

Board of Selectmen  
April 1, 2024  
Selectmen's Meeting Minutes

Present: Selectmen Bob Berti, Isaac DeWever & Ed Haskell  
Town Administrator Joe Chivell

6:30 PM Meeting was called to order by Board Chair, Bob Berti.  
Payroll and accounts payable checks were reviewed and signed.

Documents to review & sign:

- Payroll worksheet
- Yield Tax 13-003 008
- Notice of Intent to Excavate 12-11-22, 12-11-22-02, 12-11-22-03, 12-11-22-04

6:30 PM Highway Department –

Road Agent, Nick Coursey, met with the Board of Selectmen to discuss quotes he had received to upfit the newly ordered Highway Department F-550 with a plow, a dump body, and related equipment. Quotes had been obtained by Dyers Welding & Upper Valley Line-X, Viking Cives, Fairfield, Donovan Spring and Brake & Clutch. The Board reviewed the information provided by the Road Agent. Coursey reported that he was in favor of going with Dyers Welding & Upper Valley Line-X, in that he feels they are offering the best product for the money.

The Board had a brief discussion, which was followed by Selectman, Ed Haskell, making a motion to accept the quote of \$35,077.34, provided by Dyers Welding & Upper Valley Line-X, and to authorize the Board Chair to sign the related Purchase Order. The motion received a second from Selectman, Isaac DeWever. There was no additional discussion on the motion. The motion passed 3-0. Board Chair, Bob Berti, signed Purchase Order Highway Dept. 2024-02.

Road Agent, Nick Coursey, stated that he had a rough draft of the 2024 Paving Project Request for Bids. Coursey stated that he would like to send them out Tuesday of this week, with an opening date of April 15, 2024, during the Board of Selectmen's meeting. The Board approved this action.

Road Agent, Nick Coursey, asked the Board about using a strip of land, along East Rumney Road, to stockpile materials rather than stockpiling at the end of the road or on private landowner property or trucking in materials when needed. Coursey was under the understanding that the Town retained ownership of the small parcel when the bridge in that area was repaired. Selectman, Bob Berti, agreed that if work is being done on that end of the road, it is a good location to store materials. Selectman, Isaac DeWever, agreed that it is a good idea, if we own the land. The Board approved Coursey to do minor work on the area to make it a feasible storage area, once it is confirmed that the Town owns the parcel.

#### 6:50 PM Police Department Update –

Police Chief, Greg Patten, provided a Department update, stating it has been busy involving domestic issues, motor vehicle accidents, and other calls for service.

Chief Patten reported that he has no viable candidates for the vacant police officer position.

A new employment agreement between the Town and Chief Patten was signed by both the Chief and the Board of Selectmen. The new agreement takes effect May 1, 2024, and is in place until May 1, 2026.

7:00 PM Public Forum – There was no one present to take part in the Public Forum.

#### 7:00 PM Town Administrator Report –

March 4<sup>th</sup> and 18<sup>th</sup>, 2024 Board of Selectmen's Meeting Minutes were provided for review. Selectman, Ed Haskell, made a motion to accept both the March 4<sup>th</sup> and March 18<sup>th</sup>, 2024, Board of Selectmen's Meeting Minutes. The motion received a second from Selectman Isaac DeWever. There was no discussion on the motion. The motion passed 3-0.

Town Administrator, Joe Chivell, reported that he and Road Agent, Nick Coursey, continue to have monthly meetings with representatives for HEB Engineering and State of NH – DOT preparing for the Buffalo Road bridge project schedule to take place late Summer early Fall 2024. The next meeting is scheduled for April 11<sup>th</sup>. A proposal from HEB Engineering to handle advertising and bidding of the project, this part of the project was not included in the original agreement to handle the engineering and permitting of the project. Following a brief discussion concerning the proposal. The Board of Selectmen agreed to move forward with the proposal. Board Chair, Bob Berti, signed the proposal on the Town's behalf.

