

**September 10, 2013**  
**Selectmen's Meeting/Approved Minutes**

Present: Selectmen: R.P. McGinnity Chairman, C. Moser, B. O'Grady & A.A. Milkovits  
Also present: Deputy Treasurer Garth Fletcher and 4 residents

**Agenda:**

Meeting opened at 7:34 PM. The check manifest was reviewed and approved.

**Appointments:**

1. Darrell Jones, 130 Nutting Hill Road, met with the Board to discuss the complaints made by Keith Grimes, owner of Pickity Place and other concerned residents from Nutting Hill Road, Blueberry Lane, and Mitchell Hill Road. Selectmen Moser recapped the discussion from the last Selectmen's meeting. He explained that there were 15 angry people that were very upset about the activities at the Jones' property. They want a peaceful environment to live in. Mr. Jones also spoke of his previous issues with his abutters and other nearby property owners. There were complaints in 2010 about his bulldozer and backhoe working on his property and the noise from the bikes running on the property. At that time the Selectmen had sent the Building Inspector to inspect the Jones' property and take photos from different angles to show the proximity to Pickity Place. From the photos and Mr. Wilson's letter, it was apparent that Mr. Jones had tried to create a buffer between the properties to minimize the noise and dust to Pickity Place. Mr. Jones stated that recently Police Chief Hutchins had come to his property and also sat in the Pickity Place parking lot to respond to the complaints of noise. The Chief did not find that there was overwhelming noise at those times. The Jones had established a track on their property for one of their sons who is pursuing professional motocross racing. This activity requires a lot of practice. There were also complaints of a variety of different motors used on the bikes. Mr. Jones stated that there may be up to 4 bikes that may run on the track; his two sons and sometimes their friends. The track is not commercial and no payment is received by Jones for use of the track. Jones pays all fuel and other associated costs. As far as complaints about the variety of bikes, Mr. Jones stated that no pipes are cut off on the bikes, just normal exhaust systems. He also said the bikes primarily run on the weekends as that is the time his son has available for practices. And the four bikes are not all running at the same time. They may run for twenty minutes at a time. Other times his son and friends race their bikes on a track in Belmont. Mr. Jones reiterated that the noise is not directed towards the neighbors' property. Selectman Moser questioned the amount of work done on the Jones' property. Mr. Jones explained that he is also clearing his land for fields. He also stated that the Selectmen can do what they want but he is not breaking any laws on his property. Mr. Jones felt he is being harassed by his neighbors' constant complaints. The Selectmen suggested that the Jones meet with their neighbors to try to come to an amicable solution. They may need to a mediator to facilitate an agreement. Some of Mr. Jones' neighbors and abutters were present for this discussion. Chairman McGinnity explained that the next step should be to start a dialogue together without any preconceived ideas or agendas. Both sides should try to have some constructive discussion to work out this problem. Mr. Jones stated that he would

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be willing to meet with any of his abutters and left his contact information with the Selectmen.

2. Melissa Lieberman, 26 Abbott Hill Road, met to discuss a possible solution to her property tax liens. Her abutting neighbor wishes to buy a half acre of her property and is willing to pay for the lot line adjustment process to acquire the acreage. Ms. Liebermann explained that with the money from the land sale she would be able to pay off the 2010 tax lien and pay most of the 2011 tax lien with \$4,000 left from the sale. She is also planning on selling the rest of her property at some point. Her question for the Board was whether the Selectmen could release the lien on the half acre in order for her to sell that portion to her neighbor. The Board explained that there is no guarantee whether or not her lot line adjustment would be approved by the Planning Board. After more discussion, it was tentatively decided that the Board would release that portion of the property from the lien if the Planning Board approves the lot line adjustment. Selectmen will contact the LGC for a more definitive answer to her question. There was also a question on the survey requirement since that area had previously had numerous surveys done for past subdivisions. This may be verified by the Planning board upon her application for the lot line adjustment.
3. Fire Chief David Baker came to discuss a personnel issue. Chairman McGinnity made a motion to enter into non-public session for a personnel issue at 7:53 PM. This motion was seconded and voted in the affirmative to enter into non-public session. Present were Selectmen, Fire Chief Baker and A.A. Milkovits. A vote was taken to seal the minutes to protect the reputations of all individuals involved. Session ended at 8:04 PM.

