



**TOWN OF PITTSFIELD  
BOARD OF SELECTMEN  
TOWN HALL, 85 MAIN STREET  
PITTSFIELD, NH 03263**

---

**MEETING MINUTES of Tuesday, August 16, 2016**

**CALL TO ORDER**

The Pittsfield Select Board Meeting for August 16, 2016 was called to order by Chairman Konopka at 5:03 p.m.

**MEMBERS PRESENT**

Larry Konopka, Chairman  
Gerard LeDuc, Vice-Chairman  
Carole Richardson  
Carl Anderson  
J.C. Allard

**PUBLIC OFFICIALS**

Cara Marston, Town Administrator

**NON-PUBLIC SESSION I**

Motion. Mr. LeDuc made a motion to go into non-public session under RSA 91-A:3, II(c). Mr. Allard seconded the Motion. There was no additional discussion. Chairman Konopka declared the Motion passed 5-0.

Motion. Mr. LeDuc made a motion to come out of non-public session at 5:30 p.m. Mr. Anderson seconded the Motion. There was no additional discussion. Chairman Konopka declared the Motion passed 5-0.

Motion. Mr. LeDuc made a motion to seal the non-public minutes. Mr. Anderson seconded the Motion. There was no additional discussion. Chairman Konopka declared the Motion passed 5-0.

**PUBLIC INPUT**

Mr. Darrah asked why the Fire Department has only been mowed twice this year; it doesn't look good. Chairman Konopka will have Ms. Marston look into it.

**AGENDA REVIEW**

Mr. LeDuc wants to add Aqueduct Committee to Action.

Mr. Anderson wants to add a comment to 114 Main Street under Old Business.

Chairman Konopka wanted to add Police Detail under Action Items.

Ms. Marston mentioned adding the Tax Deed Letter under Action Items.

## **NEW BUSINESS**

### **ACTION ITEMS**

#### **Letter – Joy Street pump station concern**

Chairman Konopka explained the Utility Partners recommends Rustic Crust install a grease trap similar to the one at Carroll Street. They would also have to pump at Joy Street quarterly and provide records to the treatment plant.

Mr. Anderson spoke to some gentlemen two weeks ago from Waste Water Treatment Plant (WWTP). There is an oil mixture which is producing dough and ends up in the pump station. He explained they have to pay to have it pumped out. There have been questions about grease traps to keep this from happening. It is not right for the taxpayers to have to pay for this.

Mrs. Richardson asked if it is happening at Barnstead Road and Joy Street. Mr. Anderson is not sure but believes it needs to be corrected. Ms. Marston responded Barnstead Road has a grease trap. She can send them a letter to address it. It is costing the rate payers because they are paying to get it pumped.

Motion. Mr. Anderson made a motion to send a letter and have the Building Inspector check on the grease trap. Mrs. Richardson seconded the Motion. There was no additional discussion. Chairman Konopka declared the Motion passed 5-0.

#### **Aqueduct Committee**

Mr. LeDuc asked why Sansoucy hasn't been paid yet. Ms. Marston explained there hasn't been an approval by the committee. Mrs. Theriault sent it off to the committee today for approval.

#### **Tax Deed Letter**

Ms. Marston emailed all of the letters and came up with a letter similar to what they looked at before. This would be going out to the individuals who have not come in for the payment plan. Mr. Anderson would change it to "Dear Robert" not just "Robert".

Motion. Mr. LeDuc made a motion to approve the Chairman to sign the letter. Mr. Allard seconded the Motion. There was no additional discussion. Chairman Konopka declared the Motion passed 5-0.

#### **Police Detail**

Chairman Konopka explained there was a study done in July on the Police Detail and it was brought to their attention they have detail at the Loudon Race Track. He thought detail would be they would hire an officer at a rate and a cruiser at a rate for a combined \$75 per hour; however, Loudon gets a cruiser

at no cost. He was told there is a verbal agreement Loudon fills up the gas tank in lieu of the rate. The Chief will be here next week to discuss this. Chairman Konopka would like to review this more.

