



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

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**MEETING MINUTES OF TUESDAY, September 27, 2016**

**CALL TO ORDER**

Call to order at 6:00 p.m. by Larry Konopka, Chairman

**MEMBERS PRESENT**

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

**MEMBERS ABSENT**

None

**OTHERS PRESENT**

Cara Marston, Town Administrator  
Ammy Ramsey, Recording Secretary

**PUBLIC INPUT**

Dan Schroth informed the board about his involvement with the Wellness Committee and his concern for the youth in our community. He stated that he feels the big drug companies are playing a big part in the drug issues around the county and is concerned about not having any treatment options here in town. He also stated that drug use in the youth is a concern and feels that keeping Sgt. Walter with our police department is a good idea because he has an impact with the youth of our community. He understands the budget concerns but at the same time feels we need the police and fire departments to help our community.

Mike Wolfe inquired about the aqueduct contract and what that action item was about.

Closed 6:04 p.m.

**AGENDA REVIEW**

J.C.: Nothing.  
Gerard: Nothing.  
Carole: Nothing.  
Carl: Update on town owned property.

Larry: Nothing.

Cara: Has an update on the 2014 grant in action items.

## PUBLIC HEARING

6:15 p.m. - PUBLIC HEARINGS – second public hearing on two proposed ordinances, first was on 8/9/2016

Called to order at 6:15 p.m.

### 1. Disorderly Residence Ordinance – new proposal

Chief Cain stated that this ordinance is already in place in other communities. The ordinance could help with some of the issues we are dealing with at some properties we have in town that the police department frequently visit. It is a tool we could use to get some of the property owners, landlords, and property management companies more engaged with the department in dealing with residents who have a continued course of conduct that requires the police department to respond frequently. Chief Cain also stated that this is not seen as a source of revenue. The department would like to start working with property owners and address issues and concerns that are happening around town.

Larry informed the audience that this is just a public hearing for public input and no action will be taken this evening.

Joan Osborne asked how the land lord can be held accountable for another person's actions. And asked if it has ever been challenged in court?

Chief Cain stated yes and that this document has been in place for years in another community and has never been determined illegal or unconstitutional.

Steve Aubertin asked what community this is being used in. Is there a proposed document that we can view? Are there any statistic's on call's made from single family to rental properties or multi-family properties?

Chief Cain stated that the City of Franklin has this ordinance in place and the document can be viewed online at the town's website. He also said that he does not have specific numbers on hand but can say that since he has been here in town the majority of the calls are from the down town area.

Steve Aubertin feels that there has been a general tone of people being against the residents of the down town area for a couple years now. He feels that everyone should stop and think about what the rental residents have to go through. They have to have their residences inspected all the time and may have to be told what they can and can't have, and feels that they have to give up some of their rights in order to be able to live in the down town area. He also feels that the fine would be an undue burden put on the people who can't afford it, and feels that the second class citizen is in effect here. He

would like to have seen statistics on the issue to back up the reasoning for this ordinance. And was wondering why he has not received any phone calls if there is an issue at one of the properties he manages, why jump to sanctions before trying to communicate.

Paul Rogers does not know why the tenants are not being held liable, and the landlords are. He also wanted to know if this ordinance was going to be like the parking ban and fought for now and forgotten about later.

Ammy Ramsey expressed her concern about the police department being so busy in the down town area that they are not able to address some of the concerns that the out of town people are having. She also stated that as a tax payer she would like to see the residents and landlords held accountable for their actions and feels that the town has a tax burden because of the issues that this ordinance could help address.

Rob Freese stated that he looks at this as an impact issue, those that are using a larger amount of resources in the community. If we don't curve it in some manner, then we are going to have to budget for more. The tenants don't have any control over the budget that is paid out of the tax revenue of the property owner. He does not know how you could take the property owner, landlord out of the equation.

Mike Wolfe would like some clarification. That this ordinance is not just geared towards landlords but it also pertains to property owners. For instance, if Ammy had parties which caused a continuing problem that needed to be addressed by the police, could she be held responsible?

