Town of Tilton
September 6th, 2001
Board of Selectman's meeting

Minutes of September 6th, 2001

Present from Board:

Chairman Brown, Selectman Plessner, Selectman Dawson, Selectman Manseau, and Selectman O'Leary.

Also present, Town Administrator Alice MacKinnon, and secretary Catherine A. Woessner.

Chairman Brown called the meeting to order at 6:00PM.

Chairman Brown asked to make a correction in the minutes of August 16th, 2001 on page three the word should be fencing not ending. Selectman Plessner asked to have a correction made on page one, item two, should read 'not' receive a letter. Selectman Plessner made a motion to accept the minutes with the changes as pointed out. Seconded by Selectman O'Leary. All were in favor except for Selectman Manseau who abstained from voting as he was not here.

Old Business:

1. Window project, paint color has been selected in a semi-gloss finish. Things are progressing well on this project.

2. Brownsfield Program: Alice has not heard anything since the representative from G.Z.A. came and went through the files and took copies of what he needed.

3. Auction House: Selectman Plessner said he talked to Chief Petrin and he will write a letter to the owner.

4. Letter of support, Winnipauskee Trail. Alice wrote the letter of support. Selectman O'Leary would like to have Mr.Norton attend a Board of Selectman's meeting to discuss phase 11 of the project. The Board was in agreement.

5. J.R.Morgan property: Regarding the easement. A corner of the Town Hall building is on Joanna Oliver's property (1875 Inn) according to the surveyor that Joanna hired to do this. She is giving the town an easement. Attorney Chandler cannot handle this. It will be handled by Attorney Mark Puffer.

Chairman Brown informed the Board that Selectman Plessner has done research and has come up with a possible design for phase I Pavilion of the park. The design does not include treatment for the bell and this should be discussed. Selectman Plessner said this was a copy of a design that someone left on his desk and gave him the idea that using a concrete slab with brick stanchions. They would be practical and reliable as far as maintenance and very little negative effect from weather. Using a six inch slab would be very little work to do to comply with the A.D.A.

Selectman Plessner also said that there can be additions of a brick wall around and flower pots. It was also suggested that we create something in the middle of this to set the bell on so
that it would be on display in the middle of the floor. Selectman Plessner asked Selectman Dawson if she could come up with a figure for the concrete work. She will check into it and get back to the Board. The Board discussed the placement of the bell in the center of pavilion or to have the bell in it's own building with a walkway to the pavilion. Chairman Brown suggested to continue working on the sketch and try to come up with place for the bell and also a cupola for the pavilion. Chairman Brown said that after the estimate for phase I is completed hopefully they will have a committee to carry on with this project. The committee will answer to the Selectman for final approval. Selectman Manseau asked if they have approached the State regarding the sidewalk and walkway that was in the design. Alice will contact the State. Chairman Brown asked the Board if a local engineer can put this together. The Board agreed they need to have a drawing first. The Board agreed to each sketch their own ideas and discuss it at the next meeting.

Selectman Manseau asked if the overhang at Cranky Yankee is within their property lines. Selectman Plessner said it is and is not a problem as there are no setbacks in this district.

Chairman Brown asked Alice to fill the Board in regarding the Tilton-Northfield transfer station. Alice said she met with Mike Sampson and Albert Cross, Road Agent in Northfield in early August. At that time Mike Sampson, head of the Northeast Resource Recovery said he would give the town in writing a proposal of what needed to be done to the Northfield recycling center to enlarge it enough so that we can use it. We have not received the report yet. Alice talked to him again and he said he sent it out. The Board asked her to schedule a meeting with the Northfield board in anticipation of receiving this report. Northfield Board meets on Tuesday, so Alice will schedule the meeting for September 18th.

Chairman Brown asked about Squantum. Alice informed the Board that there is now a problem. Alice said a crate was supposed to be built for Squantum, the crate delivered and then Squantum would be put into the crate and delivered to Maine. Mr. Border who is doing this now informs Alice that he wants to wrap Squantum and put it in his pickup truck and driven to his place so he can measure and build a crate properly. Once that it done it will be moved to his place in Maine. Alice does not think this is a good idea to move Squantum so many times. Alice also informed the Board that they have missed the opportunity to have the crane lift Squantum. The Board discussed having it lifted with the town loader. Alice said she will consult with the person who is going to do the restoration and ask his opinion of how Squantum should be handled.

Under new business Chairman Brown informed the Board that he spoke with Gayle Twombly who heads the Main Street subcommittee. She asked if the Board would authorize Alice to write a letter to D.O.T. to ask them to move Squantum from his original designated position up closer to the road so he is in front of the Blue Spruce Tree.

