



**Northwood Board of Selectmen
Minutes of August 9, 2016**

Chairman Bryer called the meeting to order at 6:00 p.m.

Chairman Bryer led the pledge of allegiance.

Roll Call

Selectman Rick Wolf, Selectman Donald Hodgdon, Chairman Scott Bryer and Town Administrator, Joe Gunter.

Absent

None

Appointments

APPLICATION to BUILD on a PRIVATE ROAD, RSA 674:41: Kenneth & Debra Folsom, Preve Rd. Map 103; Lot 12.

Mr. and Mrs. Folsom are present to speak about their road wavier denial from the Planning Board. Mr. Folsom states that his road waiver case for Preve Drive was denied at the last Board of Selectmen meeting. He also states that he has obtained a copy of the minutes from the Planning Board meeting on July 14, 2016. He has an issue with the Planning Board Recommendation because there were two other road waiver cases that the Planning Board looked at in which they had continued the cases so the board members could conduct site visits, but his property was never visited. He saw in the minutes that the Selectmen had concerns about the septic systems. He states that the septic systems are state approved, so he doesn't understand why it would be denied based on that. The other concern he read in the minutes was the ability for emergency vehicles to be able to get to the houses. He states he was under the assumption that the road waiver was to put the responsibility on him to keep the road in good enough condition that the vehicles can get to the house.

Chairman Bryer states that he recalls that this was at the last meeting. He asks Mr. Gunter if the Planning Board had some questions about the waiver. Mr. Gunter states that the Planning Board had the following comment: We are not sure if homeowners association exists for road maintenance; if not, we should not add to the existing situation by adding another residence and another further development on this road is viewed unfavorably by the planning board.

Mr. Folsom states that there is no formal home owners association, however, he's submitted a letter with his application that says he's paid Scott Preve \$250 to do some road grading last fall, and the road has been regraded this past spring. Mr. Folsom states the Mr. Preve and one other gentleman take care of the road year round, plowing and grading it as necessary. Chairman Bryer asks Mr. Folsom if there are any houses on that road after his. Mr. Folsom states yes there are several year round houses after ours. Mr. Folsom states that there was also a question about the variance that was granted by the Zoning Board. Mr. Folsom states that it was brought up that a building permit wasn't acquired after the variance was granted. Mr. Folsom states that they bought the property from the Turners. The Turners sold it as a buildable lot. Before they bought the lot from the Turners, Mr. Folsom met with the building inspector to make sure he could build on the lot, because he does want to put a camp on it. He states that the building inspector said everything was fine and the lot had a variance on it to build on a private road that had no expiration date. Mr. Folsom states that the only thing he understood he had to do was get the septic plan approved from the state, which he did. Chairman Bryer asks if



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Mr. Folsom received anything in writing from the building inspector that said it was okay to build on it. Mr. Folsom states that no, he did not. Mr. Folsom states that he had Surveyor Bill Wormell reapplied for a septic permit, and they have applied for the shoreland permit. Mr. Folsom states that he has turned all of the approvals in to the Building Inspector.

Selectman Wolf states that just because there is a septic approval from the state a class VI road that it means that we have to approve it. That really carries no bearing on the town level. I made this announcement six months ago. The reason they are clamping down on people building on these private roads is because in the past, people haven't maintained the roads enough to get emergency vehicles to where they need to go, and ambulances have even gotten stuck and needed to be towed out, which in turn puts the cost on the town.

Mr. Folsom states that he appreciates the Board's position on the matter because he is the Town Administrator in Canterbury. His town has an area in his town that is private roads with similar issues. He feels that if there is a piece of paper that states he is taking the responsibility, then he should be able to build because it is on him to maintain the roads. He was hoping that they could work something out tonight. Selectman Wolf states that he thinks that's a possibility, but he would like to take a look at everything first. This is the first he's seen of it. He thinks that they should go out and look at it.

Chairman Bryer asks Linda Smith, the Board Administrator, to come to the table.

Chairman Bryer asks Ms. Smith about what happened at the Planning Board Meeting. Ms. Smith states that the basis of the Planning Board's concern was the lack of information provided with the application to build on a private road. There is a checklist and it required the distance from the Class V road to where the driveway is going in, that was not on there, there was not anything relative to a maintenance agreement. The board made their comment based on the lack of information. They did not have anything to judge the distance, whether or not it was 1000 feet or greater. That is in your guidelines.