Chief Cain stated if that was the case it would go towards the property owner. And to address some of the other concerns with the landlord. This will help in opening the communication between the landlord and police department and we could work together in solving some of the concerns the town has. This could also help the landlords in the eviction process as well.

There was continued discussion about different circumstances and how they could be handled. Steve has an issue with fining the landlords for the actions of the tenants if they are not breaking the law.

Crystal Young expressed her support for this ordinance because she has been dealing with ongoing disturbances from the apartment next door. She described some of the issues and feels that this ordinance can help deal with the issues she is dealing with.

Fred Okrent stated that he is in favor of this ordinance, he feels that the majority of the land lords don't care about this town and they don't live in town and this may get them to start caring about what is happening in town.

Bill Elkins asked "why fine the landlords and not the offending party"?

Dennis Volpe stated there is not a lot of profit in rental properties.

Closed this portion of the public hearing at 6:44 p.m.

Larry asked if the board is in favor of this ordinance, because he would like to know if the board supports this before sending this for legal review.

Gerard feels that it has to legal if it's going to go to town meeting.

Larry stated that he would like to know if this board supports it, because if they didn't, he would rather not spend the money for legal review if we are not going to move forward with this ordinance.

Carl: How can we decide to support it without knowing how legal feels about it?

Carole asked if this ordinance is the same as Franklin's and if they took it to their attorney.

Chief Cain explained that Franklin's attorney wrote their ordinance and that it has been in place for a number of years. There were some minor changes to fit Pittsfield but does not change the basis of the ordinance. And with speaking to the Franklin police department there have been positive results from this ordinance in their community.

Larry would like to table this for right now and discuss this in non-public.

## 2. Animal Control Ordinance – proposed revisions

Larry opened the second public hearing for the animal control ordinance at 6:47 p.m.

Chief Cain explained that this is some updating to the existing ordinance and the reasons for the update.

Anne Taylor (Animal Control Officer) explained some more details behind the reasoning for this ordinance update. Her intentions with this ordinance was to address some ongoing issues with chickens. She clarified some misunderstanding with the last set of minutes and some items that were talked about.

Joan Osborne asked is USDA's trespassing law was checked into, and what the specifics are and if poultry was addressed.

Ann stated that it does not specifically mention poultry. And offered to read the RSA.

Dan Schroth asked if we have to start keeping the chickens out of the road.

Ann Taylor expressed that the concern from the last meeting about livestock getting out. She stated that the wording of knowingly and willingly plays a big part in that situation.

Jeff Swain is concerned about the noise with livestock. He gave an example of a neighbor that is not familiar with livestock and if there is a complaint because of noise the ordinance states a fine will be given. He is not against a new ordinance but is not sure if this one fits Pittsfield.

Mike Drew from Dowboro Rd. presented some photos to the board and stated he has expressed his concerns with the animal control officer. He has been dealing with his neighbor's chickens for many years being destructive to his property. He is in favor of this ordinance. He explained his troubles with the lack of containment of the neighbor's chickens repeatedly. He agrees that if it was a onetime deal we wouldn't need this ordinance but if this ordinance is not put in place there will be no recourse to the repeated destruction of property.

Anne Taylor stated she has witnessed the chickens in their yard.

Tammy Drew expressed that they have tried to talk with their neighbor and have spent several hundreds of dollars fixing the destruction and trying to prevent the destruction. She said she was told she could take them to small claims court but that is a long expensive time consuming process and thinks the ordinance will help with the issue.

Ed Young delivers the mail around town and he has seen chickens on church steps and noticed the mess they can make around town.

Anne Taylor feels that if this is worded correctly and it went to town meeting it would be beneficial to the town.

Closed public input at 7:00 p.m.

Larry stated that this will have to go to town meeting and suggested that at the next meeting we could address the concerns brought up tonight and change some more wording.

There was some further discussion amongst the board about changing some wording and how it can be worded more specific to Pittsfield.

## APPOINTMENTS

7:00 p.m. – non public

Larry asked Sgt. Walter if he would like this conversation in public or non-public.

