



# Town of Hopkinton

Office of Select Board

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**SELECT BOARD  
PUBLIC MEETING MINUTES  
MONDAY, APRIL 15, 2019  
Approved April 29, 2019**

## CALL TO ORDER

Chairman Jim O'Brien called this regular meeting of the Select Board to order at 5:30 p.m. on Monday, April 15, 2019, in the large meeting room in the Town Hall. Chairman O'Brien introduced the members of the Board.

**Members Present:** Jim O'Brien, Ken Traum, Steven Whitley and Anna Wells.  
Absent: Sabrina Dunlap

**Staff Present:** Robin Buchanan, Administrative Assessing Assistant; and Fire Chief Jeff Yale

**Public Present:** Norm Goupil, Janet Krzyzaniak, Sue Strickford and Mary Leadbeater

Sue Strickford led those in attendance in the Pledge of Allegiance.

## POINTS OF PRIDE

Mr. Traum stated that last week at the Budget Committee Meeting, Judy Case had inquired if the year to date financials could be put on the website. Mr. Traum stated that he spoke with Mr. Cass about it and the year to date financials were up that afternoon. Thank you to Neal.

## ADMINISTRATIVE

The Board reviewed documents for signature and approved (4-0) the consent Agenda, taking the following action on a motion by Mr. Traum and seconded by Mr. Whitley. Discussion ensued, and the Nobis Engineering agreement was removed from the Consent Agenda.

### CONSENT AGENDA April 15, 2019

<b>ACCOUNTS PAYABLE MANIFEST</b>	\$22,638.91
	\$44,684.08
	\$4,699.36

**PAYROLL MAINIFEST** \$74,889.76

**TIMBER WARRANT**

Daniel Auger Map 265 Lot 7 \$533.58  
YF Properties Map 103 Lot 23 \$209.85

**CURRENT USE LAND CHANGE WARRANT**

Ware Map 249 Lot 23  
S & B Properties Map 222 Lot 54

**CURRENT USE APPLICATION**

Case Trust Map 248-2-1

**INTENT TO CUT**

Martin Grady 1468 Maple Street Map 218 Lot 6

**BUILDING PERMITS**

Elizabeth McNicholas 175 Rolfe Pond demo shed; construct 10x16 shed  
James O'Rourke 45 Penacook Rd construct new bathroom  
Sherman Family Trust 452 Bound Tree Rd construct 10x16 shed  
David Fisk 88 Cedar St demo shed  
David Germain 653 Kearsarge construct 440 sf att deck  
John Chandler 576 North Shore Dr construct 12x22 dormer; remodel bath  
Darragh Madden bldg permit deny per needs special exception

**PAF**

Alora Bergathon Recreation seasonal rehire pond co director

**SOLAR EXEMPTION**

Dave & Krist Eliason Map 221 Lot 73  
Ryan & Sophia Van Hoff Map 253 Lot 01

**INTENT TO CUT**

Rose View Properties, LLC Map 220 Lots 15, 17, 22, 34, 33 & Map 221 Lot 33

The Board reviewed the Select Board Meeting Minutes of Monday, April 1, 2019. Mr. Traum made a motion, seconded by Mr. Whitley, to approve the Public Meeting Minutes of April 1, 2019. Discussion ensued with regards to GASB 45 and GASB 75 discussion. Mr. Traum wanted to make it clearly that the Board agreed with the decision to wait until 2020 to start GASB 75. Ms. Buchanan will add that to the minutes.

**VOTE:** O'Brien, Traum, Whitley and Wells voting in favor of the motion with the amendment; no votes against, MOTION APPROVED 4-0.

The Board reviewed the Non-Public Select Board Meeting Minutes of April 1, 2019, Session I. Mr. Traum made a motion, seconded by Mr. Whitley to approve the Non Public Meeting Minutes of April 1, 2019, Session I.

**VOTE:** O'Brien, Traum, Whitley and Wells voting in favor of the motion; no votes against, MOTION APPROVED 4-0.

The Board reviewed the Non-Public Select Board Meeting Minutes of April 1, 2019, Session II. Mr. Traum made a motion, seconded by Mr. Whitley to approve the Non Public Meeting Minutes of April 1, 2019, Session II.

**VOTE:** O'Brien, Traum, Whitley and Wells voting in favor of the motion; no votes against, MOTION APPROVED 4-0.

**NEW BUSINESS:**

**Education Exemption Request:** Chairman O'Brien stated that the Beech Hill School now owns the buildings, which makes them eligible for the education exemption and they have applied for it. Discussion ensued, with regards to whether the whole 3.34 acres of land is used for the school. Ms. Wells was able to bring a google image of the property up and it showed that the majority of the property is developed with the school building, outbuildings, recreation and parking lot and therefore, the 3.34 acres is being used for the school. The Board would like to negotiate a PILOT, as they benefit from town services. The Board would like Mr. Cass to speak with the Beech Hill School.

**YTD Revenues:** Chairman O'Brien stated that the revenues look good. Mr. Traum stated he had spoken to Mr. Cass last week. He noted that Timber, Motor Vehicles and bank interest are up.

