



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

MEETING MINUTES OF Tuesday August 22, 2017

CALL TO ORDER

Call to order at 6:06 p.m. by J.C. Allard, Chairman

MEMBERS PRESENT

J.C. Allard, Chairman
Gerard LeDuc, Vice-Chairman
Carole Richardson
Carl Anderson
James Adams

OTHERS PRESENT

Cara Marston, Town Administrator
Ammy Ramsey, Recording Secretary

AGENDA REVIEW

Gerard: Informational pertaining to the upcoming election

PUBLIC INPUT

None

Department Update - Utility Partners update on Waste Water Treatment Facility operations

Bill Gilpatric from Utility Partners stated that he wanted to give an update on the phosphorus situation at the plant. He stated the town has a contract with Wright Pierce engineers and they have been injecting a chemical in two spots which has been working well. Gerard stated he is glad to hear that it is working. Bill stated that Wright Pierce is due to submit a report with the EPA by the middle of December to report on the long term solution to the phosphorus remediation.

Carl asked if they may still have to sleeve some of the sewer lines. Bill stated they have been looking into that and have gotten a price of \$34.00 a foot for 8" and \$40.00 for 10" plus \$400.00 each service each time they go to cut in underground. Carl asked how many feet we have to do, Bill stated he is not sure but estimated around 4,000 to 5,000 on the low end. Carl asked how soon this would have to happen, Bill stated that would go hand in hand with the phosphorus because it would cut down on the inflow. Bill stated that they will be doing a required flush of the system. Carole asked if all the funding comes from the sewer fund, Cara stated yes, that we appropriate funds every year for capital improvements and we have about \$35,000.00 which could be used for the lining and flushing. Rob Lauricella,

the area manager, stated there was a report done by the Turner Group engineers who did the camera work and highlighted the areas that needed work and prioritized the areas that we could use for starting the slip lining. Gerard inquired on when that report would be done, and Bill stated it was done in 2014.

Bill also invited the selectboard to come down to the plant anytime. Rob stated that Bill is the plant manager and stated he is doing a great job and noted the monthly report in their packet. J.C. asked if he has heard any feedback on the repairs that were done at the library, and Bill stated he has not.

NEW BUSINESS

ACTION ITEMS

1. Class VI highway agreement & release – 121 True Road, Map R13, Lot 3

J.C. announced that since the last meeting the State Fire Marshall and Fire Chief have come up with an agreement, and the Everson's have been doing work to the road. J.C. also stated that the attorney has reviewed and made a slight revision to the agreement and release document.

Carl: I make a motion we sign the agreement and release for 121 True Road.

Gerard: Second.

Discussion: Captain Tyler stated that the agreement that was drafted changes the intent from the one that was signed by the property owner. In paragraph 5 concerning changes to True Road and in paragraph 6 about the maintenance of the road. He feels it omits some of the aspects of the agreement that not only do the changes need to be made but also be maintained. He believes it would be wiser to adjust paragraph 5 to state that not only the changes to be made but maintained as outlined in the agreement as well. Cara stated that the agreement will be recorded with this as attachment 1, so the agreement that they signed with you will be a part of the agreement and release. Captain Tyler stated it would seem to be referring the changes and not the continued maintenance. Jim asked Captain Tyler if he is saying that this individual will be responsible for maintaining the road and not the other 4 people who live there now. Captain Tyler stated it is a bit more complex than that and probably more importantly subsequent owners. The language in the agreement goes into more detail than what is in here. Captain Tyler discussed the difference between the two documents and the concerns he has with the difference. Jim confirmed that the town does not maintain that road currently and the people who live on that road maintain it. Jim believes the town attorney and the parties involved have come up with an agreement and that every time we add the words if, shall, or a may we add to the confusion of a situation. Jim also feels that the Everson's will do what is right to keep the road maintained to assist in keeping his family accessible to emergency vehicles.

~~Motion carries 5-0~~

2. Building permit process

J.C. announced that this is a request of Carole Richardson. Carole stated that she requested the explanation of the building permit process to be more informed when residents ask questions. She has heard that the Fire Chief is now supposed to sign off on all building

permits and is wondering if that is true. Captain Tyler stated yes, and Carole asked if that was new and when was the public going to be informed of this change. Jim Pritchard stated that the issues with the Planning Board's letter to the selectman dealt with these issues. Carole stated the public did not know this, and Jim Pritchard stated a lot of people did not know this until we dug into what the law was. Jim Pritchard said that the letter did not state how long ago the state adopted the law, but the laws are in effect now. He would have to do research at the state library to find out when the law was adopted.

