

## **Selectmen's Work Session and Selectmen's Meeting Monday, March 18, 2024**

The following meeting was held in the upstairs conference room at Town Hall. Present were Selectman Jonathan Smith, Selectman Susan Simpson, Selectman Brian Keyes, T.J. Eldridge, Public Works Director, Matt Sawyer Jr., Town Administrator, Police Chief, Donald Babbin. Angela Eldridge, Secretary, transcribed the minutes.

Selectman Jonathan Smith called the meeting to order at 3:00 PM.

### **Roll Call: Brian Keyes, Susan Simpson, Jonathan Smith**

Selectman Smith welcomed Selectman Keyes to the Board. Smith advised they moved the agenda around and will go into appointments of Chairman and Vice-Chairman.

Keyes made a motion to nominate Smith as Chairman. Simpson seconded. A unanimous vote was taken. Motion passed.

Smith made a motion to nominate Brian Keyes as Vice-Chairman. Simpson seconded. A unanimous vote was taken. Motion passed.

Keyes made a motion to nominate Smith as Budget Committee representative. Smith seconded. A unanimous vote was taken. Motion passed.

Keyes mentioned that he has been in contact with Tracy Fernandez regarding the Planning Board ex-officio position. He advised that Fernandez is very qualified and willing to accept. Keyes made a motion to nominate Tracy Fernandez as the Planning Board ex-officio. Smith seconded. A unanimous vote was taken. Motion passed.

### **Non-Public Session 1:**

Smith made a motion to enter a non-public session 1 under RSA 91-A:3, II (a) and for session 2 under RSA 91-A:3, II (c) at 3:02 PM. Simpson seconded. Motion passed. Roll call vote was taken. Keyes answered yes. Simpson answered yes. Smith answered yes. Smith made a motion to reenter the public meeting. Simpson seconded. A unanimous vote was taken. Motion passed.

Smith made a motion to seal the Non-Public Minutes for Session 1 and session 2 under RSA 91-A:3 II (a) and RSA 91-A:3 II (c). Simpson seconded. A unanimous vote was taken. Motion passed.

### **Discussion:**

Smith mentioned that now with the Short Term Rentals ordinance being voted in, we are going to have to arrange a public hearing for fees in the Building and Zoning fee schedule. He said we also have to adjust the Transfer Station fees as well. Smith advised that he would work on the proposal with Matt and T.J. if the rest of the Board doesn't mind. This can be reviewed in 2 weeks at the next Selectmen's Meeting with the Public Hearing to follow. Keyes asked for confirmation that the Public Hearing would take place immediately after the Selectmen's Meeting. Smith said yes. Smith also advised that he and Matt have been working on the Short-Term Rental permit application. He advised that they probably would have to make a few additions if over the course of the week it is looked at

and any recommendations that follow. He advised the other Board members to let Matt know and he can modify it accordingly. Smith advised that they shoot for a Public Hearing on April 1, 2024.

T.J. Eldridge, Public Works Director, discussed the skid steer at the Transfer Station. The current one is at the end of its life. They have already replaced 3 drive motors. They received 3 quotes. 262D CAT with all implements for \$79,500. The Case SR 24B was \$85,860. The John Deere was \$80,436.62. The John Deere had more operator comforts, was more visible, and was smoother but after looking at the quotes, they can't compete with the CAT warranty. It was 7 years and 3500 hours. John Deere will only do a 60-month warranty. Smith asked if the CAT warranty was bumper to bumper. T.J. said it was a full machine warranty. Smith asked if transport was included as well. T.J. advised that John Deere and CAT could not provide that. Discussion ensued. Smith advised that purchasing a warranty is worth it due to the usage. Smith made a motion to purchase the Milton CAT 262D for \$79,500. Keyes seconded. A unanimous vote was taken. Motion passed. M. Sawyer Jr. mentioned that this is to be taken from the Transfer Station Expendable Trust Fund.

