

TOWN OF FRANCESTOWN
OFFICE OF SELECTMEN
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FRANCESTOWN, NEW HAMPSHIRE 03043-0005

BOARD OF SELECTMEN MEETING MINUTES

March 28, 2016

Selectmen Present: Chair Brad Howell, Abigail Arnold and Henry Kunhardt

Staff Present: Town Administrator Jamie Pike

Also present: Tom Anderson, Polly Freese, Betty Behrsing, Robin Haubrich, Sue & David Jonas and others

CALL TO ORDER: Mr. Howell called the meeting to order at 6:30 PM

Pole License Amendments (continuation)

Jamie Pike indicated that he contacted Town Counsel regarding pole license amendments and Town Counsel said that we can use the language as is and choose not to enforce the requirements if the utility does not comply, or we can remove the language. Mr. Pike prepared drafts of the pole licenses, both with the language requiring annual updating of entities occupying, attaching to or using the poles, etc. and without for the Boards review and consideration. After discussion the Board decided to leave the amended language (requirements) in the licenses.

A motion was made by Brad Howell and seconded by Abigail Arnold to accept the Pole License language as presented. **Motion passes.**

Stephen Morrissey – School Board Member

When asked by Abigail Arnold about the configuration and consolidation of the schools, Mr. Morrissey replied that it is up to the Towns and most Towns do not want their local schools consolidated. He talked about the curriculum and indicated that there are online courses offered through the State which greatly expands the courses offered. Online courses are offered at the middle and high school levels. He talked about the needs of the schools and the budget constraints which make it difficult to keep up with technology and the changing needs of students.

Consent Agenda

- A. 03/28/2016 Payroll & Accounts Payable Manifest
- B. Building Permit – Marcel & Sarah Pelletier, Map 8 Lot 22-1
- C. Building Permit – Robert & Danielle Alsberg, Map 5 Lot 63

A motion was made by Abigail Arnold and seconded by Brad Howell to approve items A-C of the consent agenda. **Motion passes.**

Henry Kunhardt asked about a note that the Building Inspector made on one of the Building Permit Applications indicating that there are structural details that weren't provided and he wants to review those before going forward. He questioned if the Board was over riding the Building Inspector's request by signing the Application. After some discussion Mr. Howell suggested that the Board sign the application and instruct Mr. Pike to confirm with the Building Inspector tomorrow that it was ready to be issued before it is presented to the applicant.

A motion was made by Abigail Arnold and seconded by Brad Howell to approve the building permit after it is confirmed with the Building Inspector that it is ready to be issued. **Motion passes.**

New Business

- A. Intent to Cut – Map 5 Lot 89 – Christopher McGillicuddy
- B. Grading Chart and Report of Cut for Pettee, Map 6 & Lot 61-1, with a grade of 67% - Mr. Kunhardt described the lot and agreed to perform future site walks and complete timber grading charts.
- C. Pole License application for a shared pole for Fairpoint and Eversource on Cross Road. Mr. Pike added the new language to the Pole License as an addendum for the Board to authorize.

A motion was made by Brad Howell and seconded by Abigail Arnold to issue the Pole License as amended. **Motion passes.**

Correspondence:

1. Police Department Press Release for 3/14/16 through 3/27/16
2. Email from Susan Downs-Cripps expressing her thanks and appreciation to Francestown Fire & Rescue for their response to a medical emergency. She indicated that their care and professionalism was outstanding.
3. Job Task report from Chief Douglas for 3/21/16 through 3/25/16
4. Notice of Decision from the Planning Board, dated March 17, 2016, approving the application of Case #16-SD-01, subject to conditions. Discussion of procedures for filing maps and entering the information ensued. It was suggested a checklist be used to make sure all steps are completed.
5. Administrative Report from the Town Administrator, Jamie Pike
6. Memorandum from Bill McAuley raising issues that he would like the Board to discuss regarding the Thulander Museum including insurance, removing sand and laying a floor in the lower level of the museum and restrictions of trust funds. In response to Mr. McAuley's question asking if the museum can have a proprietary account for donations, Henry Kunhardt said the answer is no; private funds donated to the care of the Town have to be administered by the Trustees of Trust Funds. Options were discussed. It was decided to have Mr. McAuley attend the next Selectmen's meeting for discussion. Mr. Pike indicated that he has already complied with other requests that Mr. McAuley made; a page on the website for the Museum and to be included in departmental emails. Mr. Pike has added a page to the website and will add Mr. McAuley's name to departmental memos and emails.