Carole asked how long it has been on our building permit here in Pittsfield. Jim Pritchard stated he would have to ask Jesse and Carole was wondering where he was. Jim Pritchard stated he did not know but he did talk with him and acquainted him with the law. J.C. stated he received a building permit in June and it was not on there then. Carole would like to know who decides these things and makes the decisions. Jim Pritchard stated that the state legislators makes these decisions. Jim Adams stated they did not make this decision this past session, so it must have been done more than a year ago. Jim Adams believes we are shooting from the hip here because we don't have the exact information that we need. Jim Adams stated a lot of the issues with the various items we use for guidelines say may and not shall, and that we should separate the must and the requirements that we need to do. Jim Pritchard stated this one says shall. Jim Adams confirmed with Jim Pritchard that he is not aware when it was enacted. Jim Pritchard stated he could guess it was enacted around 2000 because that was when the state enacted the building code. Cara stated that the revising of the permit application forms generally would come through the selectman's office. Jesse has talked with her in the past few years about revising the forms and has not submitted any revisions to her knowledge, but he could have made revisions on his own. Carole stated that she feels the public has a right to know that there was a change and that there is a possibility that the fire department will be showing up at their home to inspect for a building permit application. Jim Pritchard stated that in RSA 155-A section 3 paragraph 3 a and b, at minimum the municipality shall ensure the implementation and enforcement includes a- review and acceptance of appropriate plans, b- issuance of building permits. So he reads that to mean that a person who is proposing a building will submit plans to the building inspector and fire department and they will review those plans for compliance to the state building code and the state fire code. He is not sure who does the inspections but anyone who has gone through the building permit process knows that a building inspections are done going through the building process. Carole does not think Jim Pritchard should be answering for the building inspector. Jim Pritchard stated he respectfully disagrees because he is reading state statute right now. Carl is questioning why Jim Pritchard is the spokesperson for the building inspector. Jim Pritchard stated he is not speaking for the building inspector he is reading state statute.

Jim Adams stated he had a conversation with the state Fire Marshall's Office he was told that the last NFPA was adopted in 2009. Jim Pritchard stated the NFPA is adopted by reference and we are talking about state statute. ~~Jim Adams confirmed with Jim Pritchard does not know when that was adopted.~~ Jim Pritchard stated no, he did not know, but we know it was in effect now. Jim Adams then commented that he finds it unlikely that we have not been in compliance for a long time, and Jim Pritchard stated he finds that not unlikely.

Jim Pritchard stated he asked Cara about the discussion you wanted to have because he feels he is the best person to do the research on this but he has to know what you would like to know. Clayton Wood stated he quickly did some research and found nothing since 2009, and that there was no outline and that you asked us to come here so we are telling you what we know.

J.C. stated that we greatly appreciate the work and research that they have done, but feels their conversation should be with the building inspector.

Clayton stated the Planning Board was asked for their comments for a class 6 road and that is what they gave. Clayton discussed what they did for the class 6 situation and explained how they handled it.

Carole stated that this discussion is not only for class 6 roads it is for everybody and just wanted an explanation of building permit process to better understand.

J.C. stated they will revisit this when the building inspector is available.

Jim Pritchard stated if they would like research done just to let him know what they would like and he will be happy to do that.

3. 2017 State form MS-1 (summary inventory of valuation)

Cara stated that this sets the valuation of the property to be able to set the tax rate.

Gerard: I make a motion to sign the 2017 State form MS-1.

Carole: Second.

Discussion: Carl asked what our valuation is, Cara stated it is \$263,327,336.

Motion carries 5-0

4. Funds transfer – Floral Park Cemetery Fence Expendable Trust Fund, \$14,470.00

J.C. stated this item is to transfer funds from the general fund to the Floral Park Cemetery Fence Expendable Trust Fund per 2017 town meeting.

Gerard: I make a motion to approve the fund transfer of \$14,470.00 from the General Fund to the Floral Park Cemetery Fence Expendable Trust Fund.

Carl: Second.

Discussion: None.

Motion carries 5-0

5. Request for transfer of Cable Franchise – MetroCast Cablevision to Atlantic Broadband

J.C. stated that this is a request to transfer Pittsfield's cable franchise because Metrocast has been acquired by Atlantic Broadband and from what J.C. understands if we do nothing it will still go into effect in 120 days.

Carole asked about how long we have a contract for, and Cara stated we are kind of in an evergreen clause situation.

~~Carl asked if any other cable companies have shown any interest in our town. Cara was not aware of any inquiries as MetroCast invested substantially in the cable infrastructure that would have to be removed or purchased by a new company.~~

Clayton Wood stated that he looked into it years ago and he believes it is not possible. There was some discussion on how the cable infrastructure works and how it is run. J.C.

inquired about the services that the law pertains to and Clayton stated that the law states just cable but that was before all the other internet “items” were in place.