Chairman Bryer asks about the variance case on November 26, 2007 where that the variance was granted for the road frontage, and lot size. Is that typically recorded on the deed? Ms. Smith states yes, we record the Notice of Decision on the deed, and the variances go with the land, not the owner. So it does go forward even though it's been a number of years, it's still valid. The only thing he needed to achieve to go forward was this RSA, which is under the selectmen's jurisdiction. Mr. Folsom states that he had offered to come to all the meetings regarding this case, but was told the meetings were only a formality. Ms. Smith states that typically the Planning Board does not take input on these; it's not a public hearing.

Chairman Bryer asks if the Planning Board would reconsider this decision. Ms. Smith states she thinks if they asked the Planning Board to do a site walk, and the applicant would provide more information such as the distance to the driveway from the Class V road. Also, another thing that came up at the Planning Board meeting was that the driveway is on Faucher Lane, not Preve, as noted on the application. As far as this application, it's based on access to the lot. The only issue right now is access to the lot. Based on the state law, the distance from Class V road to where they enter the lot meets your guidelines, and whether or not this board is acceptable to it. The Planning Board may be more than willing to do a drive-by and comment further with additional information.



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Chairman Bryer states he'd like to suggest to the board that they refer this back to the planning board with the additional information and to have them do a site walk.

Selectman Hodgon states that he feels it's just a lot of missing information. Mr. Folsom states he's willing to give any information they would like. Chairman Bryer asks who told Mr. Folsom that he didn't need to go to the meeting. Mr. Folsom states that he called before the meeting and was told that it was just a formality. Chairman Bryer asks if somebody looked at his packet and told him it was complete. Ms. Smith states that it was more than likely her that took the packet in, and told Mr. Folsom that it wasn't necessary to come to the meeting because the Planning Board doesn't take input on these. They look at the application and simply give their opinion based on what is presented. They look at them relative to the masterplan and the Board of Selectmen's guidelines. The 1000 feet is based on the subdivision regulations.

Chairman Bryer states that he's been at many public hearings and they are pretty open and anyone can speak at them. Ms. Smith states that the Planning Board work sessions are not public hearings. Chairman Bryer asks if the meeting was posted. Ms. Smith states yes, it was posted as a public meeting. Selectman Wolf states that the work sessions are public meetings but the public is not allowed to comment.

Mr. Folsom states that he has paperwork that states input is limited to clarification. Ms. Smith points out that the paperwork he is reading from is relative to an application before the Board of Selectmen. It is referring to the Board of Selectmen's authority to grant building permits under the state law. The Planning Boards only role is to review and comment to the Board of Selectmen.

Mr. Folsom states that he feels that the town has interior issues and he doesn't want to get caught up in them. He just wants to know what he has to do to get the road waiver approved.

Chairman Bryer asks if he has the approved septic plan, all the needed applications and permits. Mr. Folsom states yes, he does. All he needs is the road waiver.

Chairman Bryer states that he was under the impression this was the last house on the roadway, and that there were no other houses beyond that. But hearing now that this is a house in the middle of several others, he doesn't see why they shouldn't approve this. He would like to see the additional paperwork with the approvals though.

Ms. Smith states that she would just like to point out that in the guidelines you specifically ask for the distance from the Class V road to where the lot is. The Planning Board did not have that information, and the applicant still hasn't provided that information.

Chairman Bryer states that it's been cleared to him that this decision is up to the Board of Selectmen.

Mr. Gunter states that he'd just to reiterate Selectman Wolf's earlier point. Harvey Lake Estates has had issues where new homes were going up, and it was discussed that there was a need for road maintenance agreement. So this is very similar to what's going on here. The ZBA and the Planning Board decided to look with a little more scrutiny at these applications to build on private roads.

Mr. Folsom gives the selectmen pictures of Preve Road for them to review.



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Selectman Hodgson asks to clarify a roadway agreement. If Mr. Folsom signed an agreement with Mr. Preve stating that he gives him money to take care of the road, would that be all he needed?

Chairman Bryer states that he isn't worried because if they signed a waiver that they understand that if there is a fire or some emergency and the road isn't properly cared for, then they might not be able to get equipment to the house.

Selectman Wolf states that regardless of a waiver, if the road is let go, and an ambulance does try to get to a house and gets stuck, then the cost is back on the town. That's why they started to get tougher on these applications. The agreement is to get people to do a better job on these Class VI roads.

Mr. Folsom states that he understands, and that why he brought the pictures to show that they take care of the roads.

Mrs. Folsom states that this is an established neighborhood, they've taken very good care of the roads, so she doesn't understand what the problem is if they are willing to sign the road waiver.

