



Town of Hopkinton, NH

Office of the Select Board

330 Main Street, Hopkinton, NH 03229-2627

Tel: (603) 746-3170 E-mail: selectmen@hopkinton-nh.gov

Fax: (603) 746-3049 Web: hopkinton-nh.gov

SELECT BOARD PUBLIC MEETING MINUTES MONDAY, JANUARY 8, 2018 DRAFT

CALL TO ORDER

Vice-Chairman Ken Traum called this regular meeting of the Select Board to order at 5:30 p.m. on Monday, January 8, 2018, in the large meeting room in the Town Hall. Vice Chairman Traum introduced the members of the Board. Bob Gerseny led those assembled in the Pledge of Allegiance.

Members Present: Ken Traum, Vice Chair, Steve Lux, Jr., Bob Gerseny and Sabrina Dunlap. Jim O'Brien arrived at 6:06 pm.

Staff Present: Neal Cass (Town Administrator), and Robin Buchanan (Administrative Assessing Assistant).

Public Present: David Dufault, Janet Krzyzaniak, Joyce Bossie, Tom Komisarek, Dijit Taylor, Ron Klemarczyk and Lucia Kittredge.

POINTS OF PRIDE: Mr. Cass noted excellent job the Highway Department, Police, Fire Departments and all town employees who work during winter storms. He also highlighted Deb Gallant's work on the budget and getting the figures ready for tonight's meeting, during a payroll week.

ADMINISTRATIVE

Consent Agenda

The Board members reviewed documents for signature and approved (4-0) the Consent Agenda, taking the following action on a motion made by Mr. Gerseny and seconded by Ms. Dunlap.

CONSENT AGENDA

ACCOUNTS PAYABLE MANIFEST

\$33,725.11

	100,307.30
	23,000.00
	130,664.09
	118,342.79
	11,000.73
PAYROLL	
	77,980.43
BUILDING PERMITS	
Cote Alan, 77 Spring St 12x24 Addition to pole barn	
Nichols Nathan, 174 Park Ave solar array roof	
Freedom Properties 905 Main St operate a firearms business	
Brad Simpkins, 155 Putney Hill, in-ground pool	
BMT Contractors, Bound Tree 2 story single family res	
TRANSFER OF FUNDS	
Kimball Cabins to General Fund	
Dog Park to General Fund	1,208.43
Hop FD Auxiliary to General Fund	10,887.00
Slusser Center Rental Expense Deposits to General Fund	953.03
Slusser Center Rental Expense	100.00
Public Safety Revolving Fund #801	375.00
Recreation Revolving Fund #803	849.99
	4,550.97
PAYMENT FROM CAPITAL RESERVE FUND ACCOUNTS	
Sewer System Equip./Sludge Removal CRF to General Fund	
Town Hall Renovations Capital Reserve Fund	23,000.00
	3,479.87
PAYMENT FROM EXPENDABLE TRUST FUND ACCOUNTS	
Recreation Facilities Trust Fund to General Fund	
	349.00

The Board reviewed the Select Board Meeting Minutes of Monday, December 26, 2017. Mr. Lux made a motion, seconded by Mr. Gerseny to approve the Public Meeting Minutes of December 26, 2017.

VOTE: Traum, Lux, Dunlap, and Gerseny voting in favor of the motion; no votes against. MOTION APPROVED 4-0.

The Board reviewed the Non-Public Meeting Minutes of Monday, December 26, 2017, minutes not sealed. Mr. Lux made a motion, seconded by Mr. Gerseny to approve the Non-Public Meeting Minutes of December 26, 2017.

VOTE: Traum, Lux, Dunlap and Gerseny voting in favor of the motion; no votes against. MOTION APPROVED 4-0.

APPOINTMENTS:

Dijit Taylor, Open Space Committee-Non-Public per RSA 91-A:3 II (d)

NON-PUBLIC SESSION IV-RSA 91-A: 3 IV (d) Acquisition of Property

Mr. Lux moved to go into a non-public session to discuss the acquisition of property under the provisions of Nonpublic Session RSA 91-A: 3 II (d). Ms. Dunlap seconded the motion.

VOTE: Select Board Members O'Brien, Traum, Lux, Gerseny, and Dunlap voted in favor, and the Chair declared the motion to have carried unanimously (5-0).

The Board, Dijit Taylor, Ron Klemarczyk, Lucia Kittredge, and the Town Administrator went into nonpublic session, as recorded separately, at 5:35 p.m. The Board returned to public session at 5:53 p.m.

Vote to seal nonpublic minutes:

Mr. Lux moved to seal the minutes of the just completed nonpublic session. Ms. Dunlap seconded the motion.

VOTE: Select Board Members O'Brien, Traum, Lux, Gerseny, and Dunlap voted in favor, and the Chair declared the motion to have carried

OLD BUSINESS:

Review of year to date 2017 Financial Numbers:

Mr. Cass stated things look good. The final payroll for 2017 is included and it appears we have a surplus of \$233,000. Mr. Cass also stated all Departments came in under budget, noting that everyone managed their budgets well. Mr. Cass thanked the Department Heads for their hard work.

NEW BUSINESS:

Review of the DRAFT 2018 Town Meeting Warrant:

Mr. Cass stated this is the first draft of the Warrant. He noted Article 8 to establish municipal economic and revitalization districts, and Articles 9, and 10 are to adopt TIF districts and plans for Exit 6 and Hart's Corner.

