



Office of Board of Selectmen

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Selectmen's Meeting Minutes

Wednesday, December 20, 2023, 10:00 am
Belmont Mill, Corner Meeting House Room

Present were Chairman Ruth Mooney, Selectman Jon Pike, Selectman Claude "Sonny" Patten, Jr., Selectman Travis O'Hara, TA Alicia Jipson, Assessing Admin Colleen Akerman, Town Planner Karen Santoro, TC/TC Jennifer Cashman, DPW Director Craig Clairmont, Fire Chief Deb Black, Building & Grounds Supervisor Patrick Golden, Parks & Rec Director Danielle St. Onge, Planning Board Member Kevin Sturgeon, and Cemetery Trustees Hilary Horn and Kyle Dodge. Via Zoom was Selectman Sharon Ciampi.

Those present stood for the Pledge of Allegiance.

Review & Approve Minutes – 12/06/2023:

Selectman Sonny Patten moved the minutes of the meeting held on December 6, 2023 as written; seconded by Selectman Jon Pike. Motion passed unopposed (4-0).

Selectman Travis O'Hara moved to allow Selectman Sharon Ciampi to participate remotely via Zoom; seconded by Chairman Ruth Mooney. Motion passed unopposed (4-0).

Public Hearing – Accept Special One-Time Highway Payment (SB 401):

This public hearing is held in accordance with RSA 31:95-b, III (a), to accept \$54,833.27 in funds from the State of New Hampshire's Special One-Time Highway Block Grant payment in accordance with Senate Bill 401; payment for maintenance, construction and reconstruction of Class IV and V highways.

Chairman Mooney opened the Public Hearing at 10:01 am.

There were no comments from the public.

The Chairman closed the public hearing at 10:01 am.

Selectman Pike moved to accept unanticipated revenue of \$54,833.27 from the State of New Hampshire's Special One-Time Highway Block Grant Aid, in accordance with RSA 31:95-b, III (a); seconded by Selectman O'Hara. Roll Call 1: J. Pike – aye, S. Patten – aye, T. O'Hara – aye, S. Ciampi – aye, R. Mooney – aye. Motion passed (5-0).

New Business:

Selectman Sharon Ciampi stepped down from the Board.

Abandoned Cemeteries/Public Notice – Candace Daigle & Cemetery Trustees:

TA Alicia Jipson said the Board received packets with the RSAs and some emails from Candace Daigle regarding the process of abandoning cemeteries.

Ms. Candace Daigle gave a presentation about burial grounds in New Hampshire, how they are governed by law, and what the Town can do to protect burial grounds. Ms. Daigle provided the following information:

- Private burial grounds are owned by the descendants of those buried there, not the land owners; which is similar to an easement. They are separately managed and owned and governed by separate laws.
- State statutes dictate what you can and can't do, but they don't have lots of instruction on how to do things. The Best Management Practices come from the NH Department of Justice's Terry Knowles, who has 40 years as a BOS member and is also a Cemetery Trustee.
- Tax maps show a 25' setback for any burial grounds plotted because there is no other place to see that. They have separate tax map/lot numbers because they are separately owned. New property owners do not affect the ownership of cemeteries/burial grounds. Placement of the burial grounds on the tax maps also helps them to be regulated by zoning.
- If the BOS declares these cemeteries abandoned, it gives them power to grant access for maintenance or visiting and gives them the same rights and obligations as descendants of those buried there, while keeping them private.
- Our forefathers thought these rights were important and expressed that through RSA 289. Nowhere else can a Town find private rights abandoned, and assume them for themselves in a public hearing.
- Over the years, ownership of cemeteries becomes diluted, and descendants become physically distant from the area, and then there is no one left to speak for the people there and provide protection and maintenance.
- The ultimate protection for cemeteries and burial grounds is no disruptions. Acceptance of the cemeteries by the BOS will guarantee protection of the sites in perpetuity.
- The Town's Master Plan speaks to protecting and preserving natural, agricultural and historic features, which in a broad way, speaks to our cemeteries.
- Town ownership of cemeteries and burial grounds allows the BOS to assume all of the rights and obligations of the owners. As owners, the BOS would have a seat at the table when something comes up such as development of a lot or expansion of roads, etc. An owner's comments carry more weight. RSA 289 shows the value of this, and it is the last logical step in the process to provide complete care. There is no obligation for the Town to maintain an abandoned cemetery, but now they would have the right to protect those grounds. This process is in place to protect those who are buried in cemeteries and burial grounds.

- If any descendants respond to the public notice, and can say that they understand their responsibilities, the BOS can choose to not accept those grounds. A neighbor or landowner does not have those rights.
- Cemeteries are a benefit to the Town because they are community-enhanced based activities. There is no way to calculate the benefit, but it is along the same lines as Old Home Day, the Beach, the Memorial Day Service, etc.
- Cemeteries and burial grounds are non-taxable, but do not take away from what a property owner owns. It is similar to an easement.
- It is often difficult to discern if and where bodies may be buried. The use of ground-penetrating radar could be used to make that determination if necessary. This would typically be for the type of situation where a descendant wishes to be buried and the location of bodies is unknown. At that time, it would be the descendant's responsibility to pay for that type of service if required. There would be no expense to the Town. If the Town chooses not to sell burial plots at these sites, there would be no need for any type of ground-penetrating radar use.
- Fences are not required.

