



## Northwood Board of Selectmen Minutes of May 23, 2017

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

**Roll Call:** Chairman Rick Wolf, Selectman Donald Hodgdon, and Town Administrator Joseph Gunter

Chairman Wolf led the Pledge of Allegiance.

### **Citizen's Forum**

No public comment

### **Public Hearing**

Chairman Wolf read the public notice.

*The Northwood Board of Selectmen will hold a public hearing at Northwood Town Hall on Tuesday May 23, 2017 at 6PM for ratification of the vote on March 21, 2017.*

Tom Chase, 306 Catamount Road. He stated that he was pleased to find that the moderator had taken safety into consideration when the town was hit by a blizzard on the originally scheduled election day and decided to delay the vote. Having read the statutes related to that decision, he feels that the moderator was within his rights to make that decision. He stated that he will vote in the affirmative to ratify the voting that took place on the subsequent day.

Mary Faiella. She stated that she was hoping that the board would take some time to decide whether or not they ought to go through the procedure of ratifying the vote. She stated that the ratification is actually unnecessary because the voting was postponed properly, in accordance with existing law. She stated that she has supplied the board with copies of all the statutes that she is referring to. She stated that it seems to her that ratification would be ineffective if the voting had been illegal as is claimed in House Bill 329, which is the bill that authorizes the board to ratify the vote. Ratification would be ineffective, she feels, because the purpose of the ratification is to overcome the problem that voters were disenfranchised by the postponement. If voters were disenfranchised, the right to vote is a constitutional question, a simple statutory solution created by the legislature is not going to overcome that disenfranchisement. Northwood is like most towns, where the town meeting occurs in two sessions. It's true in SB2 towns and towns that hold traditional town meetings, and if you look at page 69 of the most recent town report, it refers to the two sessions, the first being the deliberative session and the second is the voting session. We had our deliberative day and our voting day. Our voting day was set for March 14<sup>th</sup> this year which is the 2<sup>nd</sup> Tuesday in March as required by RSA 669 and RSA 40. Our deliberative session was set for February 4<sup>th</sup>, in accordance with RSA 39 and 40. The Secretary of State asserts that he's empowered by RSA 652 to set these dates, but in fact they are set in the statute. His job is simply to prepare a calendar setting forth the dates. That is to say associating the dates set in the statute like the second Tuesday of the month with the



## Northwood Board of Selectmen Minutes of May 23, 2017

actual calendar date that it corresponds with. Meanwhile, RSA 40:4, the Moderator's authority to postpone the meeting, could not be clearer. It says in the event of a weather emergency on or before the date of a deliberative session or voting day, which the moderator reasonably believes may cause the roads to be hazardous or unsafe, the moderator may, up to two hours prior to the scheduled session, postpone and reschedule the deliberative session or voting day to another reasonable date, place or time. The date originally scheduled shall continue to be deemed the deliberative session or voting day for the purposes of satisfying statutory meeting date requirements. She stated that it was hard for her to understand how there could have been so much confusion about this in such high places. In any case, she would urge the board to uphold the law as it was when the moderator properly applied it to postpone the meeting.

Rebecca Rule. She stated that she would like to correct a statement by Ms. Faiella. As far as she knew, only one third of the towns had adopted SB2.

Mr. Gunter stated that he could provide some input from legal counsel. Town Council stated that it is a grey area, and ratification is not required. To that end they said that it would be better to vote on it and put it behind us. If the board does wish to ratify the vote, they have to sign the provided resolution.

**Selectman Hodgdon made a motion to ratify the March 21<sup>st</sup> vote. Chairman Wolf seconded. Motion carried 2/0.**

### Appointments

#### **Gail Tobbe**

Ms. Tobey was present to discuss the church on Rt. 4. She stated that they had lots of people come to the open house. The church was originally for sale for \$150,000. She stated that they thought the church would be a good place to have a community center. She stated that the Budget Committee requested that she do more research. She stated that they found out that not only is the asking price \$150,000, it would probably cost around \$150,000 to get it up to ADA standards. Structurally its very sturdy. There are some issues with the floors, however, it is structurally sound. They did pull the warrant article because they knew there was no way the town could afford that much. They have asked the Baptist church if they'd consider donating it to the town. She stated that she wanted the board to know that she did the research, and if they did get the church then town would have to take care of the electricity, the heating cost and the insurance. That being said, she feels very strongly that the town needs a community center in order to have more events for the public.