Ms. Smith points out that the Planning Boards comments about the road maintenance agreement is something they feel strongly about and they have consistently commented on it, not just on this application. It's something they just want to put forward to the Board, and they have been consistent in doing that.

Chairman Bryer would like to hold off on making a decision about this until the next meeting in order to get some legal advice about the waiver, and have the Planning Board do a site walk.

Mr. Folsom states that he will get the additional driveway information for the Planning Board as well. He will also show the driveway access on Preve Drive.

Chairman Bryer states that he has some concerns about the message being given to the public here. He'd like to think that if he was coming to a town, he could ask town officials about a lot he may be interested in purchasing, and they could give him any information about if there was going to be any difficulties building on that lot. If we are going to adopt a policy of no building on private roads or Class VI roads, that should be educated to our staff, so that when people come in to make an investment in our town, they know up front that they might have some problems. My position is that if we are going to take a hardcore line, we need to educate our staff or educate the public coming in to town hall. Ms. Smith states that the formation of the small lot subcommittee is working on that, but in the interim, the Board of Selectman should come up with some statement that we could refer to when people come in to look at a property. Selectman Wolf states that sometimes realtors mislead the public as well in order to sell property.

Chairman Bryer states that the Planning Board has a meeting on Thursday. The Planning Board could take a look at this again and possibly discuss a sitewalk. Because of the time constraints, the next meeting the Folsoms could come to would be in September.

Ms. Smith points out that the building permit is for the foundation only. She asks if the Folsoms realize that they are going to have to go through this process when they pull another building permit for the actual house.



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Mr. Folsom states that his plan was to pour the foundation this summer, and possibly start building next spring. Ms. Smith suggests pulling all the permits now in order to avoid this process again.

Northwood Fire Department – Fire Truck repair

Mr. Gunter is speaking on behalf of the Fire Department. He states that Engine One has a knock in the engine; it turns out to be a lifter. That kind of repair could be extremely expensive. They are working on estimates now.

Selectman Wolf states that this firetruck has 18,000 miles on it. The problem is that they need to have a maintenance program. Even though it's a diesel truck, that truck needs to be driven from Northwood to the Lee Circle at least once a week. In order to allow for the check engine lights to come on, sometimes it needs to be driven at least 50 miles. There needs to be a better way to keep track of what's going on with the equipment.

Selectman Hodgdon suggests a checklist every time the trucks go in.

Chairman Bryer states that this is something that they will need approval for. Mr. Gunter states that it's not an emergency situation; they have been driving it like this for a while. They don't have an estimate yet. Selectman Wolf states that he can see this costing 10 to 15 thousand dollars. Chairman Bryer asks if there is any money in the budget for this repair. Mr. Gunter states that the Fire Department has already gone through the maintenance budget for this year. Selectman Wolf asks where the \$75,000 is from the last truck they sold. Chairman Bryer states that went into the general fund and it's a difficult process to draw any emergency money from that fund. Since it's August, and there are about 5 months left in the year, we'd have a pretty good idea if we could find the money somewhere. Mr. Gunter states that there is still an open position in the department, but he doesn't know if that would be up to \$15,000 by the end of the year. Chairman Bryer states that maybe elsewhere in the budget they could find \$15,000.

Unfinished Business

Credit card policy

Mr. Gunter states that they are looking for approval of the policy. This is the policy that was discussed with the auditors. Since they are going to be giving a card to the new Recreation Director, the auditors thought it prudent to have a policy about how the credit cards are used, and who is responsible for them and what happens when receipts are lost. It's more of a housekeeping thing for our internal controls.

Selectman Hodgdon states he has a few questions. He asks if there is a list of people who have credit cards. Mr. Gunter states yes, we do. Selectman Hodgdon asks if this is just a new policy for them to follow, and if anyone new gets a card, do we have to approve a new policy? Mr. Gunter states, no, this is a blanket policy. This is not to give people credit cards; this is just for the use policy. Selectman Hodgdon asks how many credit cards are there. Mr. Gunter states there are three, one he has, one for finance, and one for the rec department. Chairman Bryer states he understands finance having a credit card, and he understands the rec department having a credit card, but he doesn't understand why Mr. Gunter and finance have a credit card. Mr. Gunter states that his are for little things that pop up, like travel, food for the inmates, softballs for the rec department etc. Finance tends to use theirs more for supplies. Chairman Bryer states he isn't comfortable with three credit



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cards out there. He would rather have one credit card for town hall, either in the Town Administrators possession or Finance, and one credit card for the rec department. Mr. Gunter states that it would cause a hardship only having two. Selectman Wolf states he doesn't have a problem with the three cards because there is a limit in the cards of \$500.

