

Selectmen's Meeting Minutes

February 20, 2007, 5:30 p.m.

Corner Meeting House

Chairman Watterson called the meeting to order at 5:30 p.m., also present were, Selectman Ronald Cormier, Selectman Reginald Caldwell, Town Administrator Jeanne Beaudin, Administrative Assistant Cary Lagace, Karen Feltham, Howard Warren, and Police Chief Vinnie Baiocchetti. Just before 7:00 pm the following residents and taxpayers arrived for the Bond Hearing portion of the meeting; Jim Pulver and Fred Belucci with BreadLoaf, Ron Mitchell, Albert Akerstrom, Tom Garfield, Donna Cilley, Ray Simoneau, Kevin Sturgeon, Kim Ortakalis, Brian Loanes and Elson Moody.

Those present stood for the Pledge of Allegiance.

Waiver of Municipal Liability – Map 214-009

Karen Feltham and Howard Warren were present to discuss the Waiver of Municipal Liability for the property located on Durrell Mountain Road. Karen explained typically this waiver is needed when a variance is needed, however their proposal for the property does not require a variance, the waiver would be for marketing purposes. Karen explained some of the history of the property and noted the significant amount of work that has been done to maintain the road and clean up of the pit in that area which is in Gilford. Selectman Caldwell commended Karen and Howard on the job they have done with the pit reclamation noting that it looks very good.

Town Administrator Beaudin point out that there are 5 conditions that the Land Use Office has recommended if the Board of Selectmen choose to issue the waiver be a included. Karen commented that she and Howard are aware of the conditions and are fine with all of them. Town Administrator Beaudin also reminded them that any work performed in the ROW on Durrell Mountain Road in Belmont requires a permit to work in the public way. The Board agreed that all parties appear to be fine with the conditions suggested by the Land Use Office and agreed to sign the waiver.

Selectman Cormier moved to grant the Waiver of Municipal Liability for the lot known as Map 214 Lot 009 located on the Class VI portion of Durrell Mountain Road; such waiver to be contingent on the following:

1. The Waiver be specific to permitting access to this one lot for the purpose of one single family residence.
2. That all other then applicable Ordinances, Codes and Regulations be adhered to at the time a building permit application is applied for.
3. A copy of a Waiver of Municipal Liability or a letter approving the use of the road from the Town of Gilford be submitted as part of the building permit application.
4. That at the time a building permit is requested, the condition of the road shall not be found to have deteriorated from that as now existing and as shown on the supplied photos.
5. An expiration of 5 years be placed on the Waiver unless during that time a single-family home is constructed on the subject property and a Certificate of Occupancy issued.

Selectman Caldwell seconded and the motion passed unanimously.

Minutes

Selectman Caldwell moved to accept the minutes of the February 5, 2007 meeting as written, Selectman Cormier seconded and the motion passed unanimously.

Annual Meeting Warrant - Approval

Selectman Cormier moved to include on the Annual Meeting Warrant, Article 1 which states: "Passage of this article shall override the 10 percent limitation imposed on this appropriation due to the non-recommendation of the budget committee." To see if the Town will vote to raise and appropriate the sum of two million two hundred thousand dollars (\$2,200,000) for the purpose of constructing a new Police Station, and to authorize the issuance of not more than \$2,200,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon (2/3 ballot vote required).

Selectman Caldwell seconded and the motion passed unanimously.

Selectman Cormier moved to approve the Annual Town Meeting Warrant as proposed. Selectman Caldwell seconded and the motion passed unanimously.

Public Works Winter Maintenance Policy

Town Administrator Beaudin explained that Town Counsel has finished reviewing the policy and confirmed that it meets the requirements of RSA 231-92a. She added that the policy indicates the guidelines regarding how, where and when to plow snow and expresses areas that the Town can not be held liable for due to weather conditions.

Selectman Caldwell moved to adopt the Winter Maintenance Policy as proposed. Selectman Cormier seconded and the motion passed unanimously.

Conservation Commission Appointment

Town Administrator Beaudin reviewed a letter received from Ward Peterson requesting to be reappointed to the Conservation Commission. She noted that his letter contained quite a list of his accomplishments.

Selectman Caldwell moved to reappoint Ward Peterson to the Conservation Commission for the term to expire in 2010. Selectman Cormier seconded and the motion passed unanimously.