## Northwood Board of Selectmen Minutes of May 23, 2017

Chairman Wolf stated that he thought it could be a possibility. He stated that they could get donations. He thought they should wait and see what happens.

Mr. Chase stated that he would suggest that she look at what happened in Epsom where there was a large church that was unused. The land it was sitting on became so valuable that it was a win-win proposition to move the church to another lot and then sell the land. This may be a similar situation. The community center at the other end of town is used almost every night of the week, so to have that sort of resource at this end of town might make sense.

Ms. Tobey also spoke to the board about creating an office in the library for the director. The current location will no longer work because of privacy and safety issues. The trustees will pay for it, along with the friends of the library and donations they've received. She stated that she was asking the board if it would be okay to move forward with the project.

**Selectman Hodgdon made a motion to approve the construction of an office in the library. Chairman Wolf seconded. Motion carried 2/0.**

### **Unfinished Business**

#### **Sale of Map 202 Lot 1.**

Mr. Gunter stated that he was hoping to have this finished up by now, but he is waiting for some language from the buyer. They have some quotes to do the conservation easement.

#### **Fee schedule discussion**

Mr. Gunter stated that the building inspector is requesting that they add a new fee to schedule that encompasses solar fees for the installation of solar panels at a rate of \$100 to include the electrical and mechanical permits. Barrington and Nottingham do the same thing. Mr. Gunter stated that they will hold a public hearing at the next meeting.

***Selectman Bryer arrived at 6:30***

#### **Conservation Commission**

Grace Levergood, Chairperson for the Northwood Conservation Commission, Tom Chase, and Wini Young were present to speak to the board. Ms. Levergood stated that



**Northwood Board of Selectmen  
Minutes of May 23, 2017**

they were respectively asking the board if they would reconsider their decision not to reappoint Steve Roy to the Conservation Commission. She stated that he was a very valuable asset to the town. She stated that they had written a letter as a group, and she would like to read it into the record.

Gentlemen:

The Northwood Conservation Commission respectfully requests that you reappoint Stephen Roy to the commission. Steve was first appointed to the commission in 2002. He was elected vice-chairman in 2004. He was elected chairman in 2005 and has served in that capacity for the past 12 years.

During Steve's tenure and leadership as chairman the commission has completed numerous projects, assisted citizens and property owners in the permitting process, and worked diligently to protect the town's land, water and natural resources. We believe Steve has been an invaluable community volunteer who has provided extensive knowledge and expertise to the town.

The following is a partial summary of the work completed under the membership and leadership of Steve Roy:

- Awarded an \$8,000 grant from the NH Estuaries Project to develop a stormwater management plan for the town. The plan was the cornerstone of a water resources plan developed in conjunction with the planning board.
- Numerous land acquisitions that permanently conserve properties including:
  - former Low property, which serves to protect the Northwood Water District wells
  - former Yeaton property which adds acreage for wildlife management
  - Guptill Lamprey Pasture (102 acres) part of the headwaters of the Lamprey River Watershed
  - former Schroeder property, Kelsey Mill
  - former Johnson property, Northwood Narrows
- Worked with private landowners to secure conservation easements which permanently conserve land while keeping the land in private ownership:
  - Gallagher



