

Board of Selectmen
July 6, 2020
Selectmen's Meeting Minutes

Present: Select Board Members –Ed Haskell, Robert Berti & Isaac DeWever
Town Administrator – Joe Chivell

NOTE: The conference room at the Rumney Town Office Building has been arranged for this meeting so that the three Board of Selectmen and Town Administrator are seated six feet apart from each other. Five chairs are arranged to allow public members to attend and be seated a social distance of six feet apart.

6:30 PM Meeting opened by Selectman, Ed Haskell. Payroll and accounts payable checks were reviewed and signed.

The following documents were reviewed and signed:

- Current Use Change 11-2-26
- Land Use Change Warrant 5-1-13
- Refund for double payment of Property Tax
 - 2-6-1-C2
 - 12-14-03
- Junkyard Renewal Form 11-2-18
- Amended Septic Design 2-4-12
- Septic Design 7-1-8

6:45 PM Old Home Day – OHD Chair, Roger Scroggins, met with the Board of Selectmen to discuss the status of the 2020 Old Home Day celebration. Selectman, Isaac DeWever, had volunteered to be part of the OHD committee. DeWever stated that he and the other Select Board members feel that it would not be wise to move forward this year with the traditional vendor set up on the Town Common nor the parade.

Roger Scroggins agrees that this is not the year to have vendors on the common, a parade or ice cream social. But, as discussed prior, it would be nice to be able to host a “drive in” style fireworks display.

Selectman, Isaac DeWever, will speak with a few of the property owners about the use of their property for parking during the fireworks display.

Roger Scroggins will still try to bring together the OHD committee members on July 8th, in the town common, so the group can maintain social distancing, to discuss the changes that are necessary this year because of COVID-19.

7:00 PM Public Forum – Janice Mulherin, Chair of the Rumney Conservation Commission. Mulherin was invited to meet with the Board to discuss the appraisal of the former

Rumney Rest Area that was completed and provided by the State of NH-DOT.

Selectman, Bob Berti, opened the discussion by explaining what he sees is the State trying to sell this property to the Town, or one public entity selling to another public entity. Berti stated that it appears that the State no longer wants to own the property and wants to sell it, while still retaining control over how the property is used. Berti outlined the stipulations listed on the cover page of the appraisal. Berti feels that with all the stipulations that would be required the proposed price of \$185,000.00 was far to high.

Janice Mulherin agrees that the asking price is to high. Mulherin had completed a walkthrough of the building last fall and commented that it would need work. She also questioned the boundary lines, adding that the State wants to retain a right of way 75 feet in from the center line.

Selectman, Ed Haskell, had a concern of the amount of parking lot space that would be lost with the State retaining a right of way 75 feet in from the center line. Haskell also is concerned about the State restricting the Town's ability to use the land around the building as they would see fit. Haskell was also under the impression that the State Fish and Game Department had no interest in the property.

Janice Mulherin questioned if the Town could resell the property in the future. Selectman, Ed Haskell, did not think the Town could resell the property with all the restrictions that would be included in the deed.

All parties agree this property could be an asset to the Town, but not at this price nor with all the restrictions.

It was agreed that the Town would respond to the State of NH-DOT addressing their concerns and asking for clarification on a few items.

Janice Mulherin would like everyone to know that there is a vacancy on the Conservation Commission. If anyone is interested, please contact her.

Selectman, Bob Berti, had a couple of concerns he wanted to bring to the attention of the Conservation Commission. The first concern is a newly installed driveway on East Rumney Road. Berti feels it would have required a wetlands permit. Corrections have been made, but all the work was done without a permit. Second, was a deck being built along Stinson Lake Road that appears should have had a Shoreline Protection application. This deck appears to be in the State Right of Way.

Janice Mulherin stated she would investigate these possible violations and forward pictures to the appropriate State agency.

7:45 PM

Town Administrator Report

- Junkyard –
 - Ken Knowlton is available to represent the Town in the initial hearing in Grafton County Superior Court related to 12-09-06 later this month.
 - The reported Junkyard violation at 13-04-10 was not cleaned up by June 1, 2020 as the owner of the property reported it would be. Ken Knowlton completed an inspection and reported that the property was still in violation. Town council was notified and was requested to start court proceeding in the Grafton County Superior Court.
 - Tom Morrison, Town of Plymouth Fire Chief, was contacted regarding ambulance service for the 2021 contract year. Morrison reported that the Plymouth Fire Department would continue to provide contracted ambulance services in 2021. Projected coverage cost should be available in August.
 - The June 15, 2020 Rumney Board of Selectmen Meeting Minutes were made available for review. Selectman, Ed Haskell, made a motion to accept the June 15, 2020 Board of Selectmen Meeting Minutes. The motion was seconded by Selectman, Bob Berti. There was no discussion on the motion. The motion passed 3-0.
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- Land Use Issues -
 - A certified letter was sent to the owner of 16-05-04 requesting information about land use in the 100-year Flood Zone violating deed restrictions the Town had placed in the deed at the time the property was auctioned. The letter was signed for by the owner. There has been no response yet.
 - There is a concern about multiple campers using a singular septic tank. There is a question about the definition of “Private Campground”. The Planning Board is looking into the campground issue. The Town Administrator has attempted to gain information from NH-DES on both issues, but an NH-DES has been slow to respond.
- Code Enforcement in General-
 - Selectman, Bob Berti, had asked if there is a Code Enforcement service available to assist the Town. It was clarified by Selectman, Ed Haskell, that the Fire Chief Code Enforcement duties are limited to items directly related to fire issues, *i.e.*: gas and oil installations, wood stoves, etc. Town Administrator, Joe Chivell, did clarify the Ken Knowlton is strictly Junkyard Code Enforcement. Chivell reported that MRI does have 3 or 4 people

that can handle code enforcement, but Chivell wanted a clear idea of what type of code enforcement would be done. Berti stated it just seems that there are several items, like the deck being installed by the lake, septic issues, and wetlands issue that are going unchecked. Town Administrator, Joe Chivell, stated he would look into how other towns are handling this type of Code Enforcement.

