



Selectmen Meeting 7/25/2017

Approved Minutes

**Present:** Selectmen Louise Lavoie, Bernie O'Grady, Charles Moser; Kathy Wile, Brenda Wiley; members of the public.

**Called to Order:** The meeting was called to order by Louise at 7:33 PM.

**Approvals:**

- Noted that Payroll and Accounts Payable Manifests had both been signed.
- Minutes of the July 11, 2017 BOS meeting were reviewed. Bernie found a typo to correct on p 2 "cold" should be "could". No further errors noted. Charlie moved to accept the minutes as amended, Bernie seconds, 3 votes to accept minutes of 7/11/17 as amended.
- An intent to cut was reviewed, no questions asked, and was signed by selectmen.
- A report of cut, with a revised assessment by the Town Forester, was reviewed. Difference in values was about 50%. Modified assessment was signed by Selectmen.

**New Business:**

- Town Clerk Deb Morrison explained she has been getting many calls asking about OHRV's riding on Class VI roads, and wanted to be clear on the correct answer to give them. Whether or not laws for Class V and VI roads were different was discussed, and Officer Thompson clarified people cannot drive unregistered vehicles on Class V roads. Selectman Moser clarified that the Town does not own the road, as in the property, but owns the right of way. The public's right to pass overrides ownership, but only in an allowed way. He will find the statute that clarifies that and get it to Deb to share with people that ask.
- The amount of the Special Highway Grant approved in the new state budget was determined to be \$65,097.24. Questions from BOS included restrictions on use, date of release of funds, and need for a hearing to accept the funds. Following answers to those questions, BOS will meet with the Road Agent to discuss potential projects to supplement the projects already in the budget. Kathy will get the information from NHMA and report back.

**Public Hearing** regarding a change of speed limit on Mitchell Hill Rd was opened by Louise at 8:01 PM. By way of history, she explained that a resident of the area had come to a BOS meeting in early June requesting the speed limit be lowered from the town-wide limit of 35 mph to 25 mph due to the condition of the road and the number of children in the area. Officer Aaron Thompson was joined in the conversation as a representative of the Police Department. He said the PD position was that, in their driving training, they are taught that dirt surfaces should always be driven at a slower rate of speed, and paved road maneuvers do not work effectively on them. Driving a dirt road at 35 mph was pushing the limits of control. Louise reported that her conversation with Chief Maxwell indicated that 25 mph was a reasonable rate of speed, and he supported a decision to lower the speed limit. Speed limit signs would be posted facing both directions. There being no further conversation, Louise moved to accept the following ordinance:

“By the authority conferred upon the Selectmen under RSA Chapter 31, Section 39, and RSA 265, Section 63, the Board of Selectmen:

Find upon the testimony of the Chief of Police that the prima facie statutory speed limit of 35 MPH on Mitchell Hill Road is greater than is reasonable and safe under the existing conditions of said way, and therefore;

Declare that the speed limit on said Mitchell Hill Rd shall be 25 mph, effectively immediately, and: Direct that the Road Agent shall adequately post and maintain signage to notify vehicle operators of said speed limit.”

The motion was seconded by Charlie, three votes in the affirmative to adopt said ordinance.

Selectmen signed the ordinance, then added that the Road Agent should hold off on ordering “Slow, Children” signs as well.

Hearing was closed at 8:14, and the scheduled BOS meeting continued.

### **Old Business:**

- Grant writing proposal had not been reviewed by all selectmen, so was deferred until the next meeting for discussion.
- Conservation Commission Policies on use of OHRV’s and PMD’s on the Rail Trail had been found to not been commented on by town counsel. Charlie proposed amending the existing ordinance to include the language of the CC policies would be the best approach to avoid duplication and promote clarity; he will write an amended ordinance to bring back to the BOS for consideration.

### **Informational Items/Communication:**

- A copy of a letter of congratulations to HD employee Roy Lundstedt on achieving Roads Scholar status had been received. BOS felt a letter from them would be an appropriate acknowledgement.
- A copy of a letter regarding firearm certification for Chief Maxwell had also been received.

### **Public Forum:**

- Mike and Cheryl Davieau, abutters to the Driving Range, were asked for their input on the conversation BOS would have in non-public session regarding the live music being offered at the Driving Range. They expressed concern that it was in violation of the stay currently in place; selectmen felt it within the use of that building as a restaurant. Concerns about building permits and occupancy permit were also expressed, and the Davieaus asked when they could know of the outcome of the BOS discussion. BOS will notify the town’s attorney, and he will share with their attorney.

It was added by BOS that there had not been any noise complaints the preceding week, nor was it very heavily attended according to report by Chief Maxwell.

- Road Agent Dave Morrison added that, due to weather, the pavers were behind, and paving would begin Thursday instead of Wednesday, and continue Friday or Saturday depending on weather. He was advised to watch his overtime budget, and he replied his staff would be taking the day off on Weds to avoid the overtime.

**Non-Public:** Louise made a moved to enter non-public session, second by Bernie. Roll call vote to enter non-public session by reason of RSA 91-A:3,II(c) and (e) was taken, all three selectmen voted to enter non-public session at 8:32 PM, to discuss personnel policies and current litigation.

Returned to Public Session at 9:24 PM, Louise moved to take a roll call vote to seal the minutes of the NP session because it was determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of this board. Second by Charlie, roll call vote was 3 yes to seal the minutes.

**Adjourned:** Motion by Louise, second by Bernie to adjourn the meeting. Three votes to adjourn at 9:25 PM

Next scheduled meeting will be Tuesday, August 8, 2017 at 7:30 at the Mann House.

Respectfully Submitted,  
Kathy Wile  
Administrative Assistant