**Northwood Board of Selectmen  
Minutes of May 23, 2017**

- Wallman
- DeMeritt
- Rooney
- Coordinated with other town organizations to enhance and improve Northwood Meadows State Park and Forest Peters Wildlife Management Area
- Supported ongoing projects with CBNA students on land clearing and trail marking.
- Worked with the town forester to update Northwood's Forest Management Plan. Updated maps and yield evaluation. Helped guide the town in ways to improve the health of the forest ecosystems.
- Participated in the successful and well attended Discovery Day; a day celebrating Northwood Meadows State Park, a vital part of the town's conservation infrastructure enjoyed by citizens and visitors alike.
- Active participation and continued support of education outreach programs for invasive species impacting lakes and ponds in Northwood.
- Completed a natural resource inventory on a 58-acre town conservation lot.
- Initiated an effort to address water quality impacts to Lucas Pond.
- Reviewed and provided advice monthly on wetland permits submitted by property owners.
- Maintained and updated maps of the town's natural resources.
- Held numerous educational workshops and events that were well attended by members of the community.
- Coordinated with other local organizations including NALMC and Bear Paw Regional Greenway to promote awareness of the value of our natural resources.
- Worked with the town forester to initiate and complete a harvest of timber on the Giles Town Forest lot per the Town's forest management plan.
- Prepared wetland impact applications in 2011 to improve the boat ramp at Mary Waldron Beach and remove hazardous rocks at Northwood Lake Beach. Both projects were approved and completed prior to early April to allow construction during drawdown.



**Northwood Board of Selectmen  
Minutes of May 23, 2017**

- Coordinated easement stewardship monitoring training for members conducted by the Society for the Protection of NH Forests.
- Reviewed and commented on Special Exception applications to the zoning board on ordinances related to Conservation Overlay District.

On behalf of the Northwood Conservation Commission, we recommend that you consider the exceptional record of service that Steve Roy has provided to the town and re-appoint him to the conservation commission.

Ms. Young stated that because of Steve's knowledge and experience, projects have moved along more quickly. He's a very valuable member of the commission.

Mr. Chase stated that what has always impressed him while serving on the commission is that when people have come to them with forms that they have picked up from DES, or projects and plans, he is able to give them guidance about what to do next, what forms to fill out, whether they qualify for one path or another. What impressed him the most, was a story he heard from Linda Smith. She had a conversation with Chris Gallagher who said to her, if it wasn't for Steve Roy, and his help, he wouldn't still be in his house. It was with Steve's expertise and understanding of what his options were that enabled him to find a way to conserve the land around his house while continuing to live in it. Mr. Chase stated that it was a strong testimony of the kind of service he's provided this community.

Mr. Gunter stated that he did bring an appointment to the meeting, but it would be up to the board if they decided to sign it.

Selectman Bryer stated that it came to his attention that after they did the work at Mary Waldron Beach, that the Conservation Commission, or someone from the commission had sent a letter to DES questioning the action that they took there. Ms. Levergood stated that they came to a decision as a commission that there should have been a wetland permit pulled for some of that work. Selectman Bryer stated that it bothered him that instead of approaching the board to discuss concerns, they received a letter from DES. He stated that in all the years that he has served as a selectman, he's always carried himself very ethically and followed state laws and rules. He was personally upset that a letter was sent to DES without talking to this board first. That was one of the reasons that he didn't support reappointing Mr. Roy.

Mr. Chase stated that given Mr. Roy's overall record, that event was one of a kind. He stated that he felt that Mr. Roy would be happy to discuss the incident with him, but over the 17-year period of his service, it represents the exception rather than the rule.



## Northwood Board of Selectmen Minutes of May 23, 2017

In most other instances, he's help people navigate what is a very complex set of rules and regulations. So, he can't address that specific incident. He feels that what Mr. Roy was trying to do was to point out where he saw irregularities. He stated that he did walk the area with Mr. Roy on a Saturday afternoon. He stated that they agreed it was an improvement, but they saw some things that should have been done and if the people who had done the work were a little more expert in some of the rules and regulations about water and runoff and buffers, etc. Maybe they would have done it a little differently. He stated that his charge to the board would to be on the commission's and the town's behalf to reappoint him.

Chairman Wolf stated that he'd like to take it under advisement. He stated that maybe they should talk to Mr. Roy.

Selectman Hodgdon stated that he was thankful for all of the work Mr. Roy has done. He stated that he wasn't too familiar with the incident they had mentioned, but as far as he was concerned, he'd be okay with reappointing him.

Mr. Gunter stated that he could ask Mr. Roy to come to the next meeting.

Ms. Levergood stated that going forward, they would like to have more open communications with the Selectmen.

