



# Office of Board of Selectmen

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## Selectmen's Meeting Minutes

Monday, September 13, 2021, 10:00 a.m.

Belmont Mill Tioga Meeting Room

Chairman Ruth Mooney called the meeting to order at 10:00 a.m. Also, present were Selectman Jon Pike, Selectmen Claude Patten, Town Administrator Jeanne Beaudin, Assistant Town Administrator Alicia Jipson, Police Chief Mark Lewandoski, Public Works Director Craig Clairmont, Finance Director Katherine Davis, Code Enforcement Officer Mark Ekberg, Building Inspector Russell Wheeler, TC/TC Cynthia Deroy, General Assistance Director Donna Cilley, Building & Grounds Patrick Golden, Fire Chief Mike Newhall, and Kevin Sturgeon.

### Pledge of Allegiance

Those present stood for the Pledge of Allegiance.

### Abatements, Exemptions & Credits

There were no abatements, exemptions, or credits for signature this week.

### Minutes

Selectman Claude Patten moved the minutes of the meeting held on August 23, 2021, as written; seconded by Selectman Jon Pike and the motion passed unanimously.

### New Business

**General Assistance Guidelines Update-** Donna Cilley General Assistance Director - We are to periodically look at these and language changes based on new and updated RSA's. The burial piece that we are responsible for, we never put a dollar amount on it in the past. RSA guideline states not to exceed \$2,000. That number is an elevated number based on special circumstances. The other change that has finally come full circle was based on case records. We never knew how long to keep records on file, finally there was definitions in the law that states we are to retain for 7 years. Changes were made to meetings. Non-citizens had to be spelt out based on RSA definitions. At the end of the year, we have to look at New Hampshire Finance Authority for the guidelines on determining need. You will see on the last page the changes and the baseline based on the rates from NH Housing.

Selectman Mooney- Do we need to have legal look at this first?

TA Beaudin- We have had previous versions of this reviewed by our legal staff and this has been looked at by NHMA legal and based on their recommendations we felt confident in their oversight.

***Selectman Pike motioned that we accept the General Assistance Guideline changes made and presented by Donna Cilley today before us, seconded by Selectman Mooney and the motion passed unanimously.***

**New Hire Incentive Policy Discussion-** TA Beaudin discussed that the Police Chief had brought to our attention about a month ago that a number of communities are offering an incentive of vacation time at time of hire as an incentive to get people to apply to positions within the community. In lieu of that conversation we took look at what means. In PD and FD, they currently have a 6-month probationary period unless they are certified. If not certified the probationary period is 1 year. We have 3 union contracts. Technically an employee is not part of the union until after their probationary period, so after speaking with Anna Cole we really do not have to get buy in from the union at this time, but it is wise that we involve them in discussions if the Board of Selectmen decide to go with any changes on how they treat that probationary employee. We allow discretionary vacation and sick, but that is if they accrue comp time. TA Beaudin added that the purpose of having a discussion with the union is to establish when we are going to enact this? We have some new employees that are on probation, and we would want to include them in the changes.

Selectman Pike- Are we were in line with other towns for this type of incentive?

Police Chief Lewandoski- Some towns are carrying forward the accrued time and some are just giving 2 weeks of vacation time.

Fire Chief Newhall- What I am seeing because of the labor shortage other municipalities are all stealing employees from each other. The offer of sign on bonuses are great but they tend to flop around once sign on is received. I have some hiring ideas to discuss, I think the sick and vacation time usage in the department is ok it is not abused and is used within reason.

TA Beaudin- I do not recommend allowing a new hire to bring with them vacation that they earned at a previous employer. I think that what we may want to consider is allowing them to accrue the vacation time and use it after the probationary time.

Fire Chief Newhall- I am willing to flex the ability to allow an employee to use vacation time when hiring them. If it means that we are not going to lose them.

Selectman Mooney- Do you feel that adopting this will help to attract and retain employees.

Selectman Pike- This seems that it can be discretionary to the department heads. We are looking for longevity and not high turnover.

Police Chief Lewandoski- I'm not looking to transfer their time coming in, I'm just suggesting we add a benefit.

TA Beaudin- If we can define better when time would be available that would be helpful.