Following the March 18, 2024, Board of Selectmen's meeting Town Administrator, Joe Chivell, contacted the Hebron Town Administrator regarding the sale of their ambulance they are replacing. Chivell reported to the Board he is on the April 4<sup>th</sup> Hebron Board of Selectmen's Agenda to discuss the purchase of their ambulance.

#### 7:15 PM Fire Commissioners –

The Board of Selectmen had invited the three newly elected Fire Commissioners, Janice Mulherin, Mark Andrew, and Lila Williams, to discuss how best the two groups could work together and expectations of both. Selectman, Bob Berti, welcomed the Commissioners and appreciated them attending the meeting. Berti explained that he hoped that the Commissioners would be able to assist the Board and the Fire Chief moving forward on both day-to-day items as well as long term project, even past this one-year commitment. Berti went on to explain that he hopes the Commissioners would help with outlining and evaluating the Fire Chief responsibilities, assist with the Fire Station needs and work with the Town and John Francis in

developing a building needs assessment. The building assessment needs to include what equipment is needed and what the next piece of apparatus will be and when.

Selectman, Bob Berti, explained that Chief Hacker has taken classes on Propane and Oil Heat inspections and has been more involved with EMS by obtaining his EMR certificate.

Commissioner, Mark Andrew, asked if the Board of Selectmen had worked with the Fire Chief developing a Capital Improvement Plan (CIP). Selectman, Isaac DeWever, stated that the CIP was a Planning Board task, and he knew that the Chief had worked with Brian Flynn, of the Planning Board, on the CIP.

Selectman, Isaac DeWever, mentioned that Commissioners Andrew and Mulherin history of budgeting and Trust Funds would allow for the possibility of mentoring the Chief in those areas.

The three Commissioners had been given a copy of the Fire Department Audit, completed by MRI in 2022, a draft job description, and a draft Interim Fire Chief Agreement. Mulherin asked if the audit was a good reflection of the current Department. It was explained that, even being only two years old it was a little dated in areas, in that several issues had been addressed but it was still a very good base to work forward from. Both Selectmen, Haskell and Berti, stated that much of the reported animosity between the Fire Department and the Board of Selectmen and Town Office has gone by the wayside. There is currently a very good working relationship between the Board of Selectmen and Fire Chief Hacker and that Hacker was working on improving the inner workings of the Fire Department.

Commissioner, Mark Andrew, asked about the status of the West Rumney Fire Station.

Selectman, Bob Berti, stated that there have been informal discussions of West Rumney, but this is a topic that was hoped to be discussed while reviewing the needs of the Depot Street Fire Station.

Commissioner, Janice Mulherin, stated that there is a lot that can be worked on. Selectman, Isaac DeWever agreed and stated that it is a good time for everyone involved to work together and move forward. Selectman, Bob Berti, stated that he hopes the Commissioners can mentor the Fire Chief as well as work on projects looking 5-10 years down the road.

Commissioner Mulherin asked how best to arrange meetings between the Commissioners and the Board of Selectmen, and the Fire Chief. Commissioner Williams suggested it may work best during the day. Commissioner Andrew thought it best for the Commissioners to first meet as a group, then arrange for a meeting to be scheduled.

7:25 PM Conservation Commission –

The Board of Selectmen met with the Rumney Conservation Commission to follow up on a discussion that started during the Selectmen's February 20, 2024, meeting. The discussion concerns the abutter, Bruce White, to the west of the Rumney Rest Area parcel requesting to repurchase 1.4 acres of land that he feels he lost following the Town survey of the property. Conservation Commission Chair, Janice Mulherin, provided sample copies of a Deed Restriction and a Conservation Easement as an option to address the issue being discussed with that

landowner. Mulherin explained that a Conservation Easement is more involved and is enforced by a third party whether the land is owned by the Town or a private person.