Chairman Konopka questions why they have a cruiser out of town. Mr. Anderson commented they must not be short of cruisers if they can have them over in Loudon. He believes it is an outrage to have a cruiser in Loudon which is not responding to a mutual aid call or being paid for detail. This has been going on for fourteen years. He doesn't think they should go if they are not getting paid for it.

Chairman Konopka asked if there are any other towns they are not getting paid for. Ms. Marston responded Deerfield Fair is billed out; she would have to ask about Hopkinton. Mr. Anderson thinks if they are not getting paid for it and it is not doing something that we should get paid for than they need to stop tonight.

Motion. Mr. Anderson made a motion to contact legal services about the detail in Loudon. Mr. LeDuc seconded the Motion.

Chairman Konopka asked if there were any guidelines for town equipment. He asked Mr. Anderson if he wants to check with legal counsel on this. Mr. Anderson believes they need to check.

Mrs. Richardson asked why they are checking with legal. Mr. Anderson responded there are rules out there. Mrs. Richardson asked where it is written down. Mr. Allard thinks it could fall into the mutual aid because of the crowd control in Loudon. He explained there are cruisers in town with other town names on them helping with crowd control.

Chairman Konopka believes they need to make sure the town guidelines doesn't have anything on the use of town equipment which is why he wants to check with legal. Mr. Allard asked if the verbal agreement is with the Town of Loudon or the Speedway. Chairman Konopka responded it is with the Town of Loudon.

After further discussion, Mr. Anderson made a motion to withdraw his previous motion. Mr. LeDuc withdrew his second of the previous motion.

Motion. Mr. Anderson made a motion that no Pittsfield cruisers go to any detail that the town of Pittsfield is not being reimbursed for that cruiser money, whether the vehicle is being used or being parked, if the town is not getting paid for it the Pittsfield cruiser should not be at that venue whatever it is. Mr. LeDuc seconded the Motion.

Chairman Konopka would like to check the guidelines and with legal and asked Ms. Marston if Chief Cain would be here next week to discuss more. Ms. Marston replied yes. There was no further discussion. Chairman Konopka declared the Motion passed 5-0.

## **INFORMATION ITEMS**

### **Selectmen's Office closed Monday, August 29, 2016 for training (other offices will be open)**

Chairman Konopka informed the public that the Selectmen's Office will be closed on August 29, 2016 for training; however, the other offices will be open.

### **Utility Partners has been acquired by H2O Innovation – no change in contract to run WWTP**

Ms. Marston explained even though they were acquired it will not affect the existing contract. Chairman Konopka explained the utility department runs the WWTP.

### **Bid Policy**

Chairman Konopka explained the policy makes it so anything over \$2,500 will require three bids or a waiver request. He asked Ms. Marston to send it to the department heads. Mrs. Richardson asked if the Chief needs to come in with three bids. Chairman Konopka responded that was correct unless he comes back with a bid waiver.

## **OLD BUSINESS**

### **Town Hall Basement**

Ms. Marston received the information back and now they have to work on the items for the memorandum. She should have this by September 6, 2016. Mrs. Richardson asked if the food pantry is still operating out of the town hall. Ms. Marston responded yes.

### **Sale of town owned property – 114 Main Street (under agreement 8/2/16)**

Mr. Anderson explained the buyer has gone to his insurance company regarding a bond for the rehab by June 1, 2017. The bond company would like the requirements to be on town letterhead. It is his understanding the requirements are the roof needs to be completed, the porch needs to be repaired and painted, the aluminum siding needs to be scraped and repainted, and the window trim needs to be scraped and painted. He wants to try to have the letter for the buyer tomorrow.

Chairman Konopka asked how the landscaping looks; he was concerned about safety issues. Mr. Anderson thinks the landscape is fine and there are no safety issues. The Board agreed with the letter Mr. Anderson needs for the buyer.