T.J. Eldridge, Public Works Director, discussed the backhoe at the Transfer Station. He advised that it is currently running on 3 wheels as the front axle broke. He received a quote to fix everything on it. It would cost about \$12,000. Scott thought we could use a remanned one. A brand new one was quoted at \$19,000. Smith mentioned that the problem with a remanned one is that we don't know if the steel is stressed. Keyes said it looks like it may be a safety entanglement. Discussion ensued. M. Sawyer Jr. mentioned that there would probably be a sealed bid for the old skid steer and backhoe. Smith agreed. T.J. advised that he has other vehicles for the auction as well. T.J. advised that he received 3 quotes from the same companies that provided the above quotes for the skid steer. They are as follows. Milton CAT 420 XE is \$159,900 with a 7-year, 3500-hour warranty. The Case is \$175,640. The John Deere is \$141,900 with a 7-year, 3500-hour warranty. T.J. recommends the CAT. Discussion ensued. T.J. mentioned that with the CAT, the entire bucket can be seen and it has better tires. M. Sawyer Jr. advised that he did see both pieces of equipment and was able to observe and understand everything T.J. explained regarding the equipment's features. T.J. mentioned that the service for John Deere has not been great. He said that the 2012 JD 310 would be transferred to the Transfer Station as they do not need one that travels and the new one would go to the highway department. Discussion ensued over replacing the tires. Keyes asked how much that would cost. T.J. advised around \$5000-\$6000. Smith asked if they were going to use ARPA or FEMA funds. M. Sawyer Jr. suggests ARPA as those funds need to be used up. Smith made a motion to purchase the CAT 420 XE for \$159,000 with a 7-year, 3500-hour warranty using ARPA funds. Keyes seconded. A unanimous vote was taken. Motion passed. Smith asked if there was any further discussion. Keyes mentioned that you get what you pay for. Smith asked if the backhoe the Highway Department has now has 6000 hours on it. T.J. said he will look but he doesn't think it has that many hours on it. He also discussed the tires because the current backhoe at the dump has foam filled tires so they may have to do that with the transferred one. Discussion briefly ensued.

M. Sawyer Jr. advised that he has a board meeting for the New Hampshire Interlocal Trust Insurance pool in Concord Thursday.

Smith had a request to have Matt Sawyer Jr. execute any documents with DES for the Milfoil treatment, which is normal practice. Smith made a motion to appoint Matt Sawyer Jr. as the agent to deal with DES for the Milfoil treatment. Keyes seconded. A unanimous vote was taken. Motion passed.

Smith had a request from the Trustee of the Trust Funds to appoint Brenda Golden-Hallisey as an alternate for a one-year term. Smith made the motion. Simpson seconded. Smith advised that they appointed her a few months ago and somehow it got lost in the mix and she didn't actually get sworn in. Motion passed.

Chairman Smith made a motion to recess until 4:15PM. Simpson seconded. A unanimous vote was taken. The motion was made at 4:00PM.

Chairman Smith reconvened the meeting at 4:15 PM in the Bub Avery Gymnasium.

**Pledge:** Smith opened the meeting with the Pledge of Allegiance.

**Public Input:**

Jenny Spofford, the Library Director, thanked the Town for supporting their budget and their Warrant Article. She mentioned some events coming up. National Library Week is during the Solar Eclipse, so they are having a viewing party. They are offering free viewing glasses and some refreshments. She also mentioned that the library is hosting an open house on April 11<sup>th</sup> from 5PM-8PM. She encouraged people to stop in and see the new computers and the new smartboard. Smith asked what time the viewing party was. Spofford said it starts at 3:30PM but people should plan to be there by 3PM. Discussion ensued.

Edwina Boose also thanked the Town on behalf of the Friends of Constitution Park for supporting their Warrant Article. She welcomed Brian Keyes to the Board. She is respectfully asking the Board to write a letter, along with the Chief of Police, to the Department of Transportation about putting no parking signs along Route 25 when the overflow happens at the boat ramp as it really has become a hazard. She advised that she sent them a letter with a picture for reference. Smith said he had seen it. Kim advised that she spoke with DOT and they advised that the request for signs need to come from the Chief of Police or the Board of Selectmen. She discussed how difficult it was to drive down Route 25 on the weekend when people were parked on both sides of the road. Smith asked if they have to specify an area. Kim said that DOT just said the request needs to come from the BOS or Police. Kim also discussed the fine for going up Long Sands at \$25 being too low. She believes that people aren't going to care about a fine that small and just decide to go up Long Sands anyway. She asked who to call once the signs are there to enforce them. Smith advised Ossipee Police or State Sheriff. He also said F&G can also enforce it. Smith asked Kim if DOT told her the fine was for \$25. Kim advised that F&G issues a fine to boats for going up Long Sands if they get caught doing it. She believes there should be a more substantial fine. Ed Comeau said they should be towed at the owner's expense. Kim mentioned that Garrett from F&G also supports having signs posted as well and Robert from DOT said as soon as he sees the letter, he will jump into it and move on the issue. Smith asked if the Board had any questions. Keyes mentioned that he would support this. Smith made a motion to send a letter on behalf of the Board and the Police Chief requesting no parking signs to be placed where necessary as determined by DOT to prevent overflow parking. M. Sawyer Jr. mentioned as a point of order, that the email he received from Edwina Boose made it sound like it was in reference to the 2017 presentation that said there would be no parking so he asked if the letter would need to be specific and consistent to the 2017 presentation, using no parking or set some other limit. Smith advised that it is State property and they determine the best parking control method. Discussion ensued. Smith retracted his previous motion. Smith made a new motion for the Board of Selectmen and Police Chief to send a letter to DOT requesting no parking signs as per the 2017 memorandum.

