

Note: Draft minutes are subject to corrections, additions and deletions.

October 11, 2013

PRESENT: Richard Nichols, Chairman
Michael Pierce, Vice-Chairman
Philip Bean, Selectman
Mary-Louise Woolsey, Selectman
Michael Plouffe, Selectman
Frederick Welch, Town Manager
Mark Gearreald, Town Attorney

SALUTE TO THE FLAG

Atty. Gearreald made some general comments prior to the public hearings: time constraints placed on holding public hearings is the reason the meeting is being held today; explained how the Town is in the practice of holding public hearings prior to filing applications for some grants; grant seeking permission to apply for today is a hazard mitigation grant.

I. Public Hearing RSA 31:95-b, III(a) (5:50)

1. To apply for unanticipated moneys under a FEMA Hazard Mitigation Grant for the purpose of purchasing a residential building adjacent to the Grist Mill and Old Pond Dam.

Atty. Gearreald made comments as follows: Board had asked him to investigate whether or not the Town's quarter share would have to be committed at this time; no such commitment is necessary; do not have to commit the Town's share until they sign on the dotted line; if grant is awarded can appropriate Town's share at the 2015 Town Meeting; by that time they will have been able to work through which route they want to go.

Chris Jacobs made comments as follows: removing residence would significantly reduce the hazard rating of the dam; it would not eliminate it but it would reduce it.

Selectman Woolsey commented that this is an alternate plan if they decide to destroy the dam then they will not need this grant.

There were no comments from the public.

Comments from the Board

Selectman Pierce made comments and asked questions as follows which were addressed by Mr. Jacobs: what is the drop dead date for the Town to decide if they want to take the money or not; grant applications are due today; would know sometime next year if the grant had been awarded. The award cycle is in the latter part of 2015, and the Board has time to make a decision on repairing and purchasing the residential building or removing the dam.

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Selectman Woolsey MOTIONED to AUTHORIZE the application to apply for unanticipated moneys under a FEMA Hazard Mitigation Grant for the purpose of purchasing a residential building adjacent to the Grist Mill and Old Pond Dam SECONDED by Selectman Pierce.

VOTE: 5-0-0

II. Public Hearing RSA 41:14-a – Second Public Hearing (10:48)

1. Acceptance of Drainage Easement on Lot #2 of Prevost 3-lot Subdivision at 35 Huckleberry Lane

Chairman Nichols commented that this is the second public hearing.

Atty. Gearreald made comments as follows: drainage easement that the Town would be deeded a backup role; drainage easement itself is to be maintained by the owner of the lot in question; documents that consummate the granting of this easement to the Town have been gone through by counsel; Mr. Jacobs has participated in the language of the documents; just remains to follow out the steps required under the RSA 41:14-a process; approved by Planning Board and Conservation.

Selectman Woolsey stressed that this does not bind the Town to any responsibility for taking care of the drainage pipe, we are not responsible, although the Town can choose to do the cleaning and we have a process to recoup the costs if the Town did.

No public comment.

Chairman Nichols clarified that they will not be taking a vote today but they will vote on this at their meeting on October 21st.

III. Consent Agenda (14:44)

1. Signing of a Release Deed of Right of Way to Ann-Lung LLC

Chairman Nichols asked Atty. Gearreald to inform the Board on this item.

Atty. Gearreald made comments as follows: this was an item Fred inherited when he arrived; had to report to Department of Commerce on these two under water lots close to the pier; old Life Boat Station; US Government deeded this to the Town in 1972; explained area covered in deed in detail for the Board; how current owner of Ocean Wok wanted to build a deck but ran into the problem with this right-of-way; after about a year the Federal officials agreed to abandoned the right away; in May, this Board voted to release the right-of-way to the 3 properties involved; first one of the property owners to come forward is Ocean Wok; this will clear a title problem they had for 70+ years. There will be a tax for this property as it is being transferred from a Municipality

Chairman Nichols MOTIONED to authorize the Signing of a Release Deed of Right of Way to Ann-Lung LLC SECONDED by Selectman Woolsey.

VOTE: 5-0-0

IV. Closing Comments (21:08)

Chairman Nichols brought up a request from Representative Muns to televise a session at the Library on the Affordable Healthcare Act. Chairman Nichols made comments as follows:

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concern with the subject matter; is essentially one of the most prominent partisan issues whether be at this level or a Federal level; read the press release including who is running event; limited to Democratic Representatives of this legislature; the Republicans had a similar session at another time; the Selectmen have had a policy of not airing on Channel 22 partisan events; have been pretty consistent on this; his suggestion that they not cover this on Channel 22.

Selectman Pierce MOTIONED that they not extend the coverage on Channel 22 for the event discussed above SECONDED by Chairman Nichols.

VOTE: 5-0-0

Candice Stellmach expressed concern about the agenda item for the October 21st Selectmen's meeting in regards to the Old Mill Pond Dam and wonders if the Board plans to take a vote at that meeting on any decisions to be made.

Chairman Nichols responded with the following: discussion he had with Kristina; first part would be a presentation from the engineer on options for the Grist Mill Dam; cost involved with options; discussion on culverts under High Street; then shift into a public hearing portion allowing the public to comment after hearing presentation; Board would then take the week to digest all the information and take a vote at their meeting on October 28th. There was an additional discussion on the time being allowed for the public hearing and time the engineers may take to make their presentation. Chairman Nichols added that all the information will be given to the Board Members and be posted online in advance of the meeting. Ms. Stellmach asked what the Board plans to vote on and Chairman Nichols expressed concern with not being able to answer this since it will depend on options provided by engineers. Selectman Pierce questioned why there is a deadline on October 28th and Mr. Welch explained that it is related to time constraints on which direction the Board would take and if there is a need for a warrant article.

V. Adjournment (30:34)

Selectman Pierce MOTIONED to adjourn at 3:29 PM SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Chairman