J.C. asked if we are just going to be going from Metrocast to Atlantic Broadband and Cara stated from the paperwork it appears we are consenting to that transfer. J.C. asked if everyone who has a MetroCast email will be changing and Cara stated she is not sure, she didn’t see that specifically in the paperwork.

Carl confirmed that if we don’t do anything it will change automatically and suggested we do nothing.

Clayton stated if they would like him to look into anything he can.

Cara stated that one of our former administrators inquired of Comcast to come in to Pittsfield and they had said no, due to the substantial infrastructure to be considered.

Carl: I make a motion to do nothing.

Carole: Second.

Discussion: None.

Motion carries 5-0

COMMITTEE REPORTS

Gerard stated that the last of the applicants for B.C.E.P. will be in by August 24, 2017.

INFORMATION ITEMS

1. Waste Water Treatment Facility – July report

2. Additional State Highway Block Grant Aid – public hearing September 12, 2017 – 6:15 p.m.

J.C. announced the that the public hearing is scheduled and that is when we will be able to hear from the public concerning the additional grant money the town is receiving to work on the roads.

3. Gerard stated that the upcoming election will be covered by the School Board Members instead of the Selectboard members.

4. J.C. announced that the CDC will be meeting here tomorrow night at 7:00 p.m.

Carole asked what the CDC is working on. J.C. mentioned that they are moving forward with the Orton Foundation to bring their community development here. Roland and Louie have visited the steel plant on Broadway because they are looking to expand and asked for the help of the CDC. The CDC is also contacting other businesses in town to hear from them to see what they like (and don’t like) and they have been getting positive feedback.

OLD BUSINESS

~~4. Voter petition for formation of a Village Water District (4/4/17)~~

~~a. Public Hearing on proposed boundaries for a Village Water District (tabled 6/27/17)~~

~~Gerard stated the chairman forgot to post the meeting so they never had one.~~

5. Pittsfield Historical Society proposed relocation (6/13/17, review requested on hold 7/31/17)

J.C. stated that this is on hold. Carl asked if the hearings are still on schedule and Cara stated no and explained that the statute states you hold the hearings after the Board receives the recommendation by conservation and planning on the proposals. She could not guarantee that those boards would have a chance to do so before the September dates needed to be noticed. Carl asked if there was a time frame. Cara stated we have to wait until they have their meetings and give their recommendations, but they are aware of the Board's intention to hold the hearings as soon as feasible.

Clayton Wood stated he believes it will be October 7th for the planning board's consideration as he thinks there is a request to postpone the discussion scheduled for the September meeting.

Gerard confirmed this is pertaining to 37 Main Street and if we had an official bid. Cara stated we have a proposal for 37 Main Street and that is what she has forwarded to Planning and Conservation.

J.C. stated the request to postpone the meeting is not from any of the parties involved. Clayton confirmed the Planning Board has the proposal to consider but does not want to say too much because he thinks a legal concern is involved. Clayton stated that the board will have both items on the agenda.

CHECK MANIFESTS

1. Accounts Payable

Gerard: I make a motion to approve Accounts Payable.

Carl: Second.

Discussion: None.

Motion carries 5-0

2. Payroll

Gerard: I make a motion to approve Payroll and Direct Deposit.

Carole: Second.

Discussion: None.

Motion carries 5-0

MINUTES

1. August 8, 2017 – Public Meeting Minutes

Gerard: I make a motion to approve the May 23, 2017 Public Meeting Minutes.

Carole: Second.

Discussion: Carole and Carl had some corrections and passed those along to Ammy.

Motion carries 5-0

2. August 8, 2017 – Non-Public Meeting Minutes

Gerard: I make a motion to approve the May 23, 2017 Non-Public Meeting Minutes.

Carole: Second.

Discussion: None.

Motion carries 5-0

PUBLIC INPUT

Noreen Rollins asked when the tax rate will be set, Cara stated that once we get all the forms in we will set that and that it should be set around October.

Paul Richardson stated he was the building inspector in Barnstead and he believes adding the fire chief's name to the permits is adding more red tape. He also believes that many people don't even get permits. Most plumbers and electricians do get one because they do not want to lose their license. Maybe have the fire chief issue ones for burner permits because they have to do the inspections and have building inspector do his permits without having someone looking over his shoulder. He thinks everyone will be happier in the end. J.C. stated he believes they are not interested in having more red tape. Jim Adams asked Clayton if he was going to check to see if Pittsfield was in compliance. Clayton stated only if they were asked to. Jim Adams asked what items would be brought forward to the voters for the Zoning Ordinance. Clayton stated none of these items would be. There was some further discussion concerning what to do about these issues dealing with the permit process. Carl stated to his understanding anything to do with roads and highways the selectboard would handle, and Clayton stated that was correct that the only time the Planning Board gets involved is in the case of a class 6 road and they only comment. The Planning Board does not go looking for things or issues with building, this case was the road and only because it is a class 6.