A Deed Restriction is enforced by the holder of the Deed and could go unenforced, as other deed restrictions are unenforced. But a Deed Restriction on Town owned property makes it safer for all parties involved. As far as the Town selling any portion of the parcel, the Conservation Commission would not be in favor of that action.

Selectman, Isaac DeWever, stating that he does not have a horse in the race, but needs to represent the Town, but also feels he needs to stand up for the property owner. DeWever stated that he is all for conservation, but it needs to be balanced with private ownership.

Selectman, Bob Berti, stated that he has walked the property recently and feels that part of the misunderstanding of where the property lines are has to fall on the property owner. Berti stated that he has seen property markers, and they are not new or from the Town's survey. Berti explained that the 1.4 acres in question are not wetlands, but they are in the flood zone, and someone could, potentially, build on the area. As an individual Selectman, he is not in favor of selling the 1.4 acres in question. He feels that everyone involved needs to work together to resolve the issue.

The Board of Selectmen and Conservation Commission members both agree that having the Town as a neighbor is a good thing for the abutter. Selectman, Isaac DeWever, stated that Mr. White has supported the Town taking ownership of the former rest area parcel. Conservation Commission Chair, Janice Mulherin, hopes that Mr. White can find peace with the Town being his neighbor.

Selectman, Bob Berti, stated again that as an individual Selectman, he is not in favor of selling the 1.4 acres, and if the Board did want to sell it, he feels it needs to go before the Town. Selectman, Isaac DeWever, stated that it did not have to go before the Town, the Board has the authority to buy and sell property by following proper procedures, but understands Bertis' feeling that he feels it should go before the Town. Selectman, Ed Haskell, agrees that he feels Berti means it would be better if the issue went before the Town.

Both the Selectmen and the Conservation Commissioners understand that Mr. White wants a private area between his parcel and the Towns parcel, and Mr. White wants to continue to use the walking paths in that area. But the area needs to be protected, if or when, it is no longer owned by Mr. White. There was additional talk about Deed Restrictions and Conservation Easements, along with placement of fencing and posting the property line.

The Board of Selectmen thanked the Conservation Commissioners for their input and agreed to invite Mr. White to an upcoming Selectmen's Meeting.

7:50 PM Town Administrators Report Continued –

The monthly Fire Department Report was provided for the Board to review.

Fire Chief, Evan Hacker, had obtained three updated bids for the Fire Hose and Ladder testing project, which had been approved during the March 2024 Town Meeting. The bid that Chief Hacker requested to move forward with was not the lower bid, but the company had been recommended based on their past record and product provided. Selectman, Ed Haskell, noted that the Board does like to move forward with the low bid, but at times has approved quotes on the product that is provided and not necessarily the low bid, and in this case the bid is less than the approved funding amount in the 2024 Warrant Article for this project. Following a brief discussion Selectman, Ed Haskell, made a motion to accept the bid from FIRECATT to provide hose and ladder test for the Rumney Fire Department in the amount of \$3,882.50. The motion received a second from Selectman, Issac DeWever. There was no additional discussion. The motion passed 3-0.

The February 2024 Treasure's Report was provided for review.

The January 2024 Rumney Planning Board Meeting Minutes were provided for review. Selectman, Bob Berti, stated that he has a question for Selectman, Isaac DeWever, who is the Selectmen's representative to the Planning Board. Berti asked about the status of the gravel pit that is owned by Nate Myles but excavated by CNHA. The Board had been informed, several months ago, that the excavation permit was out of compliance. Berti was looking for a status update.

