



Town of Hopkinton

Office of Select Board

330 Main Street, Hopkinton NH 03229-2627 - (603) 746-3170 - www.hopkinton-nh.gov

**SELECT BOARD
PUBLIC MEETING MINUTES
MONDAY, APRIL 29, 2019
May 13, 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 29, 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 (arriving at 5:40 pm) Sabrina Dunlap, Steven Whitley and Anna Wells.

Staff Present: Neal Cass and Robin Buchanan, Administrative Assessing Assistant

Public Present: Norm Goupil, and Bonnie Christie.

Neal Cass led those in attendance in the Pledge of Allegiance.

POINTS OF PRIDE

Mr. Cass highlighted Dan Blanchette, Director of Public Works, along with members of the Highway Department, who worked on Saturday to finish crushing stone, as we had only rented the crusher for one week.

Mr. Cass, who was on vacation last week, highlighted the staff at the Town Hall, noting that he does not worry when he is on vacation because the staff is well equipped to handle things.

Mr. Cass also noted that during the construction of the bridges on Route 202, a detailed police officer, paid for by the contractor, will be at the end of Exit 6 on Route 89 North to help facilitate traffic due to the detour.

ADMINISTRATIVE

The Board reviewed documents for signature and approved (4-0) the consent Agenda, taking the following action on a motion by Mr. Whitley and seconded by Mrs. Wells.

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CONSENT AGENDA April 29, 2019

ACCOUNTS PAYABLE MANIFEST

\$50,146.63

\$1,436,023.12

PAYROLL MAINIFEST

\$75,168.66

INTENT TO CUT

Gregory Melkonian Map 253 Lots 23, 24, & 25

David & Kate Smutok Map 221 Lot 37

ABATEMENTS

Theresa Pearson Map 260 Lot 044

\$28.36

Janet Murphy Map 208 Lot 3 C12

\$250.00

Application for Current Use

Timothy & Stephanie Lesko Map 248 Lot 002 Sub 003

LAND USE CHANGE TAX AND WARRANT

Chadwick and Kristin England Map 222 Lot 108

\$6,200.00

Timber Tax & Warrant

John & Margaret DiPastina Map 242 Lot 009 Sub 005

\$140.79

PAF

Lily Sobal Recreation rehire pond co-director

Maxfield Rossignol new hire camp director

THANK YOU-donation Kimball Cabins

Russell & Penn Wilder

Celeste Hemingson

ABATEMENT RECOMMENDATIONS

Prescott 101 South Road

Bell 8 Buzwell Corner Rd

Lighthall 1430 Hatfield Rd

Howe 436 Park Ave

Waiving of small amount of interest-Town Clerk/Tax Collector

BUILDING PERMITS

Angela Clement 140 Kearsarge 8.12 roof mounted solar Map 101 Lot 44

Rosemarie Anna Matte 30 Elizabeth Ln 36x50 detached barn Map 257 Lot 41

Wm McDevitt Jr 1051 South Rd 10x16 shed map 253 lot 28

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Christopher Gross 76 Checkerberry 628 sq attached deck Map 106 Lot 39
351 Park Ave, LLC 351 Park Ave 22x28 addition(2 bedrooms 1 bath) reno
kit

Carl Throver raze existing 5x8 shed & rear deck, construct new deck
Strategic Contracting Wildwood 2 story sf home w/att garage & deck

Town Clerk's Week Proclamation

The Board reviewed the Select Board Meeting Minutes of Monday, April 15, 2019. Mr. Whitley made a motion, seconded by Mrs. Wells, to approve the Public Meeting Minutes of April 15, 2019.

VOTE: O'Brien, Whitley and Wells voting in favor of the motion; no votes against, Dunlap abstaining; MOTION APPROVED 3-0-1.

The Board reviewed the Non-Public Select Board Meeting Minutes of April 15, 2019, Session I. Mr. Whitley made a motion, seconded by Mrs. Wells to approve the Non Public Meeting Minutes of April 15, 2019, Session I.

VOTE: O'Brien, Whitley and Wells voting in favor of the motion; no votes against, Dunlap abstaining, MOTION APPROVED 3-0-1.