Cemetery Trustee Hillary Horn stated they are working hard to research and find all of the records for the cemeteries. Cemetery Trustee Kyle Dodge reported they are working on finding someone to match some fencing and posts at the cemetery on Hoadley Road and Route 107. Ms. Daigle said she hopes the Board makes a decision based on the need to protect these sites and not based on any other cemetery-related issues. This is important and the people of our state think it is important. Ultimately, the BOS has control of the budget. There may be other issues but they are separate from this. Cemetery Trustee Sharon Ciampi reported that the most recent cemetery they located is not marked and it has been neglected for a very long time. Chairman Mooney stated if we don't declare them abandoned, the Town has no rights to protect the sites, and someone could go into a cemetery with an excavator or dig it up. Trustee Ciampi noted that stones from a Belmont cemetery were used to construct the foundation for a house, and then the house was demolished before the stones could be retrieved. They have now disappeared.

Selectman O'Hara stated if the Board allows the public notice, they can still choose to not accept the site(s) at the public hearing. There was discussion about the timing of the notice and it was agreed that mid-January would be a good time for the notice to be posted.

Selectman O'Hara moved to proceed with posting a Public Notice to declare the seven identified cemeteries as neglected/abandoned; seconded by Chairman Mooney. Roll Call 2: T. O'Hara – aye, S. Patten – aye, J. Pike – aye, R. Mooney – aye. Motion passed (4-0).

Selectman Ciampi rejoined the Board.

Online Burn Permit Option:

Fire Chief Deb Black explained the state offers an online burn permit option with a \$5.50 convenience fee; which only goes towards maintaining the website that hosts the permit

function. This option would not take away the choice to get a permit in person at no cost. As long as the affidavit is signed it is legal. Landlords can process permits online for tenants as well. There is no cost to the Town.

Selectman O'Hara moved to allow online burn permits through the State of NH Division of Forest and Lands; seconded by Selectman Pike. Roll Call 3: S. Patten – aye, S. Ciampi – aye, J. Pike – aye, T. O'Hara – aye, R. Mooney – aye. Motion passed (5-0).

Fire Department Request for ATV Trailer Purchase from Emergency Management Funds:

Chief Black proposed purchasing a new ATV trailer using Emergency Management funds rather than including it in the CIP. There is \$5,000 in the fund that can be used. The current trailer is only rated for 2,000 lbs. and their Kubota is 2,300 lbs. The new trailer would be rated for 5,100 lbs. It could be used for the ATV, small boats, setting up barriers and signs and more. There was some concern about how the trailer is constructed but Chief Black said she will ensure that the trailer is well maintained.

Selectman Patten moved to allow the purchase of an ATV trailer in the amount of \$4,500.00 for the Fire Department, with funds to come from the Emergency Management Fund; seconded by Selectman Pike. Roll Call 4: T. O'Hara – aye, J. Pike – aye, S. Ciampi – aye, S. Patten – aye, R. Mooney – aye. Motion passed (5-0).

The other trailer and a pickup bed will be auctioned, with funds going back into the General Fund.

FEMA Christmas Storm 2022 Relief Award Acknowledgement \$11,561.21:

FEMA will be awarding the Town of Belmont \$11,561.21 in funds from the Christmas Storm 2022 Relief Fund, which is 75% of the Town's request. The funds will need to be accepted at a public hearing. They are waiting for more to be approved but some items did not qualify because the threshold was not enough. There is lots of paperwork. DPW Director Clairmont said the department now proactively documents things in case they are needed for something like this in the future.

Acknowledge State of NH Special One-Time Bridge payment \$41,267.12:

TA Jipson reported the State is giving the Town a one-time bridge payment of \$41,267.12. A public hearing is not required; only acknowledgement of the acceptance of the funds. The funds will be allowed to lapse into the unexpended fund balance and a 2024 warrant article will ask for the funds to be placed into the Bridge Capital Reserve Fund.

2023 Encumbrances:

The Board was provided a list of encumbrances for 2024. These are funds that have a designated 2023 purpose or the bill hasn't come in yet but they need to be part of the 2023 budget. The numbers may change slightly at the beginning of the new year, and an update will be provided. There are not many for the General Fund, but there is one for the ambulance, and one for the Engine 1 refurb and some for grants.

Chairman Mooney moved to accept the 2023 encumbrances as presented; seconded by Selectman Pike. Roll Call 5: S. Patten – aye, J. Pike – aye, T. O’Hara – aye, S. Ciampi – aye, R. Mooney – aye. Motion passed (5-0).

