Selectman Dill: Well, it's just who's authorized to do it.

Chairman McGarry: Building inspector, fire department, government building supervisor which is Ray Ellis, highway department,

Selectman Huebner: Probably talking about the big tanks.

Selectman Dill: hmmm, I think that what we were all thinking.

Chairman McGarry: Parks and rec, police department,

Selectman Dill: I don't think parks and rec are going to be passing through Epping.

Selectwoman McHugh: Might be going over there for Home Depot or Lowes or whatever's over there.

Chairman McGarry: So, I need a motion to authorize the chair to sign.

Inaudible side talking.

Selectman Dill: So, we're having a lot of side conversations so I apologize to the YouTube people who are going to complain about that.

John Harrington: Should have a motion first.

Selectman Dill: I'll make a motion.

Motion: Selectman Dill

Second: Selectwoman McHugh

Discussion:

Selectman Dill: I think the side conversation that we're having here is the envision of this program is to fill large quantities of fuel. Like I said, the highways got a transfer tank they can run down in the truck and pick up fuel for a day or two for equipment they're running. That was my envision on this, not parks and rec can...

Selectman Huebner: Driving to Epping with to get fifteen gallons of fuel and driving all the way back. Not only the fuel you use but the time you use.

Vice Chairman Pitman: and Pete's time putting it together.

Selectman Huebner: So, the motion should be amended to say something about highway department large quantity tanks for both savings.

Selectman Dill: yeah.

Selectman Huebner: So that the intent of this is understood.

Selectman Dill: I mean that was completely my intent when we, when I brought this up to begin with. I can see. I don't know, are the police department down in Rockingham County do that offer?

Vice Chairman Pitman: No.

Selectman Dill: No. Brentwood, no?

Selectwoman McHugh: No.

Selectman Dill: I thought they had to go to court over there.

Selectman Huebner: There, you see any problem with that John, just from a logistical... (inaudible, side chatter)

John Harrington: We did it just to give the option to anyone that wants to use it if they happen to want to fill up there. There's no obligation. Everybody will still have their gas cards and be able to continue fueling their vehicles the way they are right now.

Selectman Dill: I think I'm going to modify my motion to just have it as highway.

Vice Chairman Pitman: I would start with that. I agree with you.

Selectman Dill: That was my intent from the beginning on this is that and I think the only department that really makes sense on this is highway. They're the only ones moving more than a fuel tank worth of fuel.

Selectman Huebner: Everybody else is just fulling up single vehicle tanks, right?

John Harrington: Does the second concur?

Selectwoman McHugh: Yes.

John Harrington: Okay.

Selectman Dill: The nodding doesn't pick up on the transcript, Cindy.

John Harrington: So, it's just highway?

Selectman Dill: Just Highway

Chairman McGarry: Have the chair just sign for the highway department.

Selectman Dill: Yes.

Chairman McGarry: Okay.

Vote: Yea 4, Nay 1, Abstained 0 – Motion Carries

Selectwoman McHugh: Again, this would be after our commitment, right? After our commitment is filled?

John Harrington: The contract has a minimum commitment of ninety-five percent of what you've obligated yourself to buy. After that you can seek fuel from other vendors.

Selectman Dill: After, or do we have?

John Harrington: You have to purchase the ninety-five percent of the quantity you bid from Irving and then after that you can go elsewhere.

Selectman Dill: That stinks.

Inaudible talking.

Selectman Dill: Yeah, no, that's the building inspector. Remember we modified to be; Fred's got it. He did just highway. Good job Fred.

Chairman McGarry: All right, we have a request to make an appointment, Spencer Tate to the, uh, vote of adjustment for the term expiring April twenty twenty-five.

Motion: Vice Chairman Pitman

Second: Selectwoman McHugh

Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Chairman McGarry: And we have a request to appoint Andrea Hotaling to, as, Deputy Town Treasurer.

Motion: Vice Chairman Pitman: Good choice, so moved.

Second: Selectwoman McHugh

Discussion:

Selectman Huebner: I thought she already was the assistant treasurer.