## **APPLICATIONS and WARRANTS**

### **Timber Tax – Tax map R35, lot 6 – Loudon Road - \$11,648.37**

Motion. Mr. LeDuc made a motion to approve the timber tax for Tax map R35, lot 6 – Loudon Road in the amount of \$11,648.37. Mr. Allard seconded the Motion. There was no additional discussion. Motion passed 5-0.

### **Abatement – 185 Wildwood Drive, residual interest from 2011 lien per tax payment plan**

Motion. Mrs. Richardson made a motion to approve the abatement for 185 Wildwood Drive, residual interest from 2011 lien per tax payment plan in the amount of \$325.10. Mr. Anderson seconded the Motion.

Mr. Anderson asked if this was advised by Avitar. Ms. Marston explained no, it was for a tax payment plan which was negotiated at an interest rate which is lower than the statutory interest rate so they are abating the difference between the interest rates. There was an actual amortized plan the Town agreed to.

Chairman Konopka declared the Motion passed 5-0.

### **CHECK MANIFESTS**

Motion. Mr. LeDuc made a motion to approve Accounts Payable. Mr. Anderson seconded the Motion. There was no additional discussion. Motion passed 5-0.

Motion. Mr. LeDuc made a motion to approve Payroll and Direct Deposits. Mr. Allard seconded the Motion.

Mr. LeDuc asked why the Building Inspector had 17 hours instead of 12 hours. Ms. Marston responded he asked to go to training.

Motion passed 4-0-1, Mrs. Richardson –abstained.

### **MINUTES**

Motion. Mr. LeDuc made a motion to approve the minutes for August 9, 2016. Mr. Anderson seconded the Motion. There was no additional discussion. Chairman Konopka declared the Motion passed 5-0.

Motion. Mr. LeDuc made a motion to approve the non-public session I minutes for August 9, 2016. Mrs. Richardson seconded the Motion. There was no additional discussion. Chairman Konopka declared the Motion passed 5-0.

Motion. Mr. LeDuc made a motion to approve the non-public session II minutes for August 9, 2016. Mr. Anderson seconded the Motion. There was no additional discussion. Chairman Konopka declared the Motion passed 5-0.

Motion. Mr. LeDuc made a motion to unseal the non-public session II minutes. Mrs. Richardson seconded the Motion. There was no additional discussion. Chairman Konopka declared the Motion passed 5-0.

Motion. Mr. LeDuc made a motion to approve the non-public session III minutes for August 9, 2016. Mrs. Richardson seconded the Motion. There was no additional discussion. Chairman Konopka declared the Motion passed 5-0.

Motion. Mr. LeDuc made a motion to approve the non-public session IV minutes for August 9, 2016. Mrs. Richardson seconded the Motion. There was no additional discussion. Chairman Konopka declared the Motion passed 5-0.

### **PUBLIC INPUT**

Mark Riel asked for a status update on the other tax deeded properties. Mr. Anderson responded 31 Berry Ave is under agreement, 81 Main St is listed for sale, and Fayette St property is still moving along.

The Fayette St property is a five parcel property which is taking a lot of legal consideration. It doesn't make sense for the town to sell any of the land owned property. They need to do something with 33 & 37 Main Street which they will be discussing in a bit.

Linda Small spoke about the last public hearing and the town owned properties. She thinks there needs to be a covenant between the town and the buyer to have the property fixed up by a certain timeframe and if not the town would get it back. Mr. Anderson responded the exterior is the Town's first concern. He explained the Planning Board looked at the properties and there is negative value in them so whatever they get will be better than the appraisal. The other covenant is that they will be a single family residence.

Ms. Small thinks there are a couple of properties which were sold for cash and are now on the tax deed. Mr. Anderson expressed concern with looking for a developer who is willing to put up a bond for everything for the property and how narrow the interest will be. They are hoping to cover as many bases as possible and still get the property back on the tax rolls.

