



# Office of Board of Selectmen

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## Selectmen's Meeting Minutes

Monday, September 20, 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 via Zoom, Code Enforcement Officer Mark Ekberg, Building Inspector Russell Wheeler, Fire Chief Mike Newhall, Assistant Fire Chief Deborah Black, and NHDOT District Engineer Alan Hanscom.

### 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.

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### New Business

#### **Discussion with NHDOT regarding 752 Laconia Road**

TA Beaudin explained that there has been ongoing noncompliance issue with the property at 752 Laconia Road. We did receive via email from the NHDOT, that letters that will be sent to the property owners for a land survey that they are conducting.

Police Chief Mark Lewandoski noted they have continued to actively use that property; I have been watching them on the Route 106 side. It is not posted so we have been allowing them to park there. The NHDOT wants to do a land survey and apply a permeant fence on what is their property line. The jersey barrier has been moved again and doesn't seem to stop them.

Selectman Pike- This is property is on a main road, Route 106. There are people from a health standard living in the campers and the house. We should be in there correcting this. In the ROW they tore down the fence. There seems to be more violations here. Nobody seems to care. That is only a 1-bedroom house, and with all the campers there what is going on with the sanitation. The survey will be a year away, the fence will be a year away, we need something done now.

Police Chief Mark Lewandoski noted that his department cannot enforce the no trespassing without the survey done. He cannot get into his property from his driveway, that's why he has taken the

fence down. It is a complicated piece of property. There is a piece the state owns, and it is surrounded by other property owners.

Selectman Mooney Inquired about the timeline for the survey and Alan Hanscom with DOT responded that the survey should happen this week or next and then should be completed within a month or so. Selectman Mooney asked if a fence will be installed this fall; Alan responded that it will be a standard wire fence and it will be installed this fall. Discussion followed regarding how the DOT would know if the fence were tampered with in the future to which Alan responded that they would have no way of knowing who tampered with it. Notice of the survey was sent to the tenant and the property owner.

Code Enforcement Officer Mark Ekberg noted that he has spoken extensively with Laurel Pushy at DES at length about another property and they will only get actively involved if there is a water sample done by the town or property owner. They suggest fines and or going through the courts.

Fire Chief Newhall recommends that the Town adopt the International Property Maintenance Codes which would give the department and the Town greater leverage in these types of situations; TA Beaudin explained that the Planning Board would need to consider the adoption at a Public Hearing and then the matter could be brought forward to the voters at Town Meeting.

Selectman Pike noted that he believes there are several people living there, there is activity on the property at night and the trailers on the property certainly must be in non-compliance.

Building & Grounds Patrick Golden noted that at the time the property was taken for tax deed, the area upstairs in the garage was all partitioned off as an apartment.

Fire Chief Mike Newhall explained that the Town could get an administrative warrant however in NH your home is your kingdom and if you want to live in squalor, you can.

Fire Chief Mike Newhall stated that his department needs the complaints in writing, so it is easier for us to enforce.

Building Inspector Russ Wheeler noted the Selectman have all the right to write a letter for concerns on properties.

Code Enforcement Officer Mark Ekberg explained that to the best of his understanding there are no laws against how many people living in 1 bedroom. DES wants to revert to fining and get them in front of a court.

TA Beaudin Explained to the Board and those present that the property has been discussed numerous times at public meetings and she does believe any further written complaints from others are necessary, we should proceed based on what we know.

Assistant Fire Chief Deborah Black suggested that as the property is a rental, the Town could start there with Code Enforcement. They can stay in campers for a certain number of days. The health issues are not a main issue, but it is a fall back. It has to start with Code Enforcement and start the notifications.

TA Beaudin recommends that a letter be sent to the property owner as it is their responsibility and she also suggested that a visit with the owner would not be the best way to proceed in this matter.

Code Enforcement Officer Mark Ekberg explained that when he has had discussions with property owners most want to defect and point fingers at other property owners. On my end the complaint will be drafted tomorrow.