Mountain Lake Open Space & Mooney Open Space

The Board discussed the two Open Space offerings with Chairman Watterson noting that the stipulations from the Conservation Commission for the Mountain Lake offer have been met, however the stipulations for the Mooney Open Space offer were rejected by Mr. Mooney prompting him to withdraw the offer which in turn had the Conservation Commission reconsider their stipulations. Selectman Cormier indicated that he thought the Conservation Commission should be careful offering different stipulations for acceptance. Chairman Watterson pointed out that the Conservation Commission has acceptance guidelines that are used when determining whether or not to accept or purchase a parcel of land so each offer of Open Space or purchase of land will be considered individually with varying stipulations. Chairman Watterson also indicated that it is his understanding that the Conservation Commission is willing to pay for the site assessment on the Mooney parcel.

Selectman Caldwell moved to accept the Mooney Open Space conditional upon a level one environmental site assessment being done by the Conservation Commission. Selectman Cormier seconded and the motion passed unanimously.

Selectman Caldwell moved to accept the Mountain Lake Open Space subject to the stipulations outlined by the Conservation Commission. Selectman Cormier seconded and the motion passed unanimously.

Town Administrators Report

Town Administrator Beaudin reviewed the Selectmen's report for the Town Report with the Board and with a few word changes the Board approved the report for publication.

Town Administrator Beaudin reviewed an email that she had received from Rich Fournier requesting that one of the Board of Selectmen be appointed to the Sewer Commission to help with check signing while the Commission is down a member and commissioner Fournier is out of the country.

The Board unanimously agreed that they were not prepared to be appointed to the commission.

Town Administrator Beaudin reminded the Board of the upcoming Candidates' Night on March 7th being sponsored by the Belmont High School. As soon as a time is available she will advise the Board. She explained that it appears that the list of questions for the candidates

was created by the National Honor Society and mailed out to them. The Board expressed that they felt it was important for there to be an open question session or an option for additional questions to be added. They asked Town Administrator Beaudin to request a copy of the questions sent to the candidates.

Non-Public Session

Chairman Watterson moved to open the non-public session at 6:25 p.m. in accordance with RSA 91-A:3 II a. Roll call was taken and those present and voting were Ron Cormier, Brian Watterson, and Reginald Caldwell. Also present were Town Administrator Jeanne Beaudin, Administrative Assistant Cary Lagace and Police Chief Vinnie Baiocchetti.

Chairman Watterson closed the non-public 6:45 p.m.

Selectman Cormier moved in accordance with Chief Baiocchetti's request dated 2/7/07 and in accordance with RSA 275:56 II to remove a letter from the Chief's personnel file. The Board agreed to consider Chief Baiocchetti's additional request at a future non-public session.

Bond Public Hearings

Chairman Watterson moved to open the hearing on **Article #1** at 7:00 p.m. "Passage of this article shall override the 10 percent limitation imposed on this appropriation due to the non-recommendation of the budget committee." To see if the Town will vote to raise and appropriate the sum of two million two hundred thousand dollars (\$2,200,000) for the purpose of constructing a new Police Station, and to authorize the issuance of not more than \$2,200,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon (2/3 ballot vote required).

(The Budget Committee recommends \$0 and the Board of Selectmen recommends **\$2,200,000.**)

Selectman Cormier began by advising that the Board of Selectmen has voted to move forward with the proposal for a new Police Station despite the Budget Committee voting to not support the article. He added that Jim Pulver and Fred Belucci from BreadLoaf are present to answer any questions regarding the design and cost estimates.

Tom Garfield asked if a site had been decided on yet, Selectman Cormier expressed that the site that had been previously offered as a gift to the Town will appear on the Town Meeting warrant.

Donna Cilley expressed that if the article was to pass at Town Meeting, without the Budget Committee's support the Budget will have a short fall of 1 million dollars. Selectman Cormier expressed that the Board of Selectmen are committed to bringing the proposal forward to the voters of the community. Donna stated that was great but the Town can't afford to do that with the 10% rule. Selectman Cormier added that the Town will have to find a way to fund it if it passes by whatever means are necessary. Donna asked if the Police Department situation

is critical enough to shave funding from other areas of the budget, Selectman Cormier noted that despite Donna's very vocal approach since the beginning the Board of Selectmen are committed to giving the proposal for a new Police Station to the voters. Elson Moody expressed that he agreed with Donna and the article shouldn't be on the budget.

Chairman Watterson closed the Public Hearing at 7:09 p.m.