Chairman Brown spoke To Tom Ursia who said the Board of Directors favors leaving Squantum where originally planned. The Board discussed this and agreed to go along with the Board of Main Street Directors and leave Squantum where originally planned.

Selectman Manseau made a motion to go along with the original plans for the statue and the tree, seconded by Selectman Plessner. All were in favor.

Chairman Brown asked Selectman Manseau if he had any news on the Ballpark. He said they are just waiting for the Church to pass the paper work along. Selectman Manseau asked about the two dirt piles on the Tannery site and asked where it came from. Chairman Brown will have Dennis look into it. Selectman Manseau also asked if a letter was issued to Mr. Jordan regarding his class VI road. Alice said she asked Attorney Chandler to draw a letter...
up where Mr. Jordan releases the town of any liability and is recorded at the registry. Selectman Manseau said the road is open.

Selectman Dawson asked if Russell Drew was issued his junkyard license. Selectman Plessner said he has. She also has received several complaints that people cannot hear the Board of Selectmen's meetings on the recording. Selectman Dawson has called Great Northern Video a number of times and they have not gotten back to hear. She also talked to Peter at Public Access T.V. and he said a microphone can be purchased that would sit on the table. Selectman Dawson will get prices and get back to the Board. There is $1,100.00 left in the budget for this.

Under new business Chairman Brown asked Alice to inform the Board of the letter from D.O.T. concerning the left over building of the Park Street Bridge Project. Chairman Brown said they are making it available to the town, as first bidders if we are interested. Alice informed the Board that she thinks the town should be interested in this offer and negotiate with the State and purchase the building and renovate it into rest rooms and into a police sub-station. Alice said when they had the walking tour through town, two things were recommended. 1. He said it is bad when the Police leave the downtown area and it is bad for the downtown businesses. Any downtown area that is going to be successful needs to have restrooms. Chairman Brown said there is also the possibility that if the sub-station does not need the whole side they might put an office in for Main Street Program. Selectman Manseau said if it is used as a police sub-station there may be Federal Funding to establish that. Alice will talk to Chief Chase about it. Selectman Manseau made a motion to have Alice respond to D.O.T.'s letter to let them know the town is interested, seconded by Selectman O'Leary. All were in favor.

Chairman Brown discussed a letter from Sandy Plessner, Land Use office regarding fee increases for the application process for the Boards. She indicated that advertising costs have gone up. Chairman asked the Board how they feel about this. Chairman Brown made a motion to approve the request with the recommendation that the Land Use office advise the Board of any changes, seconded by Selectman Manseau. All were in favor.

Police Chief Chase joined the meeting. He informed the Board of the accident involving a law enforcement official from Belknap County Sheriff's office. She died in the accident. The wake is today and the funeral tomorrow.

Chief said he will be relieving some of the pressure for dispatching. They will be dispatching themselves for Thursday and Friday for 16 hours a day instead of eight hours.

Chief reported that the Park Street Bridge is open, but only one lane. Chief Chase said he has not had any response regarding the lights. Alice said the temporary lights that are up now belong to Piper Construction and will be taken down when the project is complete. Alice will call the Commissioners office and Ray Burton. Chief Chase said he recommends keeping the lights up. Chief Chase said the official open day is April, 2002. Chairman Brown asked Chief Chase if he had any estimates on the hand held radar unit. Chief reported that he has a few estimates and is talking to other departments to see what they have. Chief said he is looking at both laser and radar, the laser being the most expensive. Chief has also reported that the State Police have been visible through out town. Selectman Manseau asked if Dennis has worked with him on the additional parking spaces at the Police parking lot. Dennis said right now it is the time factor, but will work with Chief Chase on this.

At 7:00 Chairman Brown called the Public Hearing to order. The Public Hearing is to update Traffic Ordinances for the town. They will be looking at the revision that Chief Chase has provided. Chief has offered to go through and highlight the areas that were proposed to be
Chief Chase explained that the rewriting of the Ordinances is a housekeeping action because there were some things that needed to be changed as this Ordinance has been in effect since 1984. The whole structure of the Ordinance has not changed. The new Ordinance consists of certain omissions, a couple of additions.

The deletions are in the definitions.

1. Deletion of the definition of 15 minute parking as there is no place in town that has 15 minute parking so that was deleted.

2. One hour parking, no place in town with one hour parking.

3. Article III, section 15: Police Parking Only in the Municipal Parking Lot was deleted as the Police Dept. moved to a new station.

4. Article III, section 17: Parking prohibited at the Post Office on Prospect Street deleted as there is a new Post Office.

5. Article IV, section V: Selectmen's responsibility to provide parking tickets and the Town Clerk's responsibility to keep records of those parking tickets and collect fines. That is now the responsibility of the Police Department.