Selectman Pike- Suggested why not write 2 different amendments for certified and non-certified that states the time off.

Police Chief Lewandoski- We could do it a multiple of ways. Where it reads that they receive it after FTO is completed.

TA Beaudin- Most of the communities that I had probed was they accrue at time of hire and then use after 6-month probationary period. If you recall that language was in the previous contract but was left out of this contract for some reason.

Police Chief Lewandoski- We don't allow new hires to get OT, so the comp time wouldn't apply as they can't get comp time.

Fire Chief Newhall- If the Town made a policy change, then we would do a policy change to ours and build on it to adapt to each department.

TC/TC Cynthia Deroy- This is happening in my office as well. We are losing employees to other towns and agencies for more money and better titles. There is no more loyalty.

Fire Chief Newhall- The new employees are more in favor of their personal time and come in do their work and then leave and leave the work that they have for the next day.

TA Beaudin- It would seem reason to include language to allow new hires the ability to accrue during their probationary period. As far as cost of this policy change. There is a small cost. The cost to give the vacation time and retain employees, and OT coverage for some departments.

TC/TC Cynthia Deroy- I am seeing the want for more sick time vs vacation time.

B&G Patrick Golden- Coming out of the private sector giving exit interviews it wasn't pay it was benefits package. The benefits package was what enticed them to come to a municipality.

Fire Chief Newhall- Nowadays our benefits packages are all about the same and they are not really comparing the package it is the pay.

Selectman Mooney- We have beat this discussion to death the department heads have to do their homework, we are willing to work with you all.

**Update on Code Enforcement-** Mark Ekberg- I have been successful at door knocking vs letter sending. There are few on the list that I've been working with his since August and there is just no movement happening with that. There are some that I don't foresee getting into compliance without litigation. In the RSA they talk about a \$275 dollar a day fine with day 1 being \$500. We can fine all the way back to the initial day of non-compliance. If a property has been in non-compliance, I'd like to have a running tally of the potential fees that we could impose from date of non-compliance.

TA Beaudin- Town council has said that yes, the increase is legal, but that would be up to the Board to decide if they wanted to enact the fees, or it could be more of a strong-arm situation.

Selectman Pike- The property on the corner of 106 and wildlife is of concern. There are multiple campers there that are not hooked up to town sewer and septic. The landowner keeps saying it is not his issue it is his tenants, but I do not agree he is the landowner.

TA Beaudin- I have talked with Chief Lewandoski on this and we suggest that we bring in Allen Hanscom from NHDOT and all the appropriate dept heads and the Board and all get on the same page of what we can and cannot do and the expectations.

Code Enforcement Officer Mark Ekberg- The problem I see there doesn't seem to be any teeth in what the town can do and seems to be blocked at the legal level. I am out and about being seen. If the town is going to be making these threats where is the follow through. I do not have the authority to impose these fines.

Selectman Pike- We have to do something. We need to protect the property values, and these places need to get cleaned up. This has become an ongoing issue and is just the tip of the iceberg. DES has funds for these abandoned junk yards.

Police Chief Lewandoski - NHDOT has not come back to me to enforce it an allow me to issue parking tickets. I heard that they were going to conduct a land survey to determine their land and build a permanent fence.

Code Enforcement Officer Mark Ekberg - I've found as a biggest motivator is fines and people do not like writing checks. But I don't know how far we have ever taken it.

Selectman Mooney- Are we going to court with those on the list where do we stand on this?

Code Enforcement Officer Mark Ekberg- This is an updated list of what is ongoing and current and properties in progress. 6 Timothy Drive, 10 Range Road, 22 Mill Street, 37 Deware Drive, 85 Middle Route, 93 Seavey Road, 196 Gardner's grove, 292 Durrell Mountain Road, 328 Union Road, 682 Laconia Road, 34 Jamestown Road, 36 Glenridge Road, 97 Seavey Road 242 Horne Road, 306 Ladd Hill Road, 431 Bean Hill Road, 607 Province Road, 22 Shaker Road, 334 Depot Street, 342 Bean Hill Road. Moving forward I'd like to identify the running tally, but if we are going to add that and fine those, we need to actually do it.