Selectman, Isaac DeWever, reported that last Fall, Planning Board members Brad Eaton and Don Winsor visited the pit with Audry Cline, who provides Code Enforcement for the Town through a contract with MRI. At the time of the visit some deficiencies were noted. The Planning Board wrote a letter to CNHA requesting that the deficiencies be corrected. DeWever indicated that he would bring the correspondence between the Planning Board and CNHA to the next Select Board meeting. The primary focus of the deficiencies were the slope of the excavation and the fencing of the area. DeWever also stated that the current permit to excavate expires in June of 2024. If the deficiencies are not corrected, the Planning Board has the authority not to renew the permit. Also, the mineral rights held by CNHA expire in June 2026. Selectman, Bob Berti, asked if the Town should look into a cease-and-desist order if the deficiencies are not corrected. Selectman, Isaac DeWever, is under the impression that, whereas the permit expires in June of 2024, that process will be a quicker resolution to the matter. Berti stated that he fully supports local businesses, but they need to do their part to comply with the rules and regulations set forth for them.

Selectman, Ed Haskell, said that when he was in charge of the pit inspections, he made a point of meeting with the owner in person, rather than using emails and letters and things seemed to run just fine. Selectman, Isaac DeWever, stated that in the last letter from the Planning Board, an in-person meeting was requested.

Selectman, Isaac DeWever, reported that the Planning Board is reviewing a Major Sub-division on Halls Brook Road located at the Groton and Rumney Town line. There is a request for a 10 parcel sub-division. There is a question about the proposed road name of Deer Run. There is a concern that there are already two (2) roads including "Deer" and a third may not be acceptable to the 911 Road naming oversight.

Selectman, Bob Berti, stated that the Town has a right to have an engineer review the road plans, and the developer would be required to cover the cost. DeWever reported that the initial plan shows one road in the center of the sub-division ending in a cul-de-sac. The plan calls for underground utilities to each parcel. The utilities were not shown on the initial plan but will be added before the next public hearing.

Town Administrator, Joe Chivell, asked if the Planning Board could ask about including a dry hydrant in the sub-division. DeWever thought it may have been mentioned but will ask during the next Planning Board meeting.

8:25 PM Old Business -

The updated Rumney Hazard Mitigation Plan has been approved by FEMA and State of NH Homeland Security and Emergency Management. It was presented to the Board of Selectmen for their acceptance and signature. Selectman, Isaac DeWever, made a motion to adopt the updated Hazard Mitigation Plan for the Town of Rumney. The motion received a second from Selectman Ed Haskell. There was no discussion on the motion. The motion passed 3-0. The Board signed the adoption page as witnessed by Justice of the Peace, Joe Chivell.

Town Administrator, Joe Chivell, reported this will allow the Town to submit for the partial reimbursement covering the cost of the update from a grant that was awarded to update the Hazard Mitigation Plan. Chivell also reported that the Town can now move forward on updating the Emergency Operation Plan, which the Town was awarded a grant to cover part of the cost. Chivell reported that both plans need to be in place if the Town submits for any FEMA or State Emergency Management reimbursements or grants.

The 2024-2025 Health Insurance, Short-term Disability, Life Insurance, and Dental Coverage rates from HealthTrust have been finalized. During the budget process HealthTrust had indicated that the health insurance rate would show an increase not to exceed 13.5%. The actual increase will be 9.5%. All other insurance rates showed little to no increase. Selectman, Ed Haskell, made a motion to accept and sign the coverage agreement with HealthTrust to provide full-time employees with Health, Short-term Disability, Life, and Single-person Dental for the 2024-2025 coverage year. The motion received a second from Selectman, Isaac DeWever. There was no discussion on the motion. The motion passed 3-0. Select Board Chair, Bob Berti, signed the agreement with HealthTrust.

8:30 PM New Business -

There was no new business to discuss at this meeting.

8:30 PM Selectman, Isaac DeWever, made a motion to adjourn the meeting. The motion received a second from Selectman, Ed Haskell. There was no discussion on the motion. The motion passed 3-0.

Sincerely submitted,

Joe Chivell  
Town Administrator  
Rumney, NH

Up-coming Meeting Dates

Old Home Day Committee Meeting	April 2, 2024
Conservation Commission	April 10, 2024
Cemetery Trustees	April 11, 2024
Board of Selectmen Meeting	April 15, 2024