### **New Business**

*Acceptance of the minutes of May 2, 9, and 16, 2017*

**Selectman Bryer made a motion to accept the minutes of May 16, 2017.**

**Selectman Hodgdon seconded.** Selectman Hodgdon noted that these minutes were from a site walk at the ball fields to determine where a new pavilion would be placed, and they were not televised. **Motion carried 3/0.**

Selectman Bryer stated that because he hadn't had a chance to read the minutes for May 9, he would like to table them until the next meeting.

**Selectman Bryer made a motion to accept the minutes of May 2, 2017 as written. Selectman Hodgdon seconded. Motion carried 3/0.**

### **Processing various assessing forms and applications**

**Selectman Bryer made a motion to approve the intent to cut on tax map 213/1. Property taxes have been paid. Selectman Hodgdon seconded. Motion carried 3/0.**



Northwood Board of Selectmen  
Minutes of May 23, 2017

**Selectman Bryer made a motion to sign the yield tax and timber tax levy for tax map 218/13-23. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to sign a gravel tax levy for tax map 217/35 in the amount of \$508.98. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to sign a timber tax levy for tax map 218/35 in the amount of \$1,611.05. Selectman Hodgdon seconded. Motion carried 3/0.**

Mr. Gunter stated that he had information on the next assessing form. Mr. Gunter stated that there was an error made twelve years ago, so they are releasing the property from it change of use tax. It was a big lot, two small lots were taken out, and the error fell on the bigger lot and the change of use tax was never collected. All the properties are being charged correctly now, but because of the statute of limitations, there is no way to get the tax now. Chairman Wolf stated that he was concerned with the amount of lots that exist. He stated that on the tax map it shows three lots, but in person there are four lots surveyed out.

**Selectman Bryer made a motion to approve the change of use form for tax map 123/8.3 in order to correct records. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to accept manifest #P217-11, in the amount of \$87,576.43. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to approve a PO to Tyler Technologies in the amount of \$6,320.39 for annual support contract for financial software. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to accept the PO to BCM Environmental & Land Law, PLLC in the amount of \$3,029.65 for preparation for a legal trial. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Hodgdon made a motion to approve the PO for Lakes Region Public Access in the amount of \$5,736 for annual dues for Metrocast subscribers. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Hodgdon made a motion to allow the Chair of the Board of Selectmen to sign on behalf of the board. Selectman Hodgdon seconded. Motion carried 3/0.**

Selectman Bryer stated that the Human Services Director has made a recommendation to change the guidelines. Currently they keep case record for ten



**Northwood Board of Selectmen  
Minutes of May 23, 2017**

years. According to RSA 165 they are required to keep them for six years. He proposed keeping the case records for 10 years in December of 2015. He stated that he'd like to change it to eight years in order to save file cabinet space.

**Selectman Bryer made a motion to change the amount of time to save case records from ten years to eight years. Selectman Hodgdon seconded. Motion carried 3/0.**

Mr. Gunter stated that since 2014 they currently have \$66,000 in outstanding ambulance fees that have not been collected. The finance director is recommending that the town goes into an agreement with a collection agency. It is the collection agency that ComStar uses. The board needs to decide if they chose to notify the credit agency and accept the percentage to allow the agency with. Selectman Bryer stated that he would like to see the list of who is delinquent. He would like to have more information on each case. He would like to table this until they can get more information.

**Selectman Bryer made a motion to approve the junk dealer license # HM 217, Harding Metals. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to approve the junk dealer license # NAS 217, Northwood Auto Salvage. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to approve the Oath of Office for Lorna Patey for library trustee as an alternate with her term of office expiring on May 21, 2018. Selectman Hodgdon seconded. Motion carried 3/0.**

Mr. Gunter stated that the companies that are doing the paving are asking for an extension of 15 days.

**Selectman Bryer made a motion to approve the extension request. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to accept Arbor Care Tree Service bid, in the amount of \$24,800, On the condition that the Town is not responsible for the police detail. If Arbor Care does not agree with that condition, the Town will go to the next bid, LLC. Selectman Hodgdon seconded. Motion carried 3/0.**

**Town Administrators Report**

Mr. Gunter stated that they have had the training for credit cards, they have the policy written. They are going to write standard operating procedures. They have the equipment ready to go. The CIP is moving forward and the departments have submitted their requests. The Master Plan has two chapters written and waiting for



## Northwood Board of Selectmen Minutes of May 23, 2017

Planning Board approval He also stated that the town has been given the go ahead to start on the Red Listed Bridge grant.

