Minutes of the meeting ~Thursday, June 26th, 2003.

**Present from the Board:** Chairman Manseau, Selectmen: Brown, Foye, Dawson, and O'Leary. Selectman Foye joined the meeting at 6:15PM.

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

**Chairman Manseau called the meeting to order at 6:05PM.**

Payroll & A/P Manifests were approved and signed.

**Minutes of June 12th, 2003.**

Selectman Brown moved to accept the minutes of June 12th, as written, seconded by Selectman Dawson. All were in favor with the exception of Selectmen O'Leary who abstained, as he was not at the meeting.

**OLD BUSINESS:**

1. **Grange Hall:** Selectman Brown reported the roof is not completed yet and the roof over the kitchen will be done at the end of July. Public Works director Dennis Allen and his crew will be cleaning up the front of the building and painting the steps.

2. **Squantum:** Alice has no further information since the last e-mail from Mr. Harvey. Chairman would like to have a definite date for the return of Squantum. Alice said she would send Mr. Harvey another e-mail.

3. **Civil War Monument:** Selectman O'Leary reported that the truck Mr. Rimes offered to move the monument has
not been available and suggested they contact the other company that offered to move the monument.

4. School Formula meeting: Selectman Brown reported that they are almost finished with the data collection and will not be meeting for one month to allow the Chairman and Vice Chair to arrange to have one of the legislators to meet with the committee regarding the new educational funding from the State.

5. Electrical Wires, downtown: Alice has not heard back from the Fire Dept.

6. Oldest Resident, Boston Post Cane: Selectman Brown reported someone has been selected and the brass plate has been made for the cane. Brass plates have also been made for the former recipients of the Boston Post Cane. These will be placed in the case at town hall. The Board discussed having a small social gathering to make the presentation of the Boston Post Cane.

7. Tilton auto Serve: Selectman Brown reported the General Manager spoke with the Code Enforcement Officer, Joe Plessner and informed him the site specific is still pending. They are now just stockpiling.

8. Ball field, Rte., 132: Chairman reported that they have been doing work on the field. They are putting down loam and will be seeding at the north end where the football field will be. Chairman reported they would not be purchasing the shed, as there is a problem with transportation. Permits would be needed for moving the shed. Chairman reported that the funds that were allocated could be used to build a storage shed/concession stand.

**T/N Recreation Council:** David Tryon new liaison for the Rec Council met with the Board. Mr. Tryon is taking Pat Clark’s place as he resigned due to his busy schedule. Mr. Tyron reported the white-water rafting trip for the high school kids was a big success. He said they would like to do another even for after prom night as well as graduation. They are looking into grants to help defray the cost of these events.
Mr. Tryon reported the Board on the Rec Council just recently found out their liability insurance has been cancelled. Without liability insurance the Rec Center would not be able to function. The Board has been looking for a new carrier and they have been able to arrange for coverage with a NH non-profit association and are awaiting a bid from them. Mr. Tryon also reported that the Northfield Selectmen voted at their June 24th, meeting to create a recreation department for the purposes of providing recreation programs in cooperation with the T/N Recreation Council. This will put them under the town's insurance for liability coverage and will keep all of their programs running. The Northfield Selectmen will meet again with the Recreation Council within 30 days to review the situation even if they have obtained insurance by then. The Northfield Board said this could be a recurring problem because they may not be able to afford insurance.

Mr. Tyron reported the results of the survey would be prioritized. He said they would be offering more for the high school students in addition to the comedy night. He said there are other areas that they are going to look at and they are also going to try charging a fee as the facility is used.

Mr. Tyron reported that they are planning on a white-water raft trip in conjunction with the Alcohol & Drug Abuse Prevention Team for the high school kids. This trip will be the weekend of August 10th, and 11th. They received a grant from ADAPR to help with some of the expenses. They are offering a few scholarships. The fee is $100.00 for overnight accommodations. They are also planning summer day trips for the middle school to jr. high school kids.

Mr. Tryon informed the Board that he would be happy to meet with them monthly to give a report on the events at the T-N Recreation Center and would be glad to answer any questions they may have.

**Old Business continued:** Mr. Suter's well.

Chairman informed the Board that they need to make a decision regarding Mr. Suter’s well. Previously the Board made an offer to Mr. Suter of $2,750 towards a new dug well. They reviewed
three bids they received:

1. Gilford Well@ $7,877.35  (Includes trenching)
2. Daniel's@ $7,419.25  (Does not include trenching)
3. James Gray Water Wells, Inc., @ $10,000.

Selectman Foye recently checked Mr. Suter's property where the well is located. He reported the well is close to the road and regardless of how long it has been since Mr. Suter reported the problems to the town, it is still liable for it.