Selectman Pike moved to proceed with enforcement of the obvious violations on the property; Selectman Patten seconded, and the motion passed unanimously.

TA Beaudin Recommended that the Land Use file be reviewed to determine if there is a septic design plan on file; the property assessment record shows the building has 3 bedrooms.

### **Public Health Regulation**

TA Beaudin explained that at the Board's last meeting they had discussed going back to a mask mandate. NHMA recommends the board adopt a health regulation. We did post a notice last week in an attempt to get people to wear masks when entering TH.

Fire Chief Mike Newhall explained that we are presently in an area of high transmission. We have 26 known cases in Belmont. The Library Trustees will need to make their own decision. I had been asked to reach out to the EMS community by Concord Hospital. They do not have the employees to handle the patients coming in. We are entering into flu season, and I believe this needs to come into place.

TA Beaudin noted that if the Town is going to require masks in its buildings and that other boards and committees wear masks, a Zoom meeting option has to be available for those not wanting to wear masks.

Selectman Mooney moved to adopt a mask requirement in all Town Buildings in accordance with guidelines suggested by NHMA and following discussion with the Town's Fire Chief/Asst Health Officer; the motion was seconded by Selectman Patten and the motion passed unanimously.

### **Old Business**

#### **New Hire Vacation/Sick Language Proposal**

TA Beaudin reviewed the proposed language relative to the adoption of language addressing vacation and sick time for new hires. She noted that many communities across the State have done this in attempt to bolster the ability to hire and retain good employees. A brief discussion followed regarding the differences in the probationary periods for non-certified police and fire department members. Selectman Pike suggested that the language be different for each and also that perhaps it be left to the discretion of the Department Head. TA Beaudin explained that it could be problematic to do so because of the union contracts. Building and Grounds Supervisor Patrick Golden suggested that perhaps it could be done on a % basis. TA Beaudin will review options and speak with Town Counsel on the best language to address the change and will bring it back to the Board for adoption. She suggested that the policy be retroactive to April 1, 2021, although she noted we did have one new hire in late March, so it might be best to go back to January 1, 2021.

**Non-Public Session**


Chairman Ruth Mooney moved to enter non-public session in accordance with RSA 91-A:3 II (c) at 10:18 p.m. Roll call was taken and those present and voting were Ruth Mooney, Jon Pike and Claude Patten. Also, present were TA Beaudin, Police Chief Mark Lewandoski, and Assistant Town Administrator Alicia Jipson. The Board came out of non-public session at 10:44 a.m.

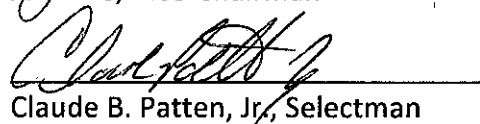
The employee promotions discussed with the Board will be effective as of October 13<sup>th</sup> and a notice of the event will be provided to the Board so that they can attend.

TA Beaudin provided the Selectmen with an overview of the recent matter involving a flag located in the ROW at 83 Bean Hill Road. The Town had received a complaint regarding the language contained on the flag and the homeowner was asked to move the flag back from the ROW onto his property, he was not asked to take it down. The request raised a number of questions from community members and others on Facebook and as you know the Board received phone calls expressing concern that the Selectmen were trying to enforce removal of flags from in front of people's homes. TA Beaudin again reiterated that the request had been to move the flag with the inappropriate language back from the ROW. At this time the Board made it clear to TA Beaudin that they would not pursue the removal of flags in the ROW unless they cause a public safety issue, impede road maintenance, or repair, or restrict other permitted uses of the ROW. TA Beaudin will advise Code Enforcement that the matter on Bean Hill is to be tabled.

The meeting adjourned at 11:15 a.m.

  
Ruth P. Mooney, Chairman

  
Jon Pike, Vice-Chairman

  
Claude B. Patten, Jr., Selectman