**Selectman Bryer made a motion to allow Mr. Gunter to move ahead with the construction application for the bridge over Sherburne Brook, state project number 41397. Selectman Hodgdon seconded. Motion carried 3/0.**

### Individual Selectman's Reports

Selectman Hodgdon stated that he noticed the other night at the Transfer Station that the Road Agent was working. He was under the impression that they had hired a floater. He would like to know why they weren't using the floater. He also stated that he had received a few complaints from people that they had come to the Town Hall during the selectman hours and there was no one here to talk to. He would like to know how the process works. He also stated that the TV was removed from the transfer station, he feels as though if they remove the TV from the transfer station, then they need to remove the TV from the Highway Department as well. Selectman Bryer stated that the Highway Department needs the TV in order to monitor the weather conditions.

Mr. Gunter stated that he would like to single source the construction for the pavilion. They have a contractor that is working on the ballfield and has built the majority of the fields. It would just make sense to use the same person.

Selectman Wolf stated that town policy is to bid these projects out.

Chairman Wolf stated that across the road from Mary Waldron Beach people are parking along the road, so they need to put up some no parking signs. He also stated that he was at the ZBA meeting the previous night. He stated that they were way overbooked. People were sent home that were waiting for four hours, waiting to have their case heard. They need to know enough to not overbook. Chairman Wolf stated that the intent to cut that they signed last meeting was brought up to him by an abutter. They feel as though they should be informed that there will be cutting happening, and they should announce the address instead of just the map and lot.

### Citizens Forum

No Comments

### **Non-Public Session RSA 91-A:3, II (a, c)**

**Selectman Hodgdon made a motion to go into non-public under RSA 91A-:3, II (A,C), seconded by Selectman Bryer at 7:50pm. Motion carries; 3/0.**

### **Roll Call**



**Northwood Board of Selectmen  
Minutes of May 23, 2017**

**Chairman Wolf – Yes  
Selectman Hodgdon – Yes  
Selectman Bryer – Yes  
Motion carries; 3/0.**

**Selectman Hodgdon made a motion to come out of non-public, seconded by Selectman Bryer at 8:20 pm. Motion carries; 3/0.**

**Roll Call**

**Chairman Wolf – Yes  
Selectman Hodgdon – Yes  
Selectman Bryer – Yes  
Motion carries; 3/0.**

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

**Selectman Bryer made a motion to approve to postpone a lien on tax map 108/78 for 90 days at the request of the property owner. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to enter into an agreement for the payment of delinquent real estate taxes on an installment basis for tax map 234/83. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to write off the sum of \$2,509.75 because the individuals are deceased. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to approve an abatement of \$250 ambulance payments, the run number was 170064. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to accept Mike Brieger's resignation with regret. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to allow Mr. Gunter to post the Municipal Secretary position inhouse. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to hire Alexandria Simmet for head lifeguard at an hourly rate of \$11.50, Elijah Henrichen for life guard at an hourly rate of \$9.50 an hour, Emma Tobey for lifeguard at an hourly rate of \$9.50, and Autumn Graham at an hourly rate of \$9.50 and Samuel Patterson at an hourly rate of \$9.50, and Ben Brieger at an hourly rate of \$9.50. Selectman Hodgdon seconded.**



**Northwood Board of Selectmen  
Minutes of May 23, 2017**

**Motion carried 3/0.**

**Selectman Bryer made a motion to offer the Assessing Secretary position to Diane Young moving from a labor grade 3 to a labor grade 4 step 13, at an hourly rate of \$15.70. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to allow Mr. Gunter to post the Municipal Secretary position. Selectman Hodgdon seconded. Motion carried 3/0.**

**Selectman Bryer made a motion to adjourn at 8:27 PM Selectman Hodgdon seconded. Motion carried 3/0.**

***Respectfully Submitted,***

***Susan Austin  
Land Use Secretary***