Chairman discussed what percentage the Board should contribute towards the well. Selectman Foye said the town should replace the well. Chairman asked where funds would be available to pay for this. Alice said they could charge it off to uninsured liability.

Selectman Foye made a motion to accept the bid from Gilford Well for $7,877.35, and not to exceed the total estimate and anything above that will be incurred by Mr. Suter, seconded by Selectman Dawson. All were in favor. Chairman asked Selectman Foye to notify Mr. Suter of the Board's decision.

**New Business:**

**Signs:** Chairman reported to the Board that it was brought to his attention by the Police Department that the signage at the end of Peabody St., needs to be improved. Chairman suggested having two “Do Not Enter One Way sings from Winter Street onto Peabody Street.

Chairman reported he and Selectman O'Leary attended the public hearing on June 24th, regarding Clark Road and Main Street. Selectman O'Leary was also in attendance. He asked to have the sidewalks the State is planning for the south side up to Smart’s Funeral Home to the Dairy Queen to be moved to the North side so people can cross at the traffic light. Selectman O'Leary also suggested they have a push button at the traffic light so the resident’s at Jensen’s can cross over to the shopping area. The State will look into this suggestion. Chairman reported that they would synchronize the traffic lights. The project will not start until the spring of 2005 and finish in the Fall
of 2005. Chairman also reported the road will be widened up to Dairy Queen with turning lanes. The State will discuss this with the Sewer Commissioners as they are planning to put a sewer line in at the same time. Sewer Commissioner David Wadleigh was also in attendance.

**Correspondence:**

A letter from Ronald J. Klemarczyk of FORECO, Forest Resource Consultants. Mr. Klemarczyk is seeking the Board’s permission to conduct roadwork as part of their timber sale operation on Pest House Road, which is a Class VI Road. The work would include installing two culverts and placing gravel in two low spots. They are asking the Board’s permission to conduct the repairs. Mr. Klemaczyk enclosed a sketch map of the work areas for the Board’s review.

Alice said she spoke with Mr. Klemarczyk and they will be replacing two culverts that were once there. She said one is totally missing and the other is caved in. In order for them to access to get the lumber out they need to put the culverts in. Mr. Klemarczyk said they would remove the culverts after the work is done if the Board wants them to. After discussion the Board was in agreement to have FORECO remove the culverts when the job is completed.

Selectman Brown made a motion regarding the request from FORECO on a Class VI Road, Pest House Road logging job that the Selectmen specify the removal of the culverts from the road upon completion of the operation, seconded by Selectman Dawson. All were in favor.

Chairman Manseau reported notice of the Planning Board’s July 8th meeting for the Town of Tilton regarding the site plan for the Rte., 132 Recreation Field. Chairman Manseau and Selectman Brown will attend the meeting.

A letter from Attorney Gardner Fulton requesting the Board hires their firm to represent the town in any labor cases.

Notification of July 2003 Solid Waste Collection will be for Tilton residents only from Thursday, July 24th, thru Saturday, July 26th, from 9 am to 5 pm. Notices will be sent out and copies can be
picked up at the Town Hall offices.

The Board discussed the following changes in items to be taken to the Tilton Public Works Facility.

- Additional charge of five dollars ($5.00) per rimmed tires (no more than (4) per household.

Announcement from NHMA regarding their Second Annual Fall Classic Golf Tournament on September 11th, 2003.

Letter from Mr. Richardson: Alice reported this is concerning his subdivision road on Ridge Road. Alice reported to the Selectman that she spoke with Mr. Richardson today and suggested to him that it would be best if he posts the $1,500. Alice said Mr. Richardson has agreed to post the $1,500 next week. Alice said once this is done Vollmer Associates will oversee the completion of the job. Alice informed the Board that Mr. Richardson has requested Bill Rollins from Vollmer Associates as the field engineer. Alice said she would call Vollmer Associates as there may be a difference in the charge, and if there is she will call Mr. Richardson and inform him.

Alice informed the Board that Mr. Richardson is requesting that he not be required to mark the road with the proper stripes, as none of Patricia Ann Drive or Ridge Road has markings on it. The Board discussed this and are in agreement that there is no need to have the road striped. The Board discussed the need for a guardrail and asked Alice to check into it.

UNDERGROUND WIRES DOWNTOWN: Chairman Manseau reported to the Board he discussed this at a Main Street Meeting and they will research other communities that have done the same thing.

Lochmere Roads: Alice said the town has not received an estimate for the cost of the design and it was her understanding that Jim Bouchard from the Turner Group was going to submit an estimate to the town. Selectman Dawson reported the Road Committee is meeting tomorrow with D.O.T., to start negotiations on the reclassifications of the roads.