Kevin Gibson stated the one RSA that was referred to earlier states the local enforcement agency shall have the ability to enforce the State Building Code and the local Fire Chief shall have the ability to enforce the State Fire Code. J.C. stated that the town attorney clarified that for us.

Adam Gauthier asked what the cost is to the town for the CDC to bring in the Orton Foundation, J.C. stated there is no cost.

Kevin Gibson stated that at the last CDC meeting they talked about getting together with MSA and getting to know them and what they need and if we can learn about their company and encourage them to expand in our town. Jim Adams stated a big thing that happened at the last legislative sessions was the business profit tax was reduced. So if we continue to relax on the profit tax, the businesses will hire more people and invest more to stay here in New Hampshire. MSA comes from Pennsylvania and they tend to be higher on their business taxes so maybe we can get them to expand here in New Hampshire and in our town.

Adam Gauthier inquired about the unsealed nonpublic minutes being released and Cara stated as soon as the public session minutes are signed she will post them with the public minutes for that meeting date on the website.

Kevin Gibson also stated that the CDC discussed the possibility of the New Hampshire State Liquor Stores being relocated and the one here in Pittsfield may have been discussed to be moved to the Epsom traffic circle. So he was thinking that maybe we could advertise for them a little better on Rt. 28 to bring more business to them here so they can stay here.

Ammy Ramsey asked about the community garden and what happened with it. Adam Gauthier apologized that it didn't get communicated and finished so people could plant but had a personal issue come up. Ammy asked him if he was the only one that was doing that project and was wondering about the money that was paid to have a plot. She also stated that it was a disappointment for the girl scout troop because her daughter was going to try and make the project part of her Silver Award when she came down with her working steer and plowed. Other troop girls had made plans to plant various items and was working on a badge to earn. Ammy asked if there are plans for next year and Adam stated yes.

Carl: I make a motion to adjourn.

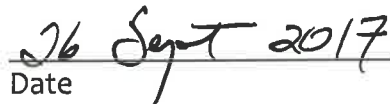
Carole: Second.

Discussion: None

Motion carries 5-0

Approved:


James C. Allard, Chairman


Date



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

TUESDAY, AUGUST 22, 2017

6:00 p.m. – call to order

PUBLIC INPUT – regarding agenda items only

AGENDA REVIEW

DEPARTMENT UPDATE – Utility Partners update on Waste Water Treatment Facility operations

NEW BUSINESS

ACTION ITEMS

1. Class VI highway agreement & release – 121 True Road, Map R13, Lot 3
2. Building permit process
3. 2017 State form MS-1 (summary inventory of valuation)
4. Funds transfer – Floral Park Cemetery Fence Expendable Trust Fund, \$14,470.00
5. Request for transfer of Cable Franchise – MetroCast Cablevision to Atlantic Broadband

COMMITTEE REPORTS

INFORMATION ITEMS

1. Waste Water Treatment Facility – July report
2. Additional State Highway Block Grant Aid – public hearing September 12, 2017 – 6:15 p.m.

OLD BUSINESS

1. Town hall basement code issues (4/5/16)
2. Sale of town owned/tax-deeded property
 - a. 81 Main Street – (7/26/16, purchase & sale 7/25/17)
 - b. 37 Main Street – (deeded “back” to town, discussed 1/3/17)
3. Joy Street Pump Station concern (8/16/16, building/health to follow up)
4. Voter petition for formation of a Village Water District (4/4/17)
 - a. Public Hearing on proposed boundaries for a Village Water District (tabled 6/27/17)
5. Pittsfield Historical Society proposed relocation (6/13/17, review requested on hold 7/31/17)

CHECK MANIFESTS

1. Accounts Payable
2. Payroll

MINUTES

1. August 8, 2017 – Meeting Minutes
2. August 8, 2017 – Non-Public Session Minutes

PUBLIC INPUT

Public Input standards: The Board of Selectmen may accept the public’s input that is addressed directly to the Chair in a courteous and respectful manner in a time frame of three minutes or less.

NONPUBLIC SESSION

The Board of Selectmen may enter into Nonpublic Session under RSA 91-A:3

Please note: The meetings of the Board of Selectmen are recorded, audio and video.

Board of Selectmen meeting agenda – August 22, 2017

Page | 1