Chairman Bryer made a motion that they only have two credit cards. Seconded by Selectman Hodgdon for discussion.

Selectman Wolf states that he doesn't see a problem with there being three cards. There have been gas cards in the past. They found the last town managers card in the town car. Chairman Bryer states that with a gas card you can only buy gas. Selectman Wolf states that's not necessarily true. There is not anything in writing that says they can only buy gas. Mr. Gunter states that he needs it for traveling and for recreation department. Chairman Bryer states that for travel they can use their own personal cards and turn in receipts for reimbursement. Mr. Gunter states that they had decided to stop doing that. Chairman Bryer states he was talking about travel. Travel by Town Administrator is only 3 or 4 times a year. Selectman Hodgdon asks why they can't share a card between the Town Administrator and Finance. Mr. Gunter states, yes they can share. It will be a hardship, but it can be done. Chairman Bryer doesn't see why finance needs a credit card at all. Recreation needs one; the other should go to Town Administrator. Mr. Gunter will decide.

Motion carries 2/1

Chairman Bryer made a motion to approve the new credit card policy. Seconded by Selectman Wolf. Motion carries 3/0

Credit card update

Mr. Gunter states that they have been doing really well with the credit card program they have been using in the rec department to accept payments. They have taken in \$3,500 online. Registration is up 10% this year. After finance reconciles the account, he would like to look into a Square account for the transfer station.

Selectman Hodgdon asks who would be in charge of the instrument if they were to use the Square?

Chairman Bryer states that because the transfer station is unmanned for so many hours, the credit card machine should be housed in a more secure space. Mr. Gunter states that the square reader is something that can be hooked into an Iphone or a tablet. The responsibility of where it's stored would have to be worked into the policy. Mr. Gunter states that all three transfer station employees would have to be trained. Selectman Hodgdon states that they would need to put wifi at the transfer station, which would be easy to do since there is internet there. Mr. Gunter states that they are still working out the details.

Master plan update

Mr. Gunter states that they have received several surveys back from their outreach sessions. They are mailing out the rest next week. They will be in the Suncook Sun.



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New Business

Acceptance of minutes – July 26, 2016

Selectman Hodgdon made a motion to approve the minutes for the July 26, 2016 meeting as written, seconded by Chairman Bryer. Motion Carries; 3/0

Process Assessing Forms and Applications

Mr. Gunter provides the Board with reimbursement to towns and cities in which federal land is situated. Chairman Bryer states that it is money from the state compensating the town for lands that they don't pay taxes on. **Selectman Hodgdon made a motion to accept the reimbursement from the state for Northwood Meadow State Park and Woodmen State Forest for the amount of \$942 for Northwood Meadow State Park, and \$1431 for Woodmen State Forest. Seconded by Chairman Bryer. Motion carries; 3/0.**

Approval of Manifest(s)

Selectman Hodgdon made a motion to approve vendor manifest V2016-16 for the amount of \$2,162,077.12, seconded by Selectman Wolf. Motion carries; 3/0.

Approval of Purchase orders

Mr. Gunter provides the board with a purchase order from Lamberts Carpentry for deck repair at the library for \$1250. Mr. Gunter states that if the board is interested they could make a motion not to exceed \$1250, since there is concern about that figure. **Selectman Hodgdon makes a motion to not exceed \$1250 for the repair of the deck at the library. Chairman Bryer seconds. Motion carries 3/0.**

Mr. Gunter provides the board with a purchase order from Lamprey Health Care for the 2016 approved appropriation. **Selectman Hodgdon makes a motion to approve the purchase order from Lamprey Health Care for \$4500. Selectman Wolf seconds. Motion carries 3/0.**

Mr. Gunter provides the board with a purchase order for Presby Steel, LLC \$1692. 72, for steel plates. **Selectman Hodgdon makes a motion to approve the purchase order for Presby Steel, LLC \$1692. 72 coming out of the transfer station trust fund. Selectman Wolf seconds. Motion carries 3/0.**

Miscellaneous Signatures/Approvals

Mr. Gunter provides the board with a representation letter for the auditor. **Selectman Hodgdon makes a motion to allow Chairman Bryer to sign the representation letter from Vachon–Clukay. Motion carries 3/0**



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Septic Lagoon

Mr. Gunter states that they are 33% above volume that we were last year at this same time, and last year they were above volume from the year before as well. The lagoon has a capacity of 250,000 gallons. Right now it's at 138,000 gallons. The time is coming up where they will have to make the decision to shut the lagoon down. Chairman Bryer asks to clarify if it would have to be shut off temporarily and cleaned and treated. Mr. Gunter states that the DES permit only allows for 250,000 gallon permit. Dave Allain is concerned that if this does exceed the amount of septic that is dumped, it will become a problem. They are tracking it to see how many gallons are coming in. When they close it, it will only be until the permit renews in the New Year.