Letter from Mr. Mandis: Sent a market analysis for the Board’s th
review as they requested from Mr. Mandis at their June 12 meeting. The Board will review the information from Mr. Mandis and schedule him for their July 10th meeting to discuss it.

**Business Park Drive:** Mr. Nickerson and his attorney, Mr. Philpot met with town attorney Chandler, Town Administrator Alice MacKinnon and Selectman Brown to discuss the easements. Copies of the proposed easements were given to attorney Chandler. Alice reported the remaining big issue is the turning lane. Selectman Brown said the resolution regarding this issue is that there will be a guarantee by the Nickerson Corporation that the town will not be held liable for this.

Selectman Brown said the turning lane issue would have to be negotiated with D.O.T. before anything can be done.

**Reports:**

**Selectman Brown:** reported to the Board that the Public Works Department has replaced some of the ceiling tiles in the back hall of the town hall. He also reported there has been an odor in the town hall. Caswell Co. came in and checked the Humidifier. They cleaned the humidifier and suggested the humidifier be turned off in the spring and on in the fall. Public Works Director Dennis Allen reported that he has completed painting the yellow lines on the undefined sidewalks on the side streets. Chief Chapman checked them and said they are satisfactory and will start enforcing parking violations.

**Selectman Dawson:** asked if there was a response regarding the sidewalks over I-93. Alice said she has not received any information. Selectman Dawson informed the Board that the Welcome To Tilton does not belong to the town. A group of residents got together and the sign was built by Robert Foster. The residents would like to have the sign back up. The Board discussed this and agreed to have Public Works Director Dennis Allen contact Bill Lambert, Outdoor Advertising in Concord regarding the placement of the sign.

**From the public:**

Ron Rau asked Town Administrator Alice MacKinnon if should would define “Home Business”. He said this is regarding a
situation in his neighborhood. Selectman Brown read from the town ordinance under” Home Occupation” which reads:

"Any use conducted entirely within a dwelling or an accessory building, which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. "

Selectman Brown said he discussed this with Code Enforcement Officer Joe Plessner and the garage would be authorized as a place to conduct the home occupation if the owners so choose to do it, as it is an accessory building.

Town Administrator Alice MacKinnon said she disagrees with this as just the creation of the traffic violates the intent of the ordinance. They are conducting a business and should be in a business zone.

Selectman Dawson agreed saying the traffic coming in and out violates this ordinance, as the business is no longer in the building.

Selectman Brown said the ordinance also clearly states: "In connection with which there is no outside display or storage nor omission of dust, noise, fumes, vibrations beyond the lot line."

Mrs. Kimball from Patricia Ann Drive who is questioning the business in her area stated she bought in a residential area, not in a business area. Mrs. Kimball feels the business should be conducted in a business zone. She said the business brings in a lot of traffic and it is a nuisance in the neighborhood. Mrs. Kimball said this person also took a stonewall down from his property. She said when she purchased her property she was told she could not take the stonewall down as it is a boundary.

Selectman Dawson said if there is traffic coming in and out of your home business it is no longer a home business.

Mr. Stephen Jones addressed the Board. He feels a precedent has already been set as there is a Child Day Care business in his area and they are allowed to have six vehicles.

Mr. Jones informed the Board that this is his wife’s business,
which is a Sign business. He reported they are in compliance with the ordinance regarding the size of the sign and the garage where the business is conducted. He said they have been in business for one year. They are located on Ash Drive, which is a horseshoe, and they are the only residents there. Mr. Jones said the traffic is due to construction that is going on in that area.

Selectman Brown stated this issue should be handled by the Code Enforcement Officer. He feels the Board is usurping his authority and Mr. Plessner should handle this on behalf of the town.

Chairman Manseau said he would like to invite Mr. Plessner to the next Board meeting to discuss the issues with him.

Chairman informed Mrs. Kimball and Mr. Jones that this issue will be further investigated and discussed with Code Enforcement Officer to try to come to a resolution. He also said if clarification of the Ordinance is needed they will do so to see where Mr. Jones’ business falls, whether it is permissible based upon the Ordinance. The Board is in agreement. Chairman stated if needed, they would get a legal opinion on the Zoning Ordinance.

Selectman Brown asked Mr. Jones why he took down his stonewall and if it is a boundary wall he is dismantling. Mr. Jones said they have a boundary stonewall on the side that is left intact. He said that stonewall was within his boundaries, it was an inner wall by two feet.

**Chairman Manseau adjourned the meeting at 7:50PM.**