One of the changes made is Pleasant Street to Academy Street since the 911 implementation.

One of the additions, Article II, section 7 added the device Rollerblades to bicycles, skateboards, and scooters and defined Rollerblades in the definition section. These devices were not allowed from the intersection of Park and Main and Prospect down to School Street. Chief said it now includes the intersection of Mechanic Street. Where there were skateboarders and rollerbladers in front of the Town Hall, now all the way to Mechanic Street, those devices will not be allowed on the sidewalks.

Chief Chase said these are all the changes. Chairman Brown asked the chief about the sign across from the bridge that is faded and says 'No Bicycles Beyond This Point'. There is nothing at the other end of town.

Chief explained that it does not say where, bicycles are allowed beyond that point on Main Street. Chairman Brown asked if this is accepted does this mean we need new signs at both ends of town. Chief said he would be one hundred percent in support of that.

Chairman Brown asked if there were any other questions from the Board members, being none he opened it for sentiment from the public.

Arthur Fecteau asked Chief Chase about the wording in Section 4, Traffic Signs and Signals. Mr. Fecteau said regarding the stop signs type and size approved by the State Highway Commissioner, he is under the impression that there is now a new law that the Selectmen have the option to change the type and size of stop signs. Chief Chase said he would think we would want type and size to be standard. Chairman Brown agrees with Chief Chase to stay as standardized as possible.

He also asked about Section 8, Audio Equipment Restrictions. He said he was led to believe that the police dept. was using this but it was a State law that you were using that was on the books. Chief Chase explained that this was an ordinance that was enacted and was borrowed...
from Old Orchard Beach. It was from the vehicles that had a habit of turning up the audio devices in their car to such an extent that it bothered the personal space of people around that vehicle. The moving car was not such a problem, it was the person in parking lots as you could hear them 100 yards away. This ordinance leaves a lot up to the discretion of the officer. It can only be used under those circumstances where it is not quite disorderly conduct, but almost is. This would be an ordinance that could be used. This was done when the boom box fad was huge. Chairman asked about Section 6, C, if the sentence would have any greater meaning if the word 'only' was added to the sentence. He asked if that would add anything to the sentence or not. Would it be more correct to say on its rear wheels only or is it fine the way it is. Chief Chase said this would also deal with motorcycles and a conventional wheelie. He said by what Chairman Brown is suggesting is making it more restrictive but you are leaving out an important violation.

Hearing no other comments regarding the Ordinance Chairman Brown asked for a motion to accept the proposed Traffic Regulations, Town Ordinances. Selectman Plessner made a motion to accept the ordinances as drafted, seconded by Selectman Manseau. All were in favor.

The Public Hearing was closed at 7:24PM.

Chairman Brown informed Chief Chase that the Board received a letter from D.O.T., allowing the town to make first bid on the two office spaces in the building next to Video Vendor. Alice suggested purchasing it to use one half of it for Public Restrooms and the other section for possibly a police sub-station. Chief Chase said he would not be against it for visibility purposes. Chief said he would like to look at his statistics first and will get back to the Board.

Dennis Allen Public Works Director joined the meeting. He asked the Board if a date has been a date set on the closing of the Transfer Station. Alice said not at this time as they are waiting for a report from Northeast which should be coming in tomorrow. Dennis said he needs at least a week or week and a half notice to clean up.

Dennis updated the Winter Street situation. He informed the Board that the last time the individual was at the dump was on August 4th. Selectman Dawson said she spoke to him and he said he would have it taken care of by the end of this month. Selectman Manseau asked Dennis if he would check the Do Not Enter Sign at the side street by Attorney Chandlers office. It is twisted and cannot be seen. Dennis will take care of it. Chairman Brown also Dennis to clear away the brush around the signs in the Municipal Parking Lot. Selectman Manseau asked about having the Municipal Parking Lot sign re-painted as it is faded. Dennis will look into this.

Mr. & Mrs. Stempek joined the meeting to discuss safety issues and sidewalk repairs regarding their property on Main Street. Mr. Stempek explained that there are no markings for sidewalks. He is concerned as he has handicapped tenants and this presents a safety hazard for the town and his tenants. Mrs. Stempek is concerned about emergency vehicles getting through because of the snow and ice build up. Chairman Brown asked Dennis about the build up of ice. Dennis said he plows with the sidewalk machine everytime they plow the sidewalk and they do remove the snow from Main Street. The Board discussed this and Chairman Brown said this is State property and will contact Mr. Snow, Division three, from D.O.T. They will ask Mr. Snow to come out and look the situation over and will also make recommendations to him. Chairman Brown said they will call the Stempek's as soon as they hear from D.O.T.
At 7:45PM Chairman Brown made a motion to go into non-public session for the purpose of discussing the hiring of public employees, seconded by Selectman O'Leary.