Keyes seconded. A unanimous vote was taken. Motion passed. Smith also mentioned that if there are any issues with the State that he is a State representative and can put a little pressure on them that way.

Frank Burke mentioned that Ossipee Mountain Road is getting worse and now it is down to one lane because if you go to the right, you sink and he also mentioned the potholes as well. Smith advised that the crew is getting into grading and road improvement season. T.J. advised that its March and roads are posted. Burke asked if they could throw some dirt up by 250 Ossipee Mountain Road. T.J. said Neil Eldridge can advise. Neil Eldridge said they have done all they can right now up there, and it is still winter/early spring. Discussion ensued. Smith said they will address it as soon as they can.

Dallas Emery congratulated Brian Keyes on his win and welcomed him. He also backed up Burke regarding Ossipee Mountain Road. He said it was horrible and it needs some attention. Emery asked if the Board had chosen a Deputy Treasurer and if anyone was interested. Keyes mentioned that he had a name of someone who is interested but there is nothing official in place. Emery advised that he would like to throw his name in there for that. Smith made note that Emery is a potential candidate.

Kim mentioned Pride Day in May and asked if the Town would pick up the trash bags again this year. T.J. said absolutely and they have blue trash bags in the garage they can use. Chris Elliot asked if it is being held on the first weekend in May. Kim said yes. Elliot thinks they should get the news out earlier so even more people will help. Kim said she will have signs made and drop some off to the Town. M. Sawyer Jr. asked her to send a PDF and he will put it on the website. Elliot said we should get it in to the Library and school as well. Discussion ensued. E. Boose mentioned that the FCCP do a plant day in April but have decided to join forces and do it on Pride Day. Discussion. ensued.

#### **Accounts Payable & Payroll Manifests:**

The Payroll Check Voucher total was submitted for the week ending 3/15/2024 with a pay date of 3/18/2024. Wages in the amount of \$47,192.17. Payroll taxes were \$15,064.88. Total payroll in the amount of \$62,257.05. Accounts Payable General Fund was \$146,011.64. Water was \$15.00. Sewer was \$2,229.16. Total accounts payable were \$148,255.80. Total fund payments were \$210,512.85. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken. Motion passed.

#### **Review of Red Folder:**

The Board received 5 Yield Tax Levy Warrants. They are as follows. Tax Map 136, Lot 018 in the amount of \$1, 339.80. Tax Map 266, Lot 007 in the amount of \$884.98. Tax Map 262, Lot 0001 and 002 in the amount of \$356.87. Tax Map 009, Lot 013 in the amount of \$518.54. Tax Map 063, Lot 011, Sublots 001, 006, 007 in the amount of \$132.07. Keyes made a motion to approve. Simpson seconded. A unanimous vote was taken. Motion passed.

The Board received a letter from the Boards and Commission Secretary and the Conservation Commission requesting the Board of Selectmen to reappoint Marie McConarty to the Conservation Committee for a 3-year term. The Commission also welcomes suggestions for new members. Simpson made a motion to approve this request to reappoint Marie McConarty to the Conservation Commission for a 3-year term. Smith seconded. A unanimous vote was taken. Motion passed.

The Board received a Notice of Decision for 60 Bay Point Road. Tax Map 022, Lot 023 for case#24-01-V. ZBA granted a Variance for a side setback and greenspace to construct a 26x18 foot garage with 13 feet of the right side setback area. This will be on file in the Selectmen's Office.

The Board received a Notice of Decision from the Planning Board. Tax Map 018, Lot 007. Case #24-02-VLM was granted a Lot Merger with 2145 Route 16, Map 018, Lot 003 to become one lot of record under Tax Map 018, Lot 007. This will be on file in the Selectmen's Office.