John Harrington: Her term was. She needs to, there was a, what's called a Scribner's error which means that Kelly put a shorter term than should have been on the ballot. Should have been for another three years. So, she had to correct Harriet's and she's also correcting Andreas now.

Selectman Dill: Oh, Okay.

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Selectman Huebner: Andrea is a really great person doing that job.

Selectman Dill: So, the deputy is an elected position as well?

Inaudible.

Selectman Dill: Appointed. Okey, that's what I thought. I was confused when you said the election there. Okay, so that's an appointed and the treasurer is elected which, must be coming up soon.

Chairman McGarry: All right, from Kelly Roberts with regard to the twenty twenty-two dog warrant. We have four hundred and fifty-three licensed dogs. Let's, need a signature by the board to fine, basically, fine those dogs, right? That a correct interpretation?

Selectwoman McHugh: Mmmhmm.

Inaudible talking.

Chairman McGarry: Okay. So, I need a motion to that effect.

Motion: Selectman Dill

Second: Selectman Huebner

Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Selectman Dill: I don't why they call that a civil forfeiture. It's a really odd turn of phrase where it's basically a fine. It's not like you're going around seizing dogs and that's the only one that reads that way and it seems unnecessarily complex.

Selectman Huebner: Do we have dog jail?

Selectman Dill: We have a pound but I don't think you've used it in a hundred and fifty years.

Chairman McGarry: Okay, we have a persona; action request for Kevin Hill, parks and recreation director. John, you want to address this?

John Harrington: Yes. We had three applicants for this position. We interviewed two of them. There was a panel of myself, Jeff Shute, and Dwight Barnes and the offer was made to Kevin Hill and he accepted. Kevin Hill is the former assistant parks and rec director.

Selectman Huebner: Why didn't we interview the third candidate?

John Harrington: She was not qualified.

Motion: Selectman Dill
Second: Selectwoman McHugh
Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Selectman Dill: So, I assume Kevin is going to start in a week or two.

John Harrington: Not until mid-June.

Selectman Dill: Which is a week or two.

John Harrington: June twentieth, I think it says is his effective date.

Chairman McGarry: Okay and finally we have a refund request. A motor vehicle refund for Thomas Bilodeau at one fifty-two Mount View Road in the amount of a hundred and twelve dollars. Resident's requesting a refund for municipal fees paid on two twenty-three twenty-two for a vehicle. Bilodeau unexpectedly sold the vehicle three days after re-registering it. State has refunded their portion and recommended of the town clerk's office to refund him and his fees. It has been the town's practice to refund after the state has issued their refund. Additional backup if anyone wants to take a look at it.

Motion: Vice Chairman Pitman
Second: Selectman Dill
Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Selectman Huebner: How far would we forgive someone's, you know that was only three days but I mean if it's thirty days would they say, I sold my car...

Selectman Dill: It's not a common one. I think that's like the second or third one I've seen in three years to be honest with you.

Selectman Huebner: How far would we forgive or would we prorate it. You know what I mean? We could get into a lot of there if people sold their car...

Selectman Dill: I think that's why Kell waits for the state to do it and if the state is willing to do it the we'll...

John Harrington: This is something the board approved at the meeting on the twenty-third. This is the contract itself. This is the plaster repair.

Inaudible (lots of people talking at once)

Chairman McGarry: Cindy.

Selectwoman McHugh: I just have a question on the park's director, that his salary? Is that, was that, what?

Inaudible.

Selectwoman McHugh: Yeah.

John Harrington: No.

Selectwoman McHugh: And he's returning, Kevin's returning? Okay.

Chairman McGarry: All right, letter from (inaudible, papers being shuffled in front of mic) Johnson. Thurston Pond Ridge Road (inaudible, papers being shuffled in front of mic). I did not receive a response from to you from you to my letter of dating dated five fifteen twenty-two. Well, I did read the board's draft minutes of five twenty-three twenty-two meeting where on page 38 the board discussed my five fifteen letter beginning at line twenty-six and ending at line fifty-nine. Appeared to be some confusion about which letter I was referring to so I attached a copy of my five fifteen

twenty-two letter. My twelve seventeen twenty-one letter and the boards minutes from twelve twenty twenty-one. (inaudible) discuss my twelve seventeen letter. Hope this information is helpful for the board and the board can schedule a meeting at the trench with Mark Young and me to find a resolution. Please let me know what would be a good date for this meeting so I can coordinate this with Mark. I would also ask the boards consideration to schedule this meeting late in the afternoon so it'll allow both Mark and me to get there after work. So, you want to have Fred Wallace meet with Mr. Johnson and Mark Young?

