

Selectmen's Meeting Minutes

October 5, 2009, 5:00 p.m.

Corner Meeting House

Chairman Ronald Cormier called the meeting to order at 5:00 p.m.; also present were Selectman Jon Pike, Selectman David Morse, Town Administrator K. Jeanne Beaudin, Administrative Assistant Cary Lagace, Town Planner Candace Daigle, Town Clerk/Tax Collector Cynthia DeRoy, Building Official Steve Dalton, Town Accountant Brenda Paquette, Fire Chief Jim Davis, Deputy Fire Chief Sean McCarty, Charles Hampe, Don Hurd, and Peter Harris.

Those present stood for the Pledge of Allegiance.

Minutes

Selectman Morse moved to accept the minutes of the September 21, 2009 meeting as written. Selectman Pike seconded. There was discussion regarding the new gate at the basketball courts and it was agreed that in order for it to be effective, the swing portion of the gate must be locked. Town Administrator Beaudin noted that the gate must have been left unlocked inadvertently and will discuss the importance of the gate being locked with the appropriate employees. The motion passed unanimously.

Selectman Morse moved to accept the minutes of the September 30, 2009 meeting as written. Selectman Pike seconded and the motion passed unanimously.

Public Hearing – Residential Health & Safety Inspection Program for Rental, Hotel & Motel Properties Ordinance

Chairman Cormier opened the Public Hearing for the Residential Health & Safety Inspection Program for Rental, Hotel & Motel Properties Ordinance at 5:02 p.m. Chairman Cormier stated that at a previous meeting the ordinance had been discussed and a committee of staff and rental property owners was created to work together on the ordinance. Steve Dalton noted that there were five members of the committee that all worked together to come up with an ordinance that was agreeable to everyone involved. Ray Tessier referred to two items in the previous draft regarding housekeeping items and fire alarms, Steve explained that the housekeeping piece had been removed because it would be too difficult to enforce and should be handle between landlord and tenant and the fire alarm section has voted into law approximately seven years ago and reflects those laws. Selectman Morse asked if it would be

possible to complete the process in 30 days, Steve explained that the way the process has been laid out the work can be performed by other staff, so he and Rick Stroscher should have no problem doing that.

With no further input Chairman Cormier closed the Public Hearing at 5:07 p.m. Selectman Pike moved to adopt the Residential Health & Safety Inspection Program for Rental, Hotel & Motel Properties Ordinance as proposed. Selectman Morse seconded and the motion passed unanimously.

Budget Work Session **Town Clerk/Tax Collector**

Town Clerk/Tax Collector Cynthia DeRoy was present to discuss her budget requests with the Board. Cynthia noted that there has been little change to her budget however some items have been moved to different line items to better reflect their usage. She added that E-Reg online registration is now available as well as the office is now online with the State. Cynthia also noted that she has adjusted for changes to title search and postage for absentee ballots as well as certified mailings. Selectman Pike inquired as to why the Town Clerk is budgeting for election ballot mailings; she stated that it is a function of the Town Clerk therefore is included in her budget.

Financial Administration

Town Accountant Brenda Paquette was present to discuss her budget requests with the Board. She stated there was little change within her budget with the biggest savings in the cost of check as employees choose to have electronic deposit. Town Administrator Beaudin advised the Board that there was a letter from the Treasurer requesting an additional \$250 in the supplies line as well as the salary line. Following a brief discussion the Board requested that those two items remain the same as last year.

Elections

The Board briefly discussed the Election budget and Selectman Morse asked why the request has doubled. Brenda Paquette explained that there will be State and general elections in 2010; with more elections than 2009 the budget request reflects that. Selectman Morse inquired if the federal or state reimburse the Town for the election expenses, Brenda indicated that they do not reimburse the Town. Chairman Cormier asked if the expense is greater since becoming an SB2 town, Brenda noted that the related expense is approximately the same. Town Administrator Beaudin added that the expense may be greater if the Town needed to hold a special town meeting. Selectman Morse noted that it appears the clerk salary is going up three times this year's budgeted amount, Brenda stated that the clerks will be utilized three times in 2010. Brenda added that the State-wide duplication program is also requiring a lot more time from the supervisors; she explained that the program is used to eliminate people registering to vote in more than one place.

Building Inspection/Code Enforcement

Building Inspector Steve Dalton was present to discuss his budget request with the Board. Town Administrator Beaudin noted that the part-time clerk salary had been adjusted to reflect the time she is being utilized in the building office per the request of the Board. Steve went on to point out areas of his budget that have changed and noted that there are no significant changes other than computer equipment because he is scheduled to get a new

system next year and he is also budgeting for a portion of the BMSI software maintenance. Selectman Morse asked why tires are in the budget separately from vehicle repair and maintenance, Town Administrator Beaudin explained that in all budgets tires are broken out for better tracking. He stated that he could understand that in departments that have several vehicles but with only one vehicle perhaps it should be included in repair and maintenance. Steve added that every other year he buys winter or summer tires. He noted that if the two line items are combined it can be budgeted at \$1200. The Board agreed they would like the two line items tires and vehicle repair and maintenance combined.