The Board reviewed the Non-Public Select Board Meeting Minutes of April 15, 2019, Session II. Mr. Whitley made a motion, seconded by Mrs. Wells to approve the Non Public Meeting Minutes of April 15, 2019, Session II.

VOTE: O'Brien, Whitley and Wells voting in favor of the motion; no votes against, Dunlap abstaining, MOTION APPROVED 3-0-1.

The Board reviewed the Non-Public Select Board Meeting Minutes of April 15, 2019, Session III. Mr. Whitley made a motion, seconded by Mrs. Wells to approve the Non Public Meeting Minutes of April 15, 2019, Session III.

VOTE: O'Brien, Whitley and Wells voting in favor of the motion; no votes against, Dunlap abstaining, MOTION APPROVED 3-0-1.

APPOINTMENTS:

Ron Klemarczyk Re: Work on New Road-Class VI Road: Mr. Klemarczyk stated that the Hooper Family owns several tracts of land on New Road that they would like to log. Mr. Klemarczyk stated that during the last cut in 2002, the access road was through Dunbarton, however, the access road no longer exists as there is now a home there. Mr. Klemarczyk stated the only other access is New Road, which is a Class VI road and would need significant work in order for logging trucks to access, as well as wetland permits. Mr. Klemarczyk stated that Mr. Cass informed him that he would need to speak to Dan Blanchette, Director of Public Works. Mr. Klemarczyk stated that Mr. Blanchette's only requirement is that the road is passable when the logging is done. Mr. Klemarczyk stated it is not their intention to bring the road to a Class V status, they are only upgrading for the timber sale. Mrs. Wells inquired if the

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road would be maintained. Mr. Klemarczyk stated that the Hooper's want access to their land and so they will continue to maintain it as a Class VI road. Chairman O'Brien inquired if the Hoopers were planning on building a home on New Road. Mr. Klemarczyk replied no. Mr. Klemarczyk requested a letter from the Board allowing the Hoopers and their logger Chuck Rose to upgrade the road for a timber sale. Mr. Whitley inquired if there were abutters. Mr. Klemarczyk stated the abutters are the Audubon Society, Tracy Banks, Denis Barnard and Meadowsend Timber. Chairman O'Brien asked that they notify the abutters. Mr. Cass will prepare an agreement.

Mr. Klemarczyk also updated the Board on the Police Station Parking lot. Mr. Klemarczyk stated hikers have been parking in the police lot during the winter to access the trails on the Ransmeier Easement, which is with 5 Rivers. Mr. Klemarczyk stated the Conservation Commission; the Trails Committee and the Open Space Committee are working with 5 Rivers to clarify the easement in order to help alleviate the parking issues.

OLD BUSINESS: Nobis Engineering Contract-Landfill Monitoring:

Mr. Cass stated this contract is for on-going monitoring at the landfill, the costs are up this year as there are more tests to do, than last year. Mr. Cass noted that Nobis Engineering did the closure at the landfill and the funds have been budgeted.

Ms. Dunlap made a motion, seconded by Mr. Traum, to approve the Nobis Engineering Contract as written.

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

Chairman O'Brien stated the Board received a written request from John & Lindsay Chase, asking for permission to ride ATVs from their driveway on Pine Street to the trailhead at the end of Pine Street, approximately .17 miles. It was noted in the request that the only landowner's home they must pass has no objection and has given them written permission. Lengthy discussions ensued with regards to any benefits to the public to open this section of Pine Street to ATVs, as well as the possibility of more requests going forward, amending the ordinance, and if public hearings will be needed.

Mr. Whitley made a motion, seconded by Mr. Traum to have a public hearing to amend the ordinance.

VOTE: Whitley and Traum voting in favor of the motion; O'Brien, Dunlap and Wells voting against, MOTION FAILED 3-2.

Mr. Cass will send a letter to the John & Lindsay Chase.

Alcohol/Open Container Ordinance:

Mr. Cass stated that we will remove the word "private" in reference to parking lots and remove the phrase "which is primarily for the benefit of paying customers", in two places. He stated he has spoken with Police Chief Steve Pecora and Chief Pecora stated that removing the reference to private lots will not change how the law is enforced. Mr. Cass further stated that buildings were removed from the ordinance in order to give the Board discretion as to which buildings and events they will allow alcohol.