GA Director Donna Cilley- If we are going to start setting fines, we need to set a line on when this position taking is going to happen. If you are going to issue fines, it needs to be adopted and then move forward. It is a dangerous slop to issue back fines based on a prior enforcement who did not choose to issue fines. We are in the wrong for not being consistent. It needs to be moving forward.

Fire Chief Newhall - You can't pick and choose, everyone needs to be treated the same, there cannot be any picking and choosing.

TA Beaudin- Russ is continuing to follow 121 Brown Hill Road and that is moving forward. And so is Johnson Street.

Building Inspector Russ Wheeler- We always seem to get stopped at the courts if they see them making any progress. They give them a pass. I heard Johnson Street is in foreclosure.

TA Beaudin- The \$275 fine per day technically is from the 1<sup>st</sup> day of notice of the offense, I think it is fair to assume that in Marks case it would be when Mark started and approached the property.

**Conservation commission-** You have 3 applications for Conservation Commission as alternates Susan Irving, Norm Jackson, and Pauline Tessier are seeking appointment.

**Selectman Patten motioned to accept the applications for the Conservation Commission alternate positions for the appropriate terms available; seconded by Selectman Pike and the motion passed unanimously.**

**Tractor-** TA Beaudin provided the Board with the sales quote and memo on the cost of the tractor and how to use BRATT funds towards the purchase the machine.

DPW Director Craig Clairmont-I'd like to purchase this machine to be primarily used for roadside mowing. In the past few years, it has been challenging to find business to do the mowing. We used to rent out a mower for a couple of weeks during the year, unfortunately they have retired and gone out of business. Last year we used a new company, and they were more expensive, and I wasn't particularly happy with the service. I rented a mower from HP Fairfield this year and next year they are going up to \$4,000 a week to rent and this town requires 4 to 5 weeks of mowing, and I will still need to rent a machine to get up higher. What we would pay in a year for renting a machine is what it would cost us to buy one.

Selectman Money- I know that our maintenance people mow the trail down and back, and if I read correctly, we are going to be mowing the trail over in Winnisquam.

DPW Director Craig Clairmont-We tried that and hiring anyone is challenging. I explored buying a tractor with a boom and that is costly and that really would be the only use for it.

Selectman Money- It is suggested that we take out some funds from the BRATT fund, so does that mean we will be officially taking over the maintenance of this trail?

DPW Director Craig Clairmont-We have to, and we have been. It really needs to be maintained.

TA Beaudin- We would need to establish how much of a % we take from the BRATT funds towards this. Possibly prorate the portion of how much the tractor is used for the maintenance on the trails.

Ron Mitchell is the one who really coordinates the efforts on this, and he coordinated the help from the inmates.

DPW Director Craig Clairmont- I have really researched my options, and this really is the most feasible way to go about it and save money. It will be a great addition and has many uses.

**Selectman Pike motioned that we expend the \$23,000 with a portion coming from BRATT funds to be spent for a 2011 Trackless Rib Blower tractor for the Highway dept, seconded by Selectman Patten and the motion passed unanimously.**

Selectman Money- I was at convenient MD and the brush coming down Ladd Hill has grown so much that it looks like it is hindering sight.

**Work in the Public Right of Way-** TA Beaudin- Craig had brought to Candace's attention and then to me in concerns regards when we reconstruct, pave, or overlay a road that may or may not have access to potential utility services such as water and sewer being installed after the road has been paved or reconstructed. Craig would like to see if we could put into place a policy in regard to opening a road up after the town has newly paved the road. Whether there is a moratorium that the applicant cannot open the road up so many years after the road has been paved. I have provided a copy of the sample language from the City of Laconia. The language reads: after a Town street has been overlaid, rehabilitated, newly constructed or reconstructed, the Town street will be considered to be under moratorium for a period of five (5) years. In an effort to protect the Town's investment in its infrastructure, excavations in areas under moratorium within the public right-of way or on Town property, are prohibited except as follows:

1. Excavation to remedy a public emergency or a situation that creates an eminent threat to the public safety, health, or welfare.
2. Repair or modification to prevent interruption of essential utility services where no reasonable alternatives are available to avoid excavation in new pavements.
3. Relocation work that is mandated by State or Federal legislation.
4. Utility services for new buildings or parcels without existing utility services where no other reasonable means of providing services exist.
5. Excavations within protected streets where the Town has scheduled the reconstruction within one year due to the failure of the original pavement.
6. Other situations deemed by the Public Works Director or his/her designee to be in the best interest of the general public.