#### **Public Hearing – sale of town property – 33 & 37 Main Street**

Chairman Konopka read the public hearing notice which states:

“The Board of Selectmen will hold a public hearing to accept comment on the proposed sale of the town land, in accordance with RSA 41:14-a, a statute which gives the Board of Selectmen the authority to acquire and sell land and buildings through a public hearing process, that was adopted by Town Meeting on March 17, 2007.”

Mr. Miskoe read the following proposal for purchase of 33 & 37 Main Street:

“Purchase Lot U03-44 for approximately \$72,000.00, purchase Lot U03-045 for \$1.00 plus the obligation to demolish the building thereon, remove barn at the rear of Lot 44 and demolish the three story extension on the back of the mansard roof house (removing barn is not absolute), create a lot line adjustment to place the house on Lot 44 to Lot 45, transfer ownership to the new Lot 45 to SVRDC with the intent that the property return to taxable status, transfer ownership of the new Lot 44 to the Josiah Carpenter Library to provide land for expansion to the Library, provide land for a library expansion, provide an opportunity for a community development agency to improve a part of the downtown, and to provide an incentive for others to be creative in finding ways to improve the town.”

Mrs. Richardson thought it looked like he was going to move the house but with the proposals maybe not. Mr. Miskoe explained there is a chance of moving the house but he is not sure at this point.

Chairman Konopka asked if the new proposal will make the lot a non-conforming lot. Mr. Miskoe explained Lot 44 is already non-conforming. Lot 45 is conforming because it is .55 acres and the zoning requires .25 acres. They could do a subdivision on Lot 44 and still do something for Lot 45 but it works out better the other way.

Mr. Anderson asked if the proposal includes the Town putting forth any money to do what he has presented. Mr. Miskoe responded he is going to try to pay off the Town for what they have into acquiring Lot 44 and then the remaining costs are on him. Mr. Anderson clarified that it will then go to SVRDC for them to rehab and put back on the market to try to sell. Mr. Miskoe commented the SVRDC thinks they have the funds to do something; what they do with the property is up to them.

Mr. Anderson asked about the old flower shop building. Mr. Miskoe said that would go and the finish result will be a piece of level ground suitable for development. Mr. Anderson asked if they are creating another parking lot. Mr. Miskoe responded no and he is not doing anything which will cost the Town any money.

Mr. Anderson likes the fact that Mr. Miskoe is willing to consider not taking the barn down. Mr. Miskoe thinks the barn should be taken down and taken somewhere else.

Mark Riel, speaking on behalf of the Historical Society, expressed concern of removing the barn. He doesn't think anyone on the society is against the proposal but they are concerned with taking down the barn. Mr. Miskoe welcomed the society coming and taking pictures or take home parts of it before it is removed.

Levi Gallup expressed concern with losing the old architecture and historical buildings. He asked how they maintain the heritage and history of the town if they remove the barn. He thinks the town could do a lot because they have a downtown unlike many other NH towns. It takes a community to save their heritage; there are programs available to help save the downtown area. He suggested getting students involved in preserving the downtown area. He spoke about Vintage Hill and the refurbish work they did to preserve the heritage. He feels they need to deeply consider what their heritage is and how to preserve it. He would like to see as much preservation in the town as possible.

Paul Nickerson believes the consensus in town is that they don't want a parking lot. He thinks the barn is in good condition. He doesn't think they should sell the house outright. He thinks they should make it so the lower level was a business and the upper level was a house. The barn would be good for storage. He also suggested if they tear down the house on 33 Main Street they should strip the house for things which are in good condition; items such as windows and wood beams.

Noreen Rollins asked Mr. Miskoe about deeding the property to SVRDC and what their plans are for the property. Mr. Miskoe responded they have a concept for the property. They would like to acquire it with enough parking to turn it into something they can sell. The form they will sell depends on they determine is the best way to do it. He doesn't think a business at the first level and residence above will work.