APPOINTMENTS: (continued):

David Dufault re: Cross Road Beaver Dam:

Mr. Dufault stated he is in receipt of the letter from the Board. He stated he does not understand, the Board agreed to move forward. Mr. Dufault read the Board's motion on the issue from the November 27, 2017 meeting. Mr. Dufault stated again, that he did not understand, and asked if

the Board was planning to leave his land under water. Mr. Dufault stated that he believes that this is a taking of his land. He further stated that he believes the Board is influenced by other factors, doing favors.

Mr. Gerseny stated that an issue arose and the families abutting the Class VI road could not come to an agreement. The Board acted in a responsible way, agreeing that the road should be passable.

Chairman O'Brien stated that the Board agreed to clear the debris and let the water drain, however, it is not happening in the time frame requested by Mr. Dufault. Mr. Dufault stated that the Board is using delay tactics and postponing things. He asked if Chairman O'Brien had a conflict of interest because of his employer. Chairman O'Brien stated no, my employer has no influence on this at all.

Mr. Dufault stated that if his land remains under water for too long it will change; the culvert should be unplugged.

Chairman O'Brien said that unless there is a new motion brought forward, the Board's position remains the same. He continued that he is not prepared to answer for the future of the road or culvert. Ms. Dunlap stated that the Board is not preserving a habitat, and is not suggesting that the dam will not come down. Chairman O'Brien stated that the condition of the culvert is unknown at this time and will not be known until spring. Ms. Dunlap said the Board is being responsible and thoughtful in how it addresses this issue; and needs someone with skills and knowledge about roads, water, and habitat to be involved. Mr. Gerseny said the dam will be cleared in a responsible fashion. Mr. Dufault thanked the Board for their time.

Mr. Dufault stated he would like to amend the Minutes of the December 11, 2107 minutes. He did state that the Board did not know what they were doing, however, that was not his complete statement and he would like the complete statement in the minutes. (See attachment).

Tom Komisarek re: Building Permit on Buzzwell Road, Class VI:

Mr. Komisarek was in speak to the Board about his property on Buzzwell Road. Mr. Komisarek stated it is a Class VI road and he would like to improve about 400 ft. of the road, so that he will be able to access his land and get a building permit to build a house. Mr. Komisarek stated that he has plowed the road for many years and noted that fire and ambulance have accessed the road in the past for fires and an snowmobile accident. Mr. Komisarek also stated there are already two residences on the property. Mr. Cass stated that the Board can allow residences on a Class VI road by agreement, but must proceed through the Planning Board. Chairman O'Brien stated he would bring it up to the Planning Board at their meeting tomorrow, January 9, 2018 and he invited Mr. Komisarek to attend the meeting.

TOWN ADMINISTRATOR UPDATES:

PUBLIC FORUM:

OTHER BUSINESS: Mr. Gerseny stated he pulled a Use Permit from the Consent Agenda to discuss with the Board. He stated he has no objection to the Use Permit. It is a request by Lars Hogblom to operate a firearms business transferring sales, custom painting and refinish work. The Board signed the permit.

Chairman O'Brien stated there will be a hearing on the designation of the Warner River to the NH Rivers Management & Protection Program, which he is planning to attend. He noted that the Board signed a letter of support in this matter. Mr. Cass drew up a draft letter of support to be given to the Members of the Senate Energy and Resource Committee, which the Board agreed to and signed. Chairman O'Brien will deliver the letter when he attends the hearing.

Mr. Traum noted that the Budget Committee will be meeting on Wednesday, January 10, 2018. He further stated the School will be presenting their budget. He also noted the Budget Committee will meet again on Wednesday, January 17, 2018, stating the School will present it facilities proposal.

Mr. Lux, noted that Mr. Day still has not removed his tractor from the middle of the Class VI road. Mr. Gerseny made a motion to notify Mr. Day and request that he move his equipment from the Class VI road as soon as possible. Mr. Lux seconded the motion.

VOTE: O'Brien, Traum, Lux, Dunlap, and Gerseny voting in favor of the motion; no votes against. **MOTION APPROVED 5-0.**

ADJOURNMENT

There being no further business, motion by Mr. Traum, seconded by Mr. Lux to adjourn the meeting. Vote 5-0 in favor of the motion. The meeting adjourned at 6:55 p.m.

Respectfully submitted,

Robin Buchanan
Administrative Assessing Assistant

Excerpts from Selectmen's meeting 12/11/2017

Dufault testimony begins about 34:10 on the video recording.

Maps were presented showing no standing water in affected area in 1988, 2010, and reference made to a Cartographic Map on Assessor's page of unknown, but presumed date between 2010 and present with no standing water. Google Map, dated 2017, shows considerable water and dead and dying trees.

At 36:48 of video:

“...The point that I am trying to make is that (sigh), respectfully – you people were misled...”

More testimony with specifics, naming names of misleading testimony by others, and reference to standing water in other areas.

Beginning at 38:10 on the video recording:

“...With all due respect – I really – you didn't know what you were doing, you asked for advice...you were given advice by the DES...you were given advice by Fish and Game. Both of those people said: 'Put it back the way it was', and for whatever reason you folks ignored the damage to my property.”

Testimony ended about 40:40

Please consider amending your minutes to show the rest of the sentence and following thought after what your already printed..."the Board did not know what they were doing..."

Minutes to read:

Mr. Dufault would like the Board to reconsider its decision, stating that the Board did not know what they were doing, and asked for advice from others-including DES and Fish and Game, and ignored that advice