**Selectmen reviewed the following:**

**Old Business:**

1. Re: Minutes – Motion was made, seconded and voted in the affirmative to accept the Staff Meeting minutes and the Selectmen Meeting minutes from August 27, 2013 as written.
2. Re: Complaint – 130 Nutting Hill Road - Residents inquired about response from town counsel on Article IV, Section C. Selectmen denied their request for information at this time.
3. Re: Walter Alford – letter from Attorney Hildreth – Chairman McGinnity made a motion to enter into non-public session for a legal issue at 8:13 PM. This motion was seconded and voted in the affirmative to enter into non-public session. Present were Selectmen and A.A. Milkovits. Decision was made and a vote taken to seal the minutes for an ongoing legal issue. Session ended at 8:25 PM.

**New Business:**

1. Issue at 24 Townsend Road – Bed and Breakfast and public fundraiser event on September 15<sup>th</sup>. Selectmen were made aware of the bed and breakfast business and proposed public fundraiser event to be held at the property at 24 Townsend Road. The owners will be sent a letter to cease and desist immediately the bed and breakfast business until they have a formal site plan approval from the Planning

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Board and a Special Exception granted from the Board of Adjustment. The business will require meeting life safety codes, adequate parking, etc. The owners will be cautioned to contact the town for any future plans for large public events to determine whether a police detail will be required.

2. WC claim – firefighter injured during training in State SCBA trailer.
3. From George Rendle, 425 Brookline Road – a request for the Board to place the Disabled Exemption on the 2014 warrant. Selectmen will contact Todd Haywood, town assessor for information on this exemption before making a final decision. Selectmen will send Mr. Rendle an acknowledgement of his letter.
4. From Town Assessor, Todd Haywood – Re: taxing Fairpoint Communications – Mr. Haywood will figure the value of the poles, conduits and easements of Fairpoint Communications for the 2013 tax assessment. The MS-1 will be revised to include Fairpoint in the town's valuation. This is the first year for
5. State Approved Septic Design: Bukofser, lot L-37-1, Townsend Road
6. Completion Certificate: Rodriguez, 28 Nutting Hill Road, A-21, deck
7. Electrical Permit: Fowler, lot K-36-1
8. Receipt of \$104.00 for sale of Highway scrap metal from Rte. 31 Money for Metals.
9. Planning Board minutes from August 28, 2013
10. Information and updates from HealthTrust and PLT: Receipt of \$8,000 from PLT for surplus contribution distribution.
11. From Auditor concerning revising MS-5 – due to a property in bankruptcy and the Tweedy property in tax deed status, the auditors will revise the MS-5 to reflect a decrease to the fund balance of \$23,000. This update has been given to the DRA.
12. From Mason Historical Society – request for town to paint the Historical room. After some discussion, it was decided that the Town will buy the paint but the Society may use their own volunteers to paint the room.
13. Other Correspondence:
  - From NH DMV – Official Audit Report of Municipal Agent.
  - From NH D.O.T.: list of public meetings to comment on transportation projects planned between 2015-2024.
  - From NH Assoc. of Assessing Officials – election ballot
  - Re: Joseph Iodice - Bankruptcy papers
  - Request from CASA for funding of \$500 in the 2014 town budget.
  - Other: Re: Building Inspector position - Marty Milkovits, Brookline Road expressed an interest in being an assistant to the Building Inspector and possibly in BI position if it's available. The Selectmen are not sure of the status of the present Building Inspector. At the previous staff meeting, Mr. Anderson mentioned that the position and his own business had gotten very busy and he was not sure of continuing as BI for more than six months. The Board will clarify his time frame. If the position is going to be open again, it will be advertised.

Meeting adjourned at 9:04 PM.

Respectfully submitted,

Barbara L. Milkovits

Administrative Assistant