**TOWN ADMINISTRATOR UPDATES:**

Chairman O'Brien stated that Mr. Cass left a list of his updates as follows:

1. The appeal to the ZBA from the Roses with regards to a permit on Thain Road has been withdrawn.
2. There will be a total update to the website in the near future.
3. Carol Harless, Town Clerk/Tax Collector will be going to the Bates building to determine what furniture and/or supplies can be moved to the Town Hall.
4. Mr. Cass will be on vacation from April 22 to April 26.

**PUBLIC FORUM:** No comments.

**OTHER:**

Mr. Traum stated that he has spoken to Tom Donovan at the Attorney General's Office with regards to leasing the Bates Building on a month to month basis. Mr. Donovan replied that there is no objection to renting the building on a month to month basis with an end date of April 1, 2020. Discussion ensued, with regards to an RFP to see if others are interested in renting on a short term basis. Discussion ensued, with regards to how the RFP would be worded and the time frame as to when the building would be ready.

## **APPOINTMENTS:**

**Public Hearing: Open Container Ordinance:** Chairman O'Brien opened the Public Hearing at 6:00 pm for comments. Mary Leadbeater stated she wanted clarification for the Farmer's Market with regards to tastings. Chairman O'Brien stated we have had requests in the past and the ordinance had no exemptions.

Mr. Whitley stated that, it does not pertain to buildings and he is concerned with the e-mail received from the Hales with regards to their parking lot, which is private and is retail parking space. Mr. Whitley also had concerns with "samplings" and what the definition of "samplings" is.

There were no further comments from the public. Chairman O'Brien closed the Public Hearing at 6:20 pm. Discussion ensued, with regards to public vs. private parking lots, and choosing the wording of the ordinance carefully. Mr. Whitley would also like to have a discussion with the Police Chief regarding the possible changes in the ordinance and what "sole discretion" means.

## **OLD BUSINESS:**

**Anniversary Toast Request:** Chairman O'Brien stated that we have received a request for an Anniversary Toast for a 40<sup>th</sup> wedding anniversary at the Slusser Center. Chairman O'Brien further stated that we have approved a similar request before. Mr. Traum and Mrs. Wells stated they are okay with the request. Mr. Whitley stated the current ordinance does not give the Select Board the latitude to grant this request.

Mr. Traum made a motion, seconded by Mrs. Wells to approve the request for an Anniversary Toast on April 27, 2019 at the Slusser Center.

**VOTE:** O'Brien, Traum and Wells voting in favor of the motion; Whitley voting against;  
**MOTION PASSES 3-1.**

**OTHER (continued):** Mrs. Wells stated she did a follow up with Bill Chapin, with regards to the beaver dam on Cross Road. She also stated that there is a deadline approaching of May 1, 2019, with regards to a wetlands permit (after the fact) to DES. She noted that there are solutions to the beaver issues, however, because the issue is on a Class 6 road, we cannot spend money on it and most solutions come with a price tag. Mrs. Wells also stated that the water level is high right now, which makes an assessment difficult. The Board would like more guidance from DES.

## **NON-PUBLIC SESSION I-RSA 91-A: 3 II (d) Sale or Lease**

Mr. Whitley moved to go into a non-public session to discuss the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community. of someone other than a Board member under the provisions of Nonpublic Session RSA 91-A: 3 II (c). Mrs. Wells seconded the motion.

**VOTE:** Select Board Members O'Brien, Traum, Whitley, and Wells voted in favor,  
and the Chair declared the motion to have carried unanimously (4-0).

The Board went into nonpublic session, as recorded separately, at 6:50 p.m. The Board returned to public session at 7:35 p.m.

These minutes were not sealed.

Mr. Traum made a motion, seconded by Mr. Whitley, to come out of non-public session at 7:35 pm. Motion passed unanimously.

**NON-PUBLIC SESSION II RSA 91-A: 3 II (c) Reputation**

Mr. Traum moved to go into a non-public session to discuss an issue which could affect the reputation of someone other than a Board member under the provisions of Non-public Session RSA 91-A: 3 II (c), Mr. Whitley seconded the motion.

**VOTE:** Select Board Members O'Brien, Traum, Whitley, and Wells voted in favor, and the Chair declared the motion to have carried unanimously (4-0).

The Board went into nonpublic session, as recorded separately, at 7:35 pm. The Board returned to public session at 8:15.

**Vote to seal non-public minutes:**

Mr. Traum moved to seal the minutes of the just completed non-public session because it was determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this Board. Mr. Whitley seconded the motion.

**VOTE:** Select Board Members O'Brien, Traum, Whitley, and Wells voted in favor, and the Chair declared the motion to have carried unanimously (4-0).

**NON-PUBLIC SESSION I-RSA 91-A: 3 II (e) Legal**

Mr. Traum moved to go into a non-public session to discuss the on-going litigation under the provisions of Non-public Session RSA 91-A: 3 II (e). Mr. Whitley seconded the motion.

**VOTE:** Select Board Members O'Brien, Traum, Whitley, and Wells voted in favor, and the Chair declared the motion to have carried unanimously (4-0).

The Board went into nonpublic session, as recorded separately, at 8:15 p.m. The Board returned to public session at 8:25 p.m.

These minutes were not sealed.

Mr. Traum made a motion, seconded by Mr. Whitley, to come out of non-public session at 8:25 pm. Motion passed unanimously.

**ADJOURNMENT**

There being no further business, the Chair declared the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Robin Buchanan  
Administrative Assessing Assistant