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Mr. Traum made a motion, seconded by Mr. Whitley to approve the Alcohol/Open Container Ordinance as amended.

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

Mrs. Dunlap left the meeting at 6:40 pm.

PUBLIC FORUM: Bonnie Christie inquired about the Town being out of compliance with DES. Mr. Cass stated they are missing a form; the permit is complying.

Norm Goupil wanted to thank Mr. Cass for spending some time with him to answer all his questions.

NEW BUSINESS:

Update to Accounts Payable: Mr. Cass stated that the Treasurer, Kevin Davis, would prefer that the checks not be mailed out until the Board has signed the manifest. Due to discounts and processing time, Mr. Cass has made a list of those invoices that should be paid right away. Mr. Cass proposed a Certification of a Select Board Vote granting Mr. Cass authority to approve the manifests for payment of invoices as specified below on weeks when the Select Board does not meet.

Mr. Traum made the following motion: In order to receive discounts and assure that invoices with short turn-around time are paid in a timely manner, we authorize Town Administrator Neal Cass to approve a payment on behalf of the Select Board for the following vendors on the weeks when the Select Board does not meet. Mrs. Wells seconded the motion.

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

CROSS ROAD UPDATE:

Mr. Cass stated we have a May 1 deadline with DES and Hoyle and Tanner have made a recommendation to remove the culvert and monitor the area. This is not a long term solution, but this will make us compliant. He further stated the Town will do the work. Discussion ensued, with regards to a wetlands permit and the fact that everything that needs to be evaluated is underwater at this time.

Bonnie Christie inquired as to why the taxpayers have to foot the cost, when it was volunteers that caused the issue. Chairman O'Brien stated it was not intentional and they thought what they were doing was the right thing. Mr. Whitley agreed, stating if we want volunteers to continue to work with the Town, we can't send them a bill. The Board agreed to move forward with the Hoyle and Tanner recommendation to DES.

TOWN ADMINISTRATOR UPDATES:

Mr. Cass stated there has been a request for a half marathon. Mr. Cass stated he has discussed it with the Fire Chief and the Police Chief. Mr. Cass also stated that the marathon will have to get a state permit.

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Mr. Cass stated that the Covered Railroad Bridge will be painted, starting Tuesday, April 30, 2019.

Mr. Traum inquired about the availability of the Bates Building. Mr. Cass stated he would have more information in two weeks.

Mr. Traum inquired if our police department is over stressed due to the traffic being detoured to Exit 6. Mr. Cass stated no, we are at full staff now, and the officer at Exit 6 is a detailed officer.

Mr. Cass and Mr. Traum will be attending a workshop, Clean Energy NH, which is about solar array, PILOT agreements, etc.

Mrs. Wells inquired about the Master Plan, noting that some chapters have been written but not approved. Chairman O'Brien stated that the Master Plan is the responsibility of the Planning Board; not the Select Board and suggested that Mrs. Wells speak with Karen Robertson.

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

Mr. Traum moved to go into a non-public session to discuss the lease of property under the provisions of Nonpublic Session RSA 91-A: 3 II (d). 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 and the Town Administrator went into nonpublic session, as recorded separately, at 7:47 p.m. The Board returned to public session at 8:10 p.m.

Vote to seal nonpublic minutes:

Mr. Whitley moved to seal the minutes of the just completed nonpublic session because it was determined that divulgence of this information likely would render a proposed action ineffective. Mr. Traum 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 IV-RSA 91-A: 3 IV (e) Legal

Mr. Traum moved to go into a non-public session to discuss on-going litigation under the provisions of Nonpublic 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 and the Town Administrator went into nonpublic session, as recorded separately, at 8:10 p.m. The Board returned to public session at 8:16 p.m.

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Vote to seal nonpublic minutes:

Mr. Traum moved to seal the minutes of the just completed nonpublic session because it was determined that divulgence of this information likely would render a proposed action ineffective. 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).

ADJOURNMENT

There being no further business, the Chair declared the meeting adjourned at 8:17 p.m.

Respectfully submitted,

Robin Buchanan
Administrative Assessing Assistant