Sgt. Walter stated he would like this in a public forum. He expressed his disappointment at the last meeting about not being appointed as a part time officer. He explained to the board that he has put his heart and soul in this community for 18 years, and would like the opportunity to continue his work here in town. He understands the concerns of the budget

process and stated he has never been in this for the money he has stayed in this community because he feels strongly about this town and the people who live here.

## NEW BUSINESS

### ACTION ITEMS

#### 1. 2016 Local Emergency Operations Plan update

Jane Hubbard with Hubbard Consulting and Rob Freese were present to give a presentation. They presented a binder of the Emergency Operation Plan updates to all board members. Jane and Rob worked with all department heads in town to make the proper updates to the Emergency Operations Plan. The binder is the updated version of the Emergency Operations Plan that gives an overall strategy for the departments and administration in the case of an out of the ordinary emergency. Jane gave an overview of the plan and where to find certain information throughout the binder. She requested that this document be signed.

Rob Freese stated that every department head attended all the meetings and gave their input to come up with a plan that goes with state and federal guidelines but also works with what Pittsfield has. He also explained the details of the grant and how everyone worked hard together to be in the time frame in compliance of the grant. He was hoping that they would sign the document this evening as well.

Gerard: I make a motion to authorize the Selectboard Chairman and Emergency Management Director to sign the Emergency Operations Plan.

J.C.: Second.

Discussion:

Carole: How often is this done?

Jane: It should be looked at every year and updated every five years.

Motion carries 5-0

Larry and Rob signed the document.

#### 2. Payroll & Check Manifest

Gerard: I would like to see if the payroll and check manifest could be ready for review for Tuesday morning so we all have more time to review the documents.

Larry asked Cara if this was possible and she stated yes.

#### 3. Aqueduct Contract

Fred Okrent stated that the Aqueduct Committee met last night and voted to recommend the Selectboard sign the updated contract with one change. Cara stated that she does not have a copy of it. Fred Okrent will forward the contract for the board's review and put on the next agenda.

Carole stated that the last meeting was very informative and suggested to get more information out to the public.

Fred Okrent agreed and is hoping to get more public involved.

#### 4. 2016 Halloween trick-or-treat at Town Hall

Cara stated that this year's trick-or-treat is on a Monday and would like the board's permission to have candy for trick-or-treaters at the town hall.

#### 5. Columbus Day, October 10, 2016 – permission to close Selectmen's Office for training/catch-up

Gerard: I make a motion to approve the closing of the Selectmen's office on October 10, 2016 for training.

Carl: Second

Discussion:

Gerard asked what type of training.

Cara stated payroll and explained that there are many facets to learn in the process.

Motion carries 5-0

#### 6. Office of Highway Safety grant award – DWI Patrols, \$7,000

Chief Cain presented a request for signature for the acceptance of the grant. Chief Cain informed the board that this is a grant that the town has been receiving for a number of years, and explained the details.

Gerard inquired about how many hours per night.

Chief Cain stated that there are no number of hours set, it is based on the amount of money.

Cara described some of the details pertaining to the hours.

Gerard: I make a motion to accept the DWI grant.

Carl: Second.

Discussion: None

Motion carries 5-0

#### 7. Office of Highway Safety grant award – STEP Patrols, \$6,650

Gerard: I make a motion to accept the STEP Grant.

Carl: Second.

Discussion: None

Motion carries 5-0

## 8.2016 New Hampshire Drought Conditions – proposed regulations for lawn watering bans

Rob Freese stated he has spoken with state officials and they are recommending a water ban for communities around the state for outside watering, and ceasing any fire permits. Rob has researched the surrounding communities and their water bans that they have in place. He informed the board of some of the things he learned pertaining to the water issues around the state. He provided the information to the health officer and administrator.

Cara stated that she can draft up the paperwork for review and consideration.

There was some discussion about the water conditions and Pennichuck and how they may be effected.

Carl talked about Berry Pond and how low it has gotten. He has spoken to the PUC and they feel there is plenty of water in Berry Pond.

Larry asked if we could draft something up and have it ready for the next meeting.

Rob recommended that we give the Fire Chief permission to help the community with livestock and have water available at the department.

Fred Okrent stated that we should keep in mind about what water is metered and which is not.

## 9. Paperwork for reimbursement for Infiltration & Inflow