DPW Director Craig Clairmont- I've read over other towns guidelines, and I like this one better as it gives a guideline what anticipated repairs would be.

TA Beaudin- I believe the best way to adopt this would be to put it in our permit to work in the ROW document, so I would need to amend this into the document and brought up at your next meeting.

**Ladd Hill Mobile Home Park-** At your last meeting I had brought you a request for their seeking an abatement for 22 Cherry Street, they had paid off all the back taxes and then realized they could have come to the town and potentially asked for some sort of assistance in that since they were taking over ownership of the unit and we have worked with other MH parks in the past. They have not pulled any permits for demo. In total they have paid with interest \$2,662.95, costs \$223.75 and tax \$4,630.25. in speaking with Cynthia on this and the work necessary to reverse this is considerable. We had thought if you were going to offer an adjustment that we offer half of the tax in a refund.

TC/TC Cynthia Deroy-We come out ahead as they could have charged us for back rent and fees. We haven't had an agreement with Ladd Hill as they haven't had anyone come forward. This has been an agreement that has worked well in the past with the Mobile Home Parks.

TA Beaudin- You don't have to truly refund anything to them it is just that we have certainly had this arrangement with other entities and the fact that they did pay in full.

***Selectman Pike motioned that we refund the \$2, 315.37 to Ladd Hill Mobile Home Cooperative; seconded by Selectman Mooney selectman Patten abstained, and the motion passed.***

**Potts NH RE LLC-** Craig Potts the gentleman who owns the Dog Tack had phoned Cynthia's office and left a message for us to call, they have a potential buyer for the property. They are asking that we waive the balance of the accrued interest on the property in the amount of \$29,367.01. Cynthia went back and from 2014 to date the total interest paid on the property is \$137,072.08 it would reduce what is due on the property to \$227,212.82 to \$197,845.81 which he has said he would pay up immediately.

Selectman Mooney- I am sorry to say but I cannot say that I support this, we have been dealing with this issue for years and he has never lived up to his payment arrangements.

Selectman Pike- Potts has not shown good faith to the town of Belmont and we have spent countless hours working on this.

***Selectman Pike motioned that we deny the Potts request; seconded by Selectman Mooney and the motion passed unanimously.***

**Request for abatement-** We received a request from Lakes Region Mobile Home Park Cooperative relative to 12 Valley Drive. They have taken ownership of which I have a copy of the writ of possession. The outstanding taxes are \$1,153.30. They are looking to obtain a demo permit.

***Selectman Mooney motioned to abate the taxes for 12 Valley Drive in the amount of \$1,153.30; seconded by Selectman Pike. Selectman Patten abstained motion passed.***

**Plummer Hill-** TC/TC Cynthia Deroz the arrangement with Plummer Hill is now past due and I would suggest that we issue the Tax Collector's Deed. He made the arrangements to make the payments of \$1,400 a month and then he has not made a single payment in 14 months. At this point I guess my suggestion is that I deed him. We just have to send the proper notice. It will give him 30 more days but maybe the banks will want to help him.

TA Beaudin- We will have to look at reversing the abatement in the system.

Selectman Pike- The deal of the \$70,000 is now off the table it is the whole boat.

### **OLD Business**

**133 Main Street-** TA Beaudin- Mr. Hebert is not present. He had gone to the state of NH in an attempt to get a driveway permit. I told him today was the day that he needed to plead his case, and I assume that after the letter he received he didn't pursue it.

Police Chief Lewandoski- I looked at the application and denied it. It would not have worked. That house has never had a parking spot. The parking was allowed in the past due to low traffic. The NHDOT finally agreed to let me put signs in place for no parking.

DPW Director Craig Clairmont- We allow parking he can park at the library.

Police Chief Lewandoski - I spoke with Susan Woodbury and she was thinking about allowing the option for him to park next to the building, but Further discussion would be necessary to accomplish this.