Mrs. Rollins asked if 33 Main St is a hazard with the condition it is in. Mr. Miskoe responded it is not worth trying to put it back into a habitable form. Mrs. Rollins asked if there were any other offers on the properties. Chairman Konopka commented they had another offer but he hasn't heard back. Mr. Riel commented they looked at it but it needs a lot of repairs.

Pat Heffernan thinks Mr. Miskoe's idea is the best to come along so far. He thinks the idea of saving 33 Main Street is going to be difficult and doesn't know who is going to pay to fix it up. From a contractor standpoint there is too much work to bring it back to code. There is a lot of talk but nothing is actually happening with the properties. He thinks the sale to Mr. Miskoe, if successful, is a way of moving ahead and is the most viable project. He thinks the best use of the barn is to have it relocated.

Paul Richardson looked at the building and he agrees the barn needs to be taken down because of the structure. He cautioned Mr. Miskoe with how much he is going to give the library. He recommended letting Planning Board do their job and see what they can put in there for businesses. He stated people don't like to go up the stairs to go to a business.

Chairman Konopka informed the public they received a letter from the library and asked Ms. Marston to read it to them. Ms. Marston read:

"As the discussions regarding town owned properties continue it is important to restate the interest that the Carpenter Library has in any proposed or contemplated action. Being an enduring public institution and occupant of the building adjacent to structure at 37 Main Street, library will always have a vested and lasting interest in what transpires on that property.

The town is now considering various proposals and interests in that property. As that process moves forward the library's interests remain unchanged. First and foremost we would want to see the property line adjusted so that access to the library from that side is enhanced. Ideally, an adjustment of the property line would be bold enough as to allow for some future expansion of the present library structure. As stated in our memo to the select board on April 21<sup>st</sup> the possibilities are nearly limitless, but should not be limiting. No decision regarding the 37 Main Street plot ought to preclude better handicap access, expanding spaces for the collections and perhaps adding public meeting spaces.

No capital campaign exists nor is there a plan to expand the library in the near term. However, decisions made in haste today could preclude that possibility down the road. The present Trustees of the Carpenter Library want to ensure future boards have as many options available to them as we in our time can provide.

There is a generous proposal by one of our citizens to donate portions of the 37 Main Street property to the library. Whether that would ultimately be only a lot line adjustment, a segment of the lot, or perhaps a portion of the existing structure, needs further study and consultation with experts. The Trustees interest now is not doing something that close off future opportunities. Further discussions with the potential donor need to continue.

If the sale of 37 Main Street includes some donation of property to the library the board of Trustees would welcome it so long as it remains clear that there are no plans in place now for an expansion. A lot line adjustment is the first vital step. How large an adjustment needs direct negotiation with the parties?

Our library was built more than a century ago by the magnanimous spirit of private citizens. It is sustained today in part by trust funds established by other magnanimous residents of Pittsfield. Once again we have an opportunity to rally that same spirit and set a similar course. A successful, growing library will be an important element to any concept of a revitalized and vibrant Pittsfield. The library is a cornerstone of our downtown. It is one of the things that potential businesses and residents look for in choosing where to locate. It is one of the factors by which others judge our community.

Now is the time for us to set the conditions for the future. For the Carpenter Library Board, Jim Allard.”

Chairman Konopka said there was a second bid that came in today. Mr. Rogers submitted a bid on May 31<sup>st</sup> in the amount of \$90,000 with the town paying 6% of the buyers prepaid points and closing costs of \$5,400.

Louis Houle thanked Mr. Miskoe for his efforts in purchasing these properties. He spoke about Henry Ford coming to the town to buy a schoolhouse and the town couldn't decide what to do and lost the sale. He thinks Mr. Miskoe is doing the town a service and thinks the town should reciprocate.

Mr. Heffernan recommended they go with Mr. Miskoe's offer over Mr. Rogers' because Mr. Miskoe has cash to offer them whereas Mr. Rogers would be taking a loan out. Ms. Small asked if the offer from Mr. Rogers was for both properties. Chairman Konopka responded it was just for 37 Main Street.