Selectman Dill: I think one of us should be there as well. Probably you, Fred. I can do it if you can't.

Chairman McGarry: probably, Alden, have you step up.

Selectman Dill: Yeah. I know you're busy Fred, so.

Chairman McGarry: I have to be home a good portion of the time.

Selectman Dill: Yeah, that's fine. I can fill in for you Fred.

Inaudible.

Selectman Dill: Yep. Just let me know when it's scheduled among all the parties and send out a letter and we'll do it.

Chairman McGarry: Cindy.

Selectwoman McHugh: Has um, has Fred gone up to look at it?

Selectman Dill: No. I haven't brought him up there yet. I gotta do that. I'll give him a shout Wednesday or Thursday. It's going to rain Wednesday, maybe we can see the trench in action.

Chairman McGarry: You want to set up a meeting date or what?

John Harrington: I'll notify Fred to coordinate with Alden and they can connect with Mark and go up there as a group.

Chairman McGarry: Okey. I think that's probably a good idea.

Selectwoman McHugh: Can we let George know that?

Selectman Dill: Send a letter.

Chairman McGarry: All right. We have a letter from Kristyn Green Morel. My name is Kristyn Green Morel and I am writing this letter to express my interest in leasing commercial property at eight Raymond Road, Deerfield, unit number four related to a prolonged lease negotiable time frame. You Property is perfectly suited for my purpose of use. I would like to further discuss all the terms and conditions in detail and organize a formal meeting at your convenience. Finally, let me know of your decision and feel free to contact me at any time. So, what's unit number four?

Selectman Dill: Haircuts. Claire's.

John Harrington: Clair's Country Cuts.

Chairman McGarry: Okay.

Vice Chairman Pitmen: wants to take it over.

Chairman McGarry: So, this is...

Vice Chairman Pitmen: I wasn't here the last two meetings. How did it go after you, when told about the increased in rate?

Selectman Dill: Probably be a non-public.

John Harrington: I'm going to ask for a non-public to discuss that.

Chairman McGarry: Okay.

John Harrington: I think we have to...

Selectman Dill: we have to wait for the non-public on that one.

Chairman McGarry: Another letter.

John Harrington: It's related. There's one from Miss Morel and one from Claire.

Chairman McGarry: This one is dated June first. My name is Claire Perino and I'm the owner of Country Cuts by Claire. After thirty-one wonderful years of business here in Deerfield. Only writing this letter with intent to sell Country Cuts to a potential buyer, Kristyn Green Morel, who wishes to carry out the business and lease my current location (inaudible, lots of movement and other sound in front of mic) is available for future leasing agreements. If the unit is non-negotiable to my potential buyer, I will have no choice but to liquidate my business which greatly affects my retirement. Asking for consideration and leasing eight Raymond Road to Kristyn Green Morel and she's eager and ready to take the keys and make Country Cuts her own. Non-public for that. We have a letter from Eastern Pipe Services. This is directed to Ray Ellis in accordance with your recent request Eastern Pipe Services undertook tv(?) investigation on six one twenty-two of the existing eight-inch asbestos cement sanitary sewer service from the town hall tank side excavation. A hundred and seven thousand three hundred seventy-five feet. That's not right. Going from here down to the distribution box I guess on the septic system and John, you want to address this one?