**PB Meeting-** TA Beaudin-The Planning Board does have a non-public to discuss the candidates for the position. The language that I put in your packets in regard to Zoning administration would then be discussed with the joint meeting. Hopefully by the end of this week the Planning Board will have chosen a candidate to bring forward with a recommendation for a hire. Candy has agreed to stay on until the position is filled and the person trained.

**Noise Ordinance-** We have had a request from David Dunham. His request is in regard to the noise ordinance, and he would like the Board to take that up as a possible future project as far as refining some of the language in the document. He has had some issues with noise disturbance, and he is concerned that the language in the ordinance speaks to it being allowed to go on until 10:00 before the police can address it. There seems to be some discrepancy between "excessive" and "loud" noise vs a timeline of 10:00. He would like the Board and the Police Chief to take a look at it and see if there is anything we can do. It would have to come before the Town voters before we can make a change.

**COVID-19-** Fire Chief Newhall- We are having an uptick of covid. As a whole in the community, we have stepped away from using masks for everything that we do. Our staff still uses it. My recommendation is to require it in all town buildings. This is protection of our own employees. We have some employees who choose not to vaccinate and that's 100% fine, so wearing the mask is protection. At the Fire Dept we mask up in all cases to protect the workforce. With flu season coming up I think the mask is a good idea.

Selectman Mooney- so if someone who is not vaccinated and employed by the town shouldn't they wear a mask at all times?

Fire Chief Newhall- As a town that is a policy that you need to decide on.

TA Beaudin- I have distributed the NHMA recommendation that was sent out last week. It basically says that the Board of Selectmen, in consultation with the Health Officer/Board of Health and Emergency Management Director, can adopt public health regulations on gaining access to public buildings. Those regulations could include regulating public access to town or city hall and other public buildings to respond to the local public health emergency arising out of the community spread of covid-19. If we are going to require masks for meetings, then we need to offer a zoom option. The current guidance from the CDC is that if you are not fully vaccinated in age 12 or older you should wear a mask in indoor public places. My understanding from our health insurance carrier is that you can ask if employees are vaccinated you can't ask for details, but you can ask if they are vaccinated, but we have not taken that position yet. I will say that I am concerned that the latest info coming out from the government level on Thursday. There was discussion on all federal agencies and federal contractors being required to be vaccinated. One of the stipulations was if they receive Medicare and Medicaid funds. So, we are waiting to see what they come down with. That may require all of FD employees to be vaccinated.

TC/TC Cynthia Deroy- Maybe we reconsider closing the front door because they are not adhering to the 6ft social distancing. If we are going to require the masks again.

TA Beaudin- The guidance that we are getting from NHMA is that the BOS need to adopt a public health regulation about gaining access to public buildings. I recommend that you post a public meeting and adopt the public health regulation. Ill get language on what that regulation should read. In the time being we will change the signs and the front door locked and they can use the side entrance.



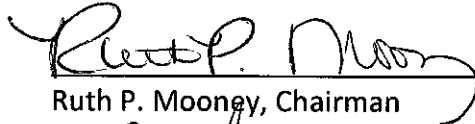
**Hurricane Road Pit-** Mountain Made Materials has now purchased the pit on Hurricane Road. Blue Sky Enterprises has terminated their easement with the Town relative to access to it. Karen Feltham has worked very hard on our behalf and has gotten Mountain Made Materials to reissue that easement. I have that document here for Ruth's signature for acceptance.

**Non-Public Session**

Chairman Ruth Mooney moved to enter non-public session in accordance with RSA 91-A:3 II (c) at 12:18 p.m. Roll call was taken and those present and voting were Ruth Mooney, Jon Pike and Claude Patten. Also, present were TA Beaudin and Assistant Town Administrator Alicia Jipson, and Police Chief Mark Lewandoski.

The non-public session ended at 12:30 p.m.

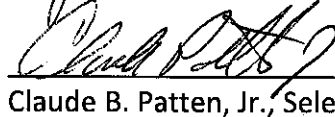
The meeting adjourned at 12:45 p.m.

  
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Ruth P. Mooney, Chairman

  
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Jon Pike, Vice-Chairman

  
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Claude B. Patten, Jr., Selectman