Planning Board

Abigail Arnold said that she spoke with Town Counsel about the Planning Board issue. Counsel thinks the Selectmen should specify their own alternate and term, not one of the Planning Board Alternates. Ms. Arnold suggested making the appointment term for one year. Mr. Howell suggested the term start

at Town Meeting. Abigail Arnold suggested appointing Sarah Pyle to the position of alternate/ex officio to the Planning Board.

A motion was made by Brad Howell and seconded by Abigail Arnold to appoint Sarah Pyle to the position of alternate/ex officio to the Planning Board provided it's permissible under the Statute.

Motion passes.

Old Business - Road Layout Petition of Charlotte Gilman

Mr. Howell indicated that if there's an indication that people might think this could be approved the Board would have to schedule a hearing and give 14 days' notice. However, if the Board is of the opinion that there's no occasion for laying this out, no hearing is required. Mr. Howell indicated that he does not think it is in the Town's best interest for the Town to assume the additional maintenance cost of the road for one resident. Ms. Arnold agreed with Mr. Howell. Mr. Kunhardt cited a 2012 Supreme Court case with a similar issue (Fortier v. Loudon). The case was Fortier v. Loudon. Selectmen denied petition without a hearing, which the Supreme Court upheld. Mr. Howell was aware of the case and the disposition of said case and felt that by the Town not holding a hearing Ms. Gilman would not be denied due process.

A motion was made by Brad Howell and seconded by Abigail Arnold: On January 20, 2016 Charlotte Gilman, owner of property on Russell Station Road and Cressy Hill Road petitioned this Board, per RSA 231.8, to layout Cressy Hill Road from Russell Station Road South along her property line to the point where it becomes a Class A Trail. Mr. Howell moved that the Board of Selectmen deny her petition without a hearing, first, because the portion of Cressy Hill Road starting at Russell Station Road South, to the point 60' south of the Cressy Hill Bridge, as confirmed by the vote at Town Meeting on March 12, 2016, is already classified as a Class V town maintained road. Secondly, there's not an occasion to reclassify as a Class V road the remaining portion of Cressy Hill Road covered by her petition which starts at a point 60' south of the Cressy Hill Bridge running south to the point where the Class A trail begins. This remaining portion of Cressy Hill Road is currently a Class VI road and granting this request would impose additional costs on the Town and is not in the public interest. **Motion passes.**

Henry Kunhardt suggested sending a letter to the petitioner using similar language to the Supreme Court decision on the above noted case, i.e. "...perceived no public benefit in accepting the road and it would not be prudent to add to the cost of maintaining the road... (*inaudible*).” Mr. Howell offered to draft a letter for the Board to sign next week.

Henry Kunhardt suggested putting up signs at Cressy Hill Road indicating “Class VI Road, no maintenance beyond this point” and putting iron rod markers in place. The Board agreed that signs were a good idea.

A motion was made by Henry Kundhardt and seconded by Brad Howell to direct the Road Agent to put up a sign [as above] approximately 60' south of the Cressy Hill Bridge. **Motion passes.**

Administrative Update

Mr. Pike updated the Board on the following:

- Fairpoint will reduce billing on all Town accounts by 30%-45% for the rest of the year
- Healthtrust Health Insurance rates will increase by 14% (\$2,000 savings for 6 months in 2016)
- Solar wall at Fire Department proposal expected next week.

- RFPs for Hazardous Household Days have been mailed. Bids due April 12, 2016 and will be reviewed by Waste Disposal Committee that evening. They will make a recommendation to the Board on April 18th.
- Mr. Pike made deliveries with the Meals on Wheels program on Friday. He indicated it is a great program and would like to see more Frankestown seniors taking advantage of the program.
- Letters went out to all known solar installation residents advising that they must apply for the exemption, it is not automatic. Applications were sent with the letters.
- Budget review showed just shy of \$32,000 favorable overall, primarily due to mild winter conditions (\$1900 Highway, \$1600 Medicare/NH Retirement, \$3500 Transfer Station)

Chairman Howell adjourned the meeting at 8:05pm.

NEXT BOARD OF SELECTMEN MEETING: Monday, April 4, 2016

Respectfully Submitted,

Jamie A Pike

Not approved until signed.

Brad Howell

Abigail Arnold

Henry Kunhardt