Selectman Wolf states that he's noticed that now that Camp Yavneh has closed the lagoon, they we are coming out of there quite often with surge, which they dump in the town's lagoon. Maybe to save the taxpayers maybe something should be instituted since all of that is coming just from there. He states he notices the truck coming out of there sometimes three times in one week loaded. Maybe that's one thing to look at. Chairman Bryer states that the town has a very good relationship with the Camp, but they don't pay any taxes. But we don't have to let them use our lagoon. Mr. Gunter states that he doesn't know the answer to that, and that is a squishy subject. He can get the numbers and let them know exactly what they are bringing in. Chairman Bryer suggests a cap on how much businesses can dump per year, or charge additional fees after so many gallons. His opinion is that the lagoon is for the homeowners, and businesses should be held to a different rate. Selectman Hodgdon states that he'd rather put a higher rate on businesses than homeowners because the whole thing puts the town in a pickle.

Reports

Individual Selectman's Reports

Selectman Wolf states that he'd like to mention that the paving company did a good job down on Bow Lake Road at the beach area and the whole job looks really good. Chairman Bryer states that he would like to say too that they did an exceptional job and he's hoping that it starts preventing stuff from going into the lake. Selectman Wolf states that he was down there when it was pouring rain and it already was running away from the lake. He states that the only thing that was brought to his attention was from an elderly couple that had a hard time getting up and down because the parking lot was raised another foot and a half more and they had to step over the curb to get on the beach.

Chairman Bryer would like to add to the to do list. He's a little concerned about the couple that was requesting the road waiver earlier in the meeting. If the town is going to put a moratorium on building on the Class IV and private roads, it seems like this is put upon the selectmen, then the selectmen should develop a policy to educate the public and in house staff to let these people know that they might have issues building on the property they are going to buy. He states that he understands that realtors don't make the effort to let people know, and you really can't control that. He thinks it's unfair to the public. He would like the board to adopt a formal policy and have it vetted by legal. He has a feeling that legal would say it's on a case by case basis, and he doesn't like that. Selectman Hodgdon states that it puts the board in a pickle. Mr. Gunter states that with this particular case especially, he thinks setting expectations means a lot. Chairman Bryer states that he thinks that Mr. Gunter should address the staff telling an applicant that it's "just a formality" to go to a public



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meeting. He states that every applicant should go to a meeting where they are being discussed.

Chairman Bryer states that he'd also like to commend Mr. Gunter for going above and beyond his job by doing things like working at the transfer station. Since he's been in Northwood, he can't remember a Town Administrator doing anything like that. Selectman Wolf seconds that commendation.

Selectman Hodgdon – nothing to report.

Citizen's Forum

No public present.

Non-Public Session RSA 91-A:3, II (a, b c, d,e)

Selectman Hodgdon made a motion to go into non-public under RSA 91A-:3, II (A,C,D), seconded by Selectman Wolf at 7:57pm. Motion carries; 3/0.

Roll Call

Selectman Wolf – Yes

Selectman Hodgdon – Yes

Chairman Bryer – Yes

Motion carries; 3/0.

Selectman Hodgdon made a motion to come out of non-public, seconded by Selectman Wolf at 8:23 pm. Motion carries; 3/0.

Roll Call

Selectman Wolf – Yes

Selectman Hodgdon – Yes

Chairman Bryer – Yes

Motion carries; 3/0.

Selectman Hodgdon made a motion to seal the minutes, seconded by Selectman Wolf. Motion carries; 3/0.

Selectman Hodgdon makes a motion to reimburse Angela McGibbon \$208 for a vehicle registration. Selectman Wolf seconds. Motion carries 3/0

Selectman Hodgdon states she bought a vehicle for \$408 and registered it. She sold it and bought another vehicle for \$195 and she is asking for a rebate of \$208.

Adjournment

Selectman Hodgdon made a motion to adjourn, seconded by Selectman Wolf at 8:30 pm. Motion carries; 3/0.



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Respectfully Submitted,

***Susan Jastremski –Pastor
Land Use Secretary***