Selectman O'Leary, yes, Selectman Manseau, yes, Selectman Dawson, yes, Selectman Plessner yes, and Chairman Brown, yes.

At 8:42PM the Board resumed their regular meeting. At this time Chairman Brown announced that during the non-public session the Board of Selectmen voted to authorize the Director of Public Works, Dennis Allen to advertise for and hire one new full time employee qualified truck driver and plower and one temporary full time person and to increase the hourly rates for those individuals to a range from $12.00 to $12.50 per hour. The advertisement will start next week.

Chairman Brown announced that the Special Town Meeting will be October 4th, 2001.

Selectman Manseau made a motion to go back to weekly meetings starting October 4th, seconded by Selectman O'Leary. All were in favor.

Chairman Brown asked the Board members if they had any new business. Selectman Plessner informed the Board that he had a call from a resident on Murphy Lane asking to have their trash pick-up increased to October 30th. It normally begins in the Summer and ends Labor Day. He said there are a number of residents who stay after labor day now. He called Bestway and they said they need a letter from the Selectmen requesting them to do this. After October 30th they will go back to picking up the trash on route three. Selectman Plessner recommends this and made a motion to go along with this, seconded by Selectman Manseau. All were in favor. A letter will go out to Bestway.

Chairman Brown discussed a letter he received dated August 17th, 2001 from a resident on Bear Road regarding the increase of traffic.

He said they live in a closed cul de sac and their children often ride their bicycles and they are concerned for their safety. He is asking for a sign 'Slow Children At Play'. Alice said Bear Road is a private road and the only place the town could put a sign is on Sherwood Drive. It is only public up to Wal-Mart. Alice said as this is a private road they should discuss this with Peter Graves. They will need his authorization for a sign. Alice will write a letter to them and a copy to Peter Graves.

Selectman Dawson discussed Autumn Drive with the Board. She said it has not been re-classified because the town has not voted to change it. Autumn Drive is a class 11 Road. Selectman Dawson said it was never voted to change to class V. Alice said this has never gone to town meeting which is the legislative body. Alice said the legislative body has delegated that authority to the Board of Selectmen. Alice said there is a provision in the Statutes that allows the legislative body to give that to the governing body and the town passed that article several years ago. Town Meeting delegated that authority to the Selectmen. Selectman Manseau asked if the Board officially voted to accept Autumn Drive. Alice said she will have to check into this and will have the information at next meeting.

Chairman Brown informed the Board that the Court has granted the town's request for a special Town Meeting which will be October 4th, at the High School Cafeteria. The town will be asking for additional funds for a new garage. He also mentioned that the Garage Committee will be meeting at 9:00AM Wednesday September 12th with the Contractor to do a final walk-thru of the garage. They will meet again that evening at 7:00PM. If the
committee feels all of the conditions are satisfied they will vote to formally accept the garage. This will be a Public Hearing that evening.

Selectman Manseau asked to have the new Ordinances from Chief Chase put on the internet. Alice will inform him of this.

Alice informed the Board of a presentation she attended by the Department of Revenue Administration. The D.R.A. is going to certify the assessments of each town and have set up criteria. They are going to go around and check to see if towns are doing what they are supposed to do. This certification process is going to start in 2003, which will be the first year of certification. Tilton is on the list for the first run. Alice received notice today. Alice said we are ninety-five percent compliant. The one thing we have not done consistently is not contacting the people who receive an elderly exemption every year to have them re-verify their income. We will have to start doing this. The other issue we have not been doing is that there is a new decision by the Board of Land and Tax Appeal that says that towns cannot arbitrarily use the high end of the current use assessment range. You have to evaluate the wood lot and base the assessment on the evaluation of your wood lot. You can do this as poor, fair, and good, but cannot arbitrarily assign the high range of the current use values to the timber land in the town. Alice said this is what we have always done. Alice said what this means is that she will include money to hire a Forrester as a consultant and send him out so he can judge it for the town. This will be done every five years.

Alice informed the Board that she received notification for recommendation of reappointment of Fire Wardens. The Board discussed this and agreed it should be sent to Fire Chief Petrin.

The Board will have a brief meeting on Thursday September 13th to sign the warrant for the Special Town Meeting. Selectman O'Leary said he will not be able to attend this meeting.

Alice informed the Board that she received a call regarding property on Andrews Road. On the corner of Andrews Rd and Mansville.

There are many cars, tires and junk. Selectman Plessner said whenever he has checked it the vehicles have been registered. It was also questioned whether or not he is running a business out of his garage. Selectman Plessner and Chairman Brown will look into.

Selectman Plessner made a motion to adjourn at 9:15PM, seconded by Selectman O'Leary. All were in favor.