Lakes Region Childcare Center Request

Town administrator Beaudin reviewed a request from Lakes Region Childcare Center for authorization to apply for a grant to improve their playground. She explained that the Boards Approval is required on the grant because they lease their space from the Town. The Board briefly discussed the requested and agreed that as long as the equipment was going to remain within the confines of the current playground area they did not have a problem with them applying for the grant. Town Administrator Beaudin noted that she would contact the center to confirm the location of the equipment.

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Town Administrator Beaudin advised that following her contact with Councilor Burton and his letter to the State, the State has agreed to work with the Town to provide an easement for the proposed recreational trail along their property. Rick Ball with work with the engineers on what is needed for the trail and will report the results back to the Board.

Water/Sewer Collection

Cynthia DeRoy explained to the Board that the more aggressive collection practices for water and sewer bills has gone well, with a large percentage of outstanding balances being collected. There are still a few large water accounts that she is continuing to work with the property owners on due to discrepancies in payments. She noted that there are currently 10-14 accounts that will be shut off and they have all signed for the certified letter advising them of such. Town Administrator Beaudin reminded the Board that there is the option to deed properties with outstanding sewer charges. Cynthia added that she is still pursuing the option of small claims court and is verifying the process.

Building and Zoning Process Discussion

Chairman Cormier stated that Candace and Peter Harris asked to discuss the building process after Steve came to the Board with an alternate process to streamline the current building permit process. Candace began by advising the Board that she had been asked to provide information regarding the planning and zoning process. She noted that she was not aware of what the Board received for information on an alternate process but has prepared and outline of the current ordinance and planning/zoning process. The Board seemed surprised that Candace hadn't received the information that had been presented to them by Steve. Steve explained that he wasn't aware this was going to be discussed at this meeting and hadn't had an opportunity to discuss what he had presented to the Board with Candace. Selectman Morse stated that he felt it was important for Candace and Steve to get together to discuss this alternative before discussing it with the Board. Town Administrator Beaudin told the Board that following their meeting with Steve she met with Candace and told her of Steve's plan as the Board instructed. She also noted that she had advised Steve that she had spoken to Candace and she was more than willing to

discuss the plan with Steve but that discussion didn't happen prior to this meeting. She stated that Candace has prepared comments regarding the history of the current process for the Board and it may be helpful for the Board to hear them this evening.

Candace provided the following information to the Board. The Planning Board is statutorily directed to develop the zoning ordinance and control the uses of land. When a zoning matter comes before a court, the court must consider the intent of the Planning Board when they drafted the ordinance. Therefore a strong connection between the intent of the Planning Board and the application of the ordinance is paramount.

In Belmont the connection was initially developed in the early 1990s, shortly after the 1986 adoption of zoning. During the initial years it became evident that there was a serious disconnect between the goals of zoning and the application of zoning. The Town had limited staff and was inexperienced in zoning.

That disconnect evidenced in minutes she was reviewing for a building application the day she was asked to attend this meeting, they clearly show the lack of communication and coordination that existed in the Land Use review process, along with the level of frustration among staff, Boards and applicants. Those minutes were offered to the Board only as an example of the type of problems that result from segmenting the Zoning & Planning processes.

As a result of those problems and the extensive cost of resulting litigation, a cooperative process was established, and included participation all applicable boards & staff. The current process is also currently applied in other successful Town projects such as road acceptances, subdivisions, etc. It assures a consistent and complete review of development proposals to the highest level of service possible. Residents are no longer at the mercy of a single reviewing/permitting official.

Chairman Cormier stated that he agrees with Candy on the process for new development, however he believes there is a larger majority of permits that are simply decks, sheds, etc. that should not require the same process.

Candace added that between August 1, 2009 and September 30, 2009 there were 48 complete building permit approvals, that averaged 2.27 business days between receipt of the complete application and handing it off to Building Inspector and this includes a full zoning and history review, Zoning Administrator signoff, Planning Board signoff, collecting and depositing fees, and entering the application into MGMS software, completely vetting that application before it goes to the Building Inspector. She suggested that anyone processing building permits in one day is not doing the job they are just going through the motions.

Chairman Cormier stated that he isn't implying that the process should be done in one day however; other Towns are not doing this extensive of a process. Candace noted that she had done a search of NH Towns and there are several that have an actual position title of Planning/Zoning Administrator. Selectman Pike added that having been caught up in the process there should be reviewed and worked out between Candace and Steve and brought back to the Board. Candace stated that she is willing to share information with Steve. She added that the zoning ordinance and her job description give her the process she follows and changes would have to be made at another level.

Chairman Cormier asked that Candace and Steve get together and discuss the processes in question and report back to the Board.

Non-Public Session

Chairman Cormier called the non-public session to order at 6:20 p.m. in accordance with 91-A:3 II (c). Those present and voting were Ronald Cormier, Jon Pike and David Morse. Also present were Town Administrator Jeanne Beaudin, Don Hurd, Jim Fortin, and Mr. Cunningham.

Chairman Cormier closed the non-public session at 7:15 p.m.

Next Meeting

The next regular Board of Selectmen's meeting will be Monday, October 19, 2009 at 5:00 p.m., at the Corner Meeting House.

Adjournment

The meeting adjourned at 7:15 p.m.

Ronald Cormier, Chairman

Jon Pike, Vice Chairman

David Morse