Chairman Watterson moved to open the hearing on **Article #2** at 7:10. To see if the Town will vote to raise and appropriate the sum of one million five hundred thousand dollars (\$1,500,000) for the purpose of replacing 6,200 feet of water and drainage lines and the repair/replacement of the roadway within Pleasant Valley including engineering costs, acquisition of land or interests in land and all other costs reasonably associated with this project and to authorize the issuance of bonds or notes in the amount of one million dollars (\$1,000,000) in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon. The balance of five hundred thousand dollars (\$500,000) to come from the Community Development Block Grant Program, or from similar grants, with no amount of the balance to be raised by taxes. (2/3 Ballot Vote Required)

(The Budget Committee recommends **\$1,500,000** and the Board of Selectmen supports this recommendation.)

Kim Ortakalis was present to ask questions regarding the project as she was unfamiliar with the proposal, Chairman Watterson explained that Pleasant Valley is an area that has significant water line and drainage problems that the Town has been trying to address for years and this year had engineering done to determine the cost to fix the problems in that area. In addition to the engineering which was estimated at \$1.5 million, that area qualified for a grant in the amount of \$500,000, leaving a need to fund \$1,000,000.

Town Administrator Beaudin noted that since the Board of Selectmen finalized their decision to move ahead with the funding request there has been 2 waterline breaks. Chairman Watterson added that the Board doesn't think it is fair for the water users to not have a good system, that they pay for.

Chairman Watterson moved to close the Public Hearing at 7:17 p.m. and called for a 5 minute recess.

Chairman Watterson moved to open the hearing on **Article #3** at 7:22 p.m.. To see if the Town will vote to raise and appropriate the sum of three hundred and thirty-seven thousand dollars (\$337,000) for the purpose of relocating and replacing water lines required by the State of New Hampshire Department of Transportation Project STP-X-T0291 (021) 12916 and to authorize the issuance of not more than \$337,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon (2/3

ballot vote required).

(The Budget Committee recommends **\$337,000** and the Board of Selectmen support this recommendation.)

Chairman Watterson explained that the Belmont waterlines are in the way of the project that the State is doing on Route 3 and the State is requiring the Town to pay to have them moved. If the Town doesn't pay for the waterlines to be moved the State will withhold the Town's Highway Block Grant funding. He noted that this bond will be paid for by water user fees.

Chairman Watterson closed the Public Hearing at 7:24 p.m.

Chairman Watterson moved to open the hearing on **Article #4** at 7:25 p.m.. To see if the Town will vote to raise and appropriate the sum of one hundred and eighty thousand dollars (\$180,000) for the purpose of developing a new Well for the purpose of municipal water and to authorize the issuance of not more than \$180,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon (2/3 ballot vote required).

Albert Akerstrom asked how the water users would be separated for the vote at Town Meeting, Chairman Watterson explained that all residents at Town Meeting are included in the vote, it's the law. Kevin Sturgeon asked if the well is being added to extend water service, Selectman Cormier explained that it's partly for growth and expansion.

Town administrator Beaudin explained that there wasn't much support from the Budget Committee to have the project funded partly through taxation as it was felt that it doesn't benefit everyone. Chairman Watterson pointed out that the schools and municipal buildings as well as fire hydrants all use the water system so the Board of Selectmen felt that partial funding through taxation was appropriate, however the Budget Committee disagreed.

Chairman Watterson closed the Public Hearing at 7:30 p.m.

Donna Cilley addressed the Board of Selectmen to ask if the Board is going to take a public stance via a direct mailing to the taxpayers of Belmont regarding the proposed aquifer ordinance, Chairman Watterson expressed that the Board could not send such a political mailing using tax payers money but were intending to vote regarding the issue. The Board agreed that they do not support the petitioned warrant article for the Aquifer Ordinance.

Selectman Caldwell made a motion to not support the petitioned Aquifer Ordinance. Selectman Cormier seconded and the motion passed unanimously.

Non-Public Session

Selectman Cormier moved to open the non-public session at 7:35 p.m. in accordance with RSA 91-A:3 II c. Roll call was taken and those present and voting were Ron Cormier,

Brian Watterson, and Reginald Caldwell. Also present was Town Administrator Jeanne Beaudin.

Chairman Watterson closed the non-public 7:58 p.m.

The Board agreed to meet with Deputy Fire Chief Jim Davis at their next meeting in non-public session.

The Board unanimously agreed to accept Chief Siegel's offer to delay his retirement until April 30, 2007.

Next Meeting

The next regular Board of Selectmen meeting will be Monday, March 5, 2007 at 5:30 p.m. at the Corner Meeting House.

Adjournment

The meeting adjourned at 8:00 p.m.

Brian Watterson, Chairman

Ronald Cormier

Reginald Caldwell