Chairman Konopka thanked Mr. Miskoe for all he had done.

Chairman Konopka took a roll call from the audience of those who were in favor of the proposal from Mr. Miskoe. Most of the audience was in favor of the proposal; only one opposed it.

Mr. Nickerson asked about information he had read that the property was assessed for over \$300,000. Ms. Marston explained they need to have it reassessed without being condos; however, they need to dissolve it as condos before they can do so. Mr. Heffernan commented that he thinks the Planning and Zoning Board would agree the apartments for the building have run out.

Chairman Konopka asked Clayton Wood if he had any comments on this. Mr. Wood stands by what he said at the last meeting. They looked at it in 2015 when they recommended the town buy the property. The plan is consistent with the plans they hear from everyone now. The Planning Board doesn't have to authorize who the town sells it to. There is a whole separate situation with 33 Main Street as it wasn't discussed before. As a citizen, he likes that Mr. Miskoe changed his mind to consider the barn.

Ms. Small, of the SVRDC, isn't at liberty to say anything else other than Mr. Miskoe asked if they would accept it and they said they would.

Joe Darrah asked if the money for the sale of the property goes into the General Fund. Chairman Konopka responded it goes into the General Fund.





## **MEETING AGENDA**

TOWN OF PITTSFIELD  
BOARD OF SELECTMEN  
TOWN OFFICE, 85 MAIN STREET  
PITTSFIELD, NEW HAMPSHIRE 03263

---

**TUESDAY, AUGUST 16, 2016**

**5:00 p.m.** - Call to order

### **NON-PUBLIC SESSION**

#### **APPOINTMENTS**

**5:15 p.m.** - Tax payment plan - possibly in non-public session

**5:30 p.m.** - Call to order - regular session

**PUBLIC INPUT** - regarding agenda items only

**6:15 p.m.** - Public Hearing - sale of town property

### **AGENDA REVIEW**

#### **NEW BUSINESS**

##### **ACTION ITEMS**

1. Letter - Joy Street pump station concern

##### **COMMITTEE REPORTS**

##### **INFORMATION ITEMS**

1. Selectmen's Office closed Monday, August 29, 2016 for training (other offices will be open)
2. Utility Partners has been acquired by H2O Innovation - no change in contract to run WWTP
3. Bid Policy

#### **OLD BUSINESS**

1. Town hall basement (4/5/16)
2. Sale of town owned tax-deeded property
  - a. Five parcel combined offer - (5/24/16)
    - i. Tax Map U4, Lot 25 - 1 Fayette Street
    - ii. Tax Map U4, Lot 26 - Depot Street (was #7)
    - iii. Tax Map U3, Lot 127 - Fayette Street (parking lot parcel 1 of 2)
    - iv. Tax Map U3, Lot 128 - Bridge Street (parking lot parcel 2 of 2)
3. Sale of town owned tax-deeded property - (7/26/16)
  - a. 81 Main Street - (listed 8/9/16)
  - b. 114 Main Street - (under agreement 8/2/16)
  - c. 31 Berry Avenue - (under agreement 8/10/16)
4. Storage Container Permit - 41 Carroll Street - (tabled 8/9/16 for future plans)
5. Security System Upgrade Quote - Police Department (8/9/16, another quote)
6. Security System Installation Quote- Town Hall (8/9/16, another quote)
7. Tax Collector's Deed Waivers (8/9/16, seven of thirty-one processed)

**APPLICATIONS and WARRANTS**

1. Timber Tax – Tax map R35, lot 6 – Loudon Road - \$11,648.37
2. Abatement – 185 Wildwood Drive, residual interest from 2011 lien per tax payment plan

**CHECK MANIFESTS**

1. Accounts Payable
2. Payroll

**MINUTES**

1. August 9, 2016 – Public Meeting Minutes
2. August 9, 2016 – Non-Public Meeting Minutes

**PUBLIC INPUT**