The Board received 5 Land Use Change Tax requests. They are as follows. Tax Map 130, Lot 002 in the amount of \$5,150. Tax Map 130, Lot 005 in the amount of \$5,000. Tax Map 131, Lot 012 in the amount of \$7,500. Tax Map 230, Lot 006 in the amount of \$700. Tax Map 131, Lot 005 in the amount of \$6,250. Smith made a motion to approve. Simpson seconded. A unanimous vote was taken. Motion passed.

**Old Business:**

None presented.

**New Business:**

Smith discussed the Main St. building on Moultonville Road. It is a Town owned building and it has been used by the Main St. program for many years. That program for all intents and purposes is not functioning anymore. Pat Jones has done an incredible job through the years and Smith gave her lots of accolades for her service. The Town voted to give the program \$2500 at the Town Meeting. They have not received funding in 5-6 years. The Town currently pays all utility bills, plowing and maintenance on the building so there is really no use for the money. Smith made a motion to not fund the Main St. program in the amount of \$2500 that was appropriated at Town Meeting. Keyes seconded. A unanimous vote was taken. Motion passed.

Smith discussed the severe shortage of parking in the downtown area. Businesses can't find places to park and if there is an event at the gazebo there is no place for anyone to park. When the Train Station restaurant is packed, there is no place to park and it's a detriment to downtown business and activity. The Main St. building is owned by the Town and has serious structural issues. He believes that space would make a nice parking lot. Smith made a motion to explore removing that building and turning it into a parking lot to help facilitate downtown businesses especially if that rail trail comes to fruition as we are definitely going to need parking. Simpson seconded. M. Sawyer Jr. asked for a point of clarity that this is only a motion to explore it and not go forward yet. Smith asked T.J. if he would need more time to explore it or if he thinks he can pursue it now. T.J. said it can be pursued. He would need to move the meter for the sprinkler system and the water will need to be shut off so it's not under the parking lot. The prep work of the parking lot won't take much work and he would tie in the paving with the other parking lot as well. Simpson rescinded her second. Smith rescinded his primary motion. Smith made a motion to explore the option of removing the building and if feasible and practical remove the building to expand parking opportunities in the downtown area. M. Sawyer Jr. asked if tenants should be asked to leave immediately. Smith said yes within the next 2 weeks. Keyes seconded. A unanimous vote was taken. Motion passed. Smith said it wasn't an easy decision, but it needs to happen.

**Second Public Input:**

Chris Elliot asked how many additional parking spots they would get. Smith said you get quite a bit because we have the whole perimeter and the center. T.J. said maybe 20. They discussed the building having mold issues and it burned because when it leaked a few years ago and when they got the sheetrock off, it was burnt. Elliot asked if there will be signage so people know they can park there. The Economic Development Council tries to stress the need for signage. M. Sawyer Jr. can envision working with the EDC to come up with something. An audience member asked Smith to explain

which building it was again. Smith advised that if you are driving up Moultonville Rd., the Gazebo is on the left and it is the next building.

Dallas Emery mentioned that he talked about lack of parking a few years ago when the revitalization of the downtown area was being discussed and he was told that there was plenty of parking for whatever they needed to do. He agrees that there isn't enough parking but thinks that this should have been brought up at the Town Meeting if there was a thought of getting rid of this building. He thinks the town should have had more input than just the Selectmen saying, "this is what they were going to do". It took him by surprise that they all of sudden wanted to get rid of that building and that was not one of the projects discussed that they would work on this year. Discussion ensued. The address of the building is 15 Moultonville Rd.

The next meeting will take place on Monday, April 1, 2024. They anticipate having a public hearing on fee changes at the Transfer Station and Building & Zoning, which will involve the new STR ordinance that just passed. This meeting will take place after the regular Selectmen's Meeting on April 1<sup>st</sup>.

T.J. mentioned the parking lot behind the Water & Sewer Department and that if the parking lot project moves forward and is feasible, they will pave that lot as well. The people at OCC use that lot and the crew had difficulty plowing it this winter. It needs to be dug out, a better base put in and new pavement, so those people have a good and safe place to park. Discussion ensued.

#### **Adjournment:**

Being no further input, Smith made a motion to adjourn. Simpson seconded. A unanimous vote was taken.

Adjourned 4:40PM.

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Jonathan H. Smith, Chairman

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Susan J. Simpson

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Brian W. Keyes

To be approved 4/1/2024