John Harrington: That was work the that the board authorized to approve. We were replacing the baffle on the septic tank over here. When they uncovered both sides, they realized that the sanitary line leading from the septic tank down underneath one O seven all the way down to the leech field had separated. Who knows when? The two pipes at the joint were disconnected but because of the make of the soil, it was mostly clay, it stayed contained to right around the pipe so we were fortunate for that. Part of the original bill for six thousand dollars was to repair the pipe. They put a joint in with couplings and they also put a new baffle in. Was the inspection of the remainder of the pipe going all the way down to the distribution box? What they found was significant scaling and breakdown of the pipe. They had to actually cut back a substantial amount. More than they anticipated until they got to a condition of pipe that they could actually put a joint on. Their recommendation in order to secure this pipe which is seventy plus years old and it was what they used at the time was asbestos cement mix. They found significant deterioration as it went under one O seven. They feel it's from the frost and the heavy traffic going over. They said, while this is stable, they can't guarantee how long this patch will remain. Their biggest concern is if there is ever a collapse somewhere in the pipe or a break as it goes down through one O seven and down over the hill it would require significant excavation and then depending on the potential spill if there was one it would involve the ES at that point and be a much bigger job. What they are proposing here is a flexible sleeve of fiberglass and resin which they blow under pressure through the existing pipe which then hardens and firms up the existing sanitary pipe to provide that structure that we need so that would prevent any cave-in or future degradation of the pipe. They sent the proposal. I asked them to just so the board had an option of looking at it. I believe it's a total price of thirty-three thousand five hundred. I don't think it's an immediate need. Perhaps something that could be on a warrant article next march and put it out to the townspeople to see if they'd support having that work done. It would require digging up the tank again to get at the pipe but the process is fairly straightforward as I understand it.

Vice Chairman Pitman: Basically, that's where it is now.

John Harrington: Exactly. And they know the condition of the pipe.

Chairman McGarry: The price of the excavating access pits for thirty-five hundred and the actual three hundred installed, three hundred seventy-five feet of permaliner at eighty dollars a foot for thirty thousand (inaudible). Cindy.

Selectwoman McHugh: would it be cheaper to do a new septic system for this building since we don't need that big of a septic system anymore? I mean, I assume that septic system was to house children...

Chairman McGarry: The whole school.

Selectwoman McHugh: well, we don't use that anymore, would it be cheaper to just put a maybe a septic system out here or...

Chairman McGarry: Good thought Cindy.

John Harrington: You could.

Selectwoman McHugh: for thirty thousand dollars.

Selectman Huebner: Yeah, that sounds sensible.

Selectman Dill: I'm looking at you Fred. You're the septic guy.

Chairman McGarry: I Guess conceivably we can get an estimate but you know you have to go through a design, design for a system and then get an estimate on it. We don't have, the only place you could probably put something is out here.

Inaudible, a few people talking at once.

John Harrington: No, for the time being it's stable.

Selectman Dill: But I understand that if we lose it, we'd have to dig up one O seven.

John Harrington: it's a much bigger problem. But options to consider.

Selectman Dill: Put that on the burner. So, that whole hillside is septic system over there?

Selectwoman McHugh: Down and further too.

Selectman Dill: Okay.

Inaudible.

John Harrington: Sure, and then we could do the non-public. Let the board know that yearly evaluations are available in my office for your review at any time. Check came back from Saint Jean Auctions for the white farm items. We've got a total check of four hundred ninety-five dollars for the items we sent up there. Going back to a question that happened two meetings ago, the impact fee balances, highway, and this is as of April thirtieth, highway has forty-one thousand two hundred thirty-three dollars. Transfer station has twenty-eight thousand nine hundred fifty-three dollars. Then the school has a hundred and twenty-five thousand two hundred sixty-seven dollars. The transfer station well was in, they hit water at ten gallons a minute at six hundred feet so the only work left to be done is to trench over to the barn and lay in the electrical and the water line and then that will be buried until we are ready to put the pump in and get everything going.

Selectman Dill: So, we haven't paid for that out of this transfer.

John Harrington: We're going to wait until that works done and then once that's done.

Selectman Dill: All right, so that the twenty-eight will be hit on that.

John Harrington: Right. Yeah.

Chairman McGarry: They didn't get any quality on that water, did they?

John Harrington: I didn't hear anything.

Selectwoman McHugh: Do we still have time? Does this go away, the impact fee? No, right?

John Harrington: The impact fee is constantly added to every time there's a parcel transaction or a building project.

Chairman McGarry: New building constructed.

John Harrington: So, this money is constantly replenished.