130 Depot Street Proposed Order:

The judge recently did a site visit and then everyone went back to the court for a small trial. Our attorneys proposed offering the owner one more chance to fix things before May, but the judge will still need to approve that proposal. If the owner has not cleaned up before the deadline, the Town would complete the cleanup and the owner would be responsible for the cost and civil penalties of \$275/day since 11/14/2022, which could be awarded by the judge. We will need to wait to hear back from the judge if the proposal is approved or not.

Other New Business:

TC/TC Office Update:

Town Clerk/Tax Collector Jennifer Cashman provided an office update. As of today, we have collected 92% of the tax commitment. There is only \$1,000,000 outstanding from this commitment. The two new assistants are working out well but will need to do online training for the upcoming elections. The NH Votes people have been very helpful. There were questions about the new law regarding affidavits to vote without identification and TC/TC Cashman said that she will do some research on it because she is not familiar with it.

BTLA Abatement Settlement Agreement:

TA Jipson included a copy of an abatement application and potential BTLA Settlement Agreement in the Board’s packet. KRT and the homeowner worked out a settlement with an appeal value of \$61,800 for 2022, 2023 and 2024. TA Jipson is not apt to recommend accepting a multi-year agreement. The value is down from \$98,000 to \$61,800. 2022 would be acceptable, but 2023 and 2024 are questionable, particularly because these are sales update years. The Board was not amenable to the agreement for multiple years and also because of the property location.

Selectman Pike moved to deny the abatement settlement agreement as presented; seconded by Selectman O’Hara. Roll Call 6: S. Ciampi – abstain, J. Pike – aye, S. Patten – aye, T. O’Hara – aye, R. Mooney – aye. Motion passed (4-0-1). S. Ciampi abstained because she did not have paperwork to review.

The Board asked TA Jipson to let KRT know that they would agree to the value for 2022 but not for 2023 and 2024.

Old Business:

Other Old Business:

Mill Update:

B&G Supervisor Patrick Golden reported the state inspected the elevator a week ago and found 5 issues. Four were small, easy fixes but one required the vendor to order additional

parts. The problem is the communication between the old and new fire systems, which need to work together. It is a safety issue and they have to wait on the parts.

The sprinkler heads in the Mill are circa 1997. They are supposed to be replaced after 20 years. A report was completed on the system and multiple requests have been submitted to get pricing for the work. Bonnette, Page & Stone and their vendor who did the work on the 4th floor are working on some pricing. The suggested approach is to replace the heads on the 1st floor that have corrosion, but wait to replace those on the 2nd and 3rd floors until renovations are worked on. There are also heads above the drop ceiling, so much of the system is hidden.

Mountain Lake Update:

Selectman Pike asked about the status of Mountain Lake's intermunicipal agreement. TA Jipson reported that the agreement has changed from sewer connections to septic and that she and Town Planner Karen Santoro are working on it. Selectman Pike has concerns about the roads and how the Town of Belmont can ensure the roads are built to the proper specifications and not just built for Laconia's specs. A third party would be hired for those inspections, which would be paid for by the developer through an escrow account. It is one of the conditions of the Belmont Planning Board approval.

Public Comment: None

Next Meeting Date: Wednesday, January 3, 2024 at 10:00 am.

Selectman Ciampi was disconnected from the meeting.

Non-Public:

Chairman Mooney moved to enter non-public session in accordance with RSA 91-A:3 II (a) at 11:14 am; seconded by Selectman O'Hara. Roll Call 7: T. O'Hara – aye, J. Pike – aye, S. Patten – aye, R. Mooney – aye. Motion passed (4-0).

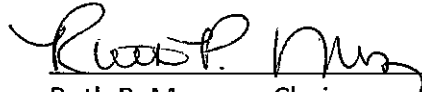
Those present and voting were Chairman Ruth Mooney and Selectmen Jon Pike, Claude Patten, Jr., and Travis O'Hara. Also present were TA Alicia Jipson and Assessing Admin Colleen Akerman.

The Board discussed options for scheduling a non-meeting with our Town Counsel with regards to a personnel issue. No decisions were made.

Selectman Pike moved to exit non-public session at 11:18 am; seconded by Selectman O'Hara. Roll Call 8: J. Pike – aye, S. Patten - aye, T. O'Hara – aye, R. Mooney – aye. Motion passed (4-0).

Adjournment:

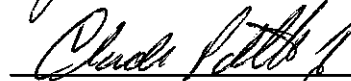
Chairman Mooney moved to adjourn the meeting at 11:19 am; seconded by Selectman Pike. Roll Call 9: S. Patten – aye, T. O’Hara – aye, J. Pike – aye, R. Mooney – aye. Motion passed (4-0).



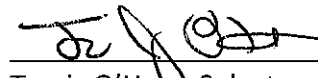
Ruth P. Mooney, Chairman



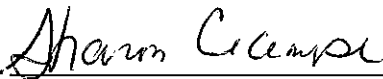
Jon Pike, Vice Chairman



Claude B. Patten, Jr., Selectman



Travis O’Hara, Selectman



Sharon Ciampi, Selectman