8:05 PM Old Business –

- Selectman, Bob Berti, stated he had checked on pending driveway permits. He will follow up with Road Agent, Nick Coursey tomorrow. Berti had two issues that needed to be corrected. 1) New driveway on Groton Hollow Road showed a 12” culvert on the plan, but only installed an 8” culvert. Berti stated that needed to be corrected before the final driveway permit is signed. 2) New driveway on East Rumney Road needs additional gravel. Berti re-drafted the picture of the design showing a 20’ road opening tapering down to a 12’ driveway. Berti stated the change needs to be completed before the final driveway permit is signed.

Selectman, Bob Berti, stated that overall, the driveway permits are not being submitted with a properly drawn design, for the most part the permits do not have enough information included.

- During the June 16, 2020 meeting Selectman, Bob Berti, indicated that he felt the crack seal jobs on Depot Street and Buffalo Road were not completed in an acceptable manner. Berti requested information as to why the wider cracks in the roads were not sealed. Town Administrator, Joe Chivell, asked Road Agent, Nick Coursey, to investigate this matter. During Coursey’s research he found that often crack seal companies will skip wider crack for two reasons; 1) the companies report the wide amounts of crack seal will peel out during winter plowing. 2) crack seal companies only have the amount of sealant the truck will hold and want to get long stretches of road done and not use large amounts on a few large cracks.

Berti stated he had walked several crack seal jobs in the area and noticed the wider road cracks were sealed and had not peeled out. He feels that more damage can result from the wider cracks not being sealed and is not satisfied with the job. Selectman, Ed Haskell, agreed with Berti’s statements. Berti will discuss this further with the Road Agent tomorrow when they meet to review driveways.

- Police Department Policy Re-write Status – During the May 18, 2020 Board of Selectmen Meeting, the Board had asked Town Administrator, Joe Chivell, the status of the policy and procedure re-write project the Board had directed Police Chief, Brett Miller, and Town Administrator, Joe Chivell, to work on back in June 2019. This project was a follow up based

on findings during the Police Department Risk Assessment Review that Municipal Resources had been hired to complete. Chivell reported to the Board that progress is not being made nor does he feel that meeting with the Chief to work on the policy and procedures will bring the results that the Board, as it relates to the Risk Assessment Report, is looking to accomplish.

8:25 PM Selectman, Ed Haskell, made a motion to enter nonpublic session under RSA 91-A:3, II(c). Selectman, Bob Berti, seconded the motion. There was no discussion on the motion. The motion passed 3-0.

8:45 PM Selectman, Ed Haskell, made a motion to leave nonpublic session and return to public session. Selectman, Isaac DeWever, seconded the motion. There was no discussion on the motion. The motion passed 3-0.

Selectman, Ed Haskell, made a motion to indefinitely seal the nonpublic session minutes because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this Board. Selectman, Isaac DeWever, seconded the motion. There was no discussion on the motion. The motion passed 3-0.

During the nonpublic session it was determined to contract with Municipal Resources to work with Chief Miller to guide him through the process of updating the Rumney Police Department Operating Policies and Procedures. Selectman, Bob Berti, made a motion to contract with Municipal Resources to work with Police Chief Miller to guide him through the process of updating the Rumney Police Department Operating Policies and Procedures to assure they are at industry standards and follow best practices. Selectman, Isaac DeWever, seconded the motion. There was no discussion on the motion. The motion passed 3-0.

8:48 PM Selectman, Ed Haskell, made a motion to enter nonpublic session under RSA 91-A:3, II(c). Selectman, Bob Berti, seconded the motion. There was no discussion on the motion. The motion passed 3-0.

8:55 PM Selectman, Ed Haskell, made a motion to leave nonpublic session and return to public session. Selectman, Isaac DeWever, seconded the motion. There was no discussion on the motion. The motion passed 3-0.

Selectman, Ed Haskell, made a motion to indefinitely seal the nonpublic session minutes because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this Board. Selectman, Isaac DeWever, seconded the motion. The motion passed 3-0.

During the nonpublic session, the Board acknowledged that the citizen

complaint, as noted in the June 15, 2020 Board of Selectmen Meeting minutes, was withdrawn by the complainant.

9:00 PM Adjournment – Selectman, Ed Haskell, made a motion to adjourn the meeting. Selectman, Isaac DeWever, seconded the motion. There was no discussion on the motion. The motion passed 3-0.

Sincerely submitted,

Joe Chivell
Town Administrator
Rumney, NH

Up-coming meeting dates – To be premised upon COVID-19 Emergency Orders

Fire Commissioner Meeting	July 13, 2020
Planning Board Meeting	July 14, 2020
Select Board Meeting	July 20, 2020