Selectman Dill: But we did have some that, I know Cindy's question was, we've hit expiry, expiration dates before on these.

John Harrington: Right. I think we're in good shape with both the highway and the transfer that there's no expiring money. We've been trying to spend as we go.

Vice Chairman Pitman: Motion to go into non-public.

John Harrington: under d if you would.

Selectman Huebner: Do we do old and new business before we do that on the agenda?

inaudible

Vice Chairman Pitman: I don't know. You just said we're going to do it.

Selectman Huebner: I mean on the agenda in order we have new and other business before the non-public part.

Chairman McGarry: Okay, lets do new business then. So, we got the bicentennial stairs.

John Harrington: We are still for one more bid. We have a second and one we have a third I'll be bringing those to you.

Chairman McGarry: Okay. We already took care of the paving bid so new business then.

Selectman Huebner: So, the zoning board had a meeting on the twenty-fourth of May and they decided to grant a waiver to Tobin Farwell to build on two fifty-six North Road. There's plot of a half-acre plot that's right up against the creek that flows down into Pleasant Lake and the, they decided to grant a waiver. They deferred the impact to the lake back to the planning board because the planning board has the Pleasant Lake watershed protection ordinance. That's under their kind of jurisdiction I suppose. They formed it. So, it's been kicked back for that kind of impact for the planning board to consider but there's been several letters that I'm aware of that are coming in with abutters and the Pleasant Lake Association about not wanting a building put that close to the creek which is in violation of the Pleasant Lake watershed protection act and so, I've been doing some research on it separately kind of and I was going to make a motion to the board tonight but the more I get into it, I listen to a half an hour and a half meeting of the zoning board, and the more I get into it the more research I need to do to bring a proper thing but, I would like to propose that, perhaps, the next meeting, I would like to bring up the subject of the board possibly writing a letter of objection to the, either the planning board or the zoning board. I'm not quite sure...

Vice Chairman Pitman: Will that be soon enough?

Selectman Huebner: It has to be thirty days from the twenty-fourth. So, two weeks from now on the twentieth, I believe we have our next meeting, right? Is that right, John, the twentieth?

Inaudible talking.

John Harrington: June twentieth.

Selectman Huebner: right, so that would be within thirty days I believe, right?

Chairman McGarry: Yeah.

Selectman Dill: Are we having a meeting that day? That's that new federal holiday.

John Harrington: Yes.

Selectman Dill: Okay. I'm just

John Harrington: unless you...

Selectman Dill: I'm just, I just wanted to bring that up. If we're hitting thirty days.

Inaudible talking.

Selectman Dill: Yes.

Chairman McGarry: So, Will, is that a vacant lot?

Selectman Huebner: It is now, yes. Years and years ago there was an old cabin on it with no plumbing, no foundation or just a shack. It's been long gone.

Selectman Dill: Is that the one that's been for sale.

Vice Chairman Pitman: Yes.

Selectman Dill: Okay. Where it prominently said half an acre.

Selectman Huebner: Well, it was owned by that, what's the name, Mary, you know it, Mary Goalies or...

John Harrington: Largo.

Selectman Huebner: Largo, yeah. Mary Largo. Which is basically George Thompson's company and then Thompson has just recently sold it or wants to sell it to this Tobin and Tobin wants to build a very large on it. Fifty by thirty-foot house.

Vice Chairman Pitman: Absolutely insane.

Selectman Huebner: It really does seem improper or not...

Chairman McGarry: How long ago was the cabin there and that's no longer there.

Selectman Huebner: A couple of years that it's been gone. We could go back in the tax record to see the last time the inspector saw the house.

Chairman McGarry: So, the zoning ordinance basically says, if there was no, if the use has been discontinued for a year it's basically as if it was never there before. So, the ZBA has granted a thirty-foot...

Selectman Huebner: A thirty-foot setback from that creek, I believe, for parts of it anyway, and the watershed protection ordinance requires a hundred feet.

Chairman McGarry: And it allows the planning board to go to fifty-feet but, fifty-feet is the bare minimum.

Selectman Huebner: Bare minimum, right. So, Tobin is arguing that we have to work with him because that was done before zoning. Nineteen thirty or something when that lot was laid out was before zoning existed and that we don't want to make the lot unbuildable so to speak and so we have to work with him. So, he's proposing a very large house and to close to the creek. What I think some of the objectors are proposing is that we don't tell he can't build on that lot but we tell him that it should be a smaller house and it should be farther away from the creek. So, we're not trying to squash the whole thing. We're just trying to protect the watershed, creek, and wetlands that are right there.

Selectman Dill: And you're coming at it the same way we went to the zoning thing before, that the town has...

Chairman McGarry: board of selectman has standing in any...

Selectman Dill: to object. I mean if that's the planning board rule...

Selectman Huebner: Yeah, so, I mean if you're willing, we can go ahead and make that resolution tonight and write a letter, I guess I suppose John will help draft a letter that would say that we object to that and we'd like to appeal for a re-hearing of that case with the zoning board.

Selectman Dill: Make the motion.

Chairman McGarry: Exactly and the important thing is that we have to list any and all concerns that the board may end up having to go into that appeal letter, uh, since if the items are not contained in the letter, they cannot be brought up at the ZBA hearing.

Selectman Huebner: So, I've already written a letter from the PLPA as president of the PLPA, objecting and asking for a re-hearing but, I only cited a few things in my ignorance of all the laws and this protection act all and all this kind of thing so, when we write the letter I guess, Fred, I'd look to you and your expertise to be able to list more carefully what we would, as a board, object to so that we can not be hobbled in the hearing.

Chairman McGarry: I'll be glad to help out.

Selectman Dill: Make a motion.

Selectman Huebner: Such, I'll make a motion then to that effect, that we draft a letter objecting to the ZBA decision on the twenty-fourth for the, it was case twenty-two dash zero six or two fifty-six North Road.

Chairman McGarry: Is there a second?

Vice Chairman Pitman: Yes.

Motion: Selectman Huebner
Second: Vice Chairman Pitman
Discussion:

Vice Chairman Pitman: So that's going to out, we're not going to wait till the twentieth?

Selectman Huebner: Right.

Selectman Dill: Yeah.

Vice Chairman Pitman: Thank you Will.

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Chairman McGarry: Okay, do we have any other business?

Vice Chairman Pitman: Are you ready?

Chairman McGarry: I am ready.

Motion: Vice Chairman Pitman: Non-Public Session RSA 91-A:3 II (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

Selectman Dill: So, move, or, you made the motion. I'm sorry.

Inaudible.

Selectman Dill: I'll second.

Second: Selectman Dill
Discussion:

Chairman McGarry: Will?

Selectman Huebner: Aye.

Chairman McGarry: Alden?

Selectman Dill: Aye.

Chairman McGarry: Cindy?

Selectwoman McHugh: Yes.

Chairman McGarry: Dick?

Vice Chairman Pitman: Yes.

Chairman McGarry: And McGarry says yes.

Motion Carries.

Chairman McGarry: No votes were taken with regard to the non-public and a motion to seal the minutes.

Motion: Selectman Dill

Second: Vice Chairman Pitman

Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Chairman McGarry: Will?

Selectman Huebner: Aye.

Chairman McGarry: Alden?

Selectman Dill: Aye.

Chairman McGarry: Cindy?

Selectwoman McHugh: Yes.

Chairman McGarry: Dick?

Vice Chairman Pitman: Yes.

Chairman McGarry: And McGarry says yes.

Motion Carries.

Chairman McGarry: All right. Citizens Comments.

Citizen's Comments:

No comments given.

Inaudible.

Selectman Dill: Motion to adjourn.

Vice Chairman Pitman: no, I know, but we're a hundred percent we're all set on...

Chairman McGarry: yeah, I think we are.

Vice Chairman Pitman: We have no decision.

Chairman McGarry: Yeah.

Selectman Dill: Yeah.

Motion: Vice Chairman Pitman seven twenty-nine motion to adjourn.

Second: Selectman Dill

Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Next Meeting: June 20, 2022 at 5:30 pm

*The Minutes were transcribed and respectfully submitted by Randi Long, Recording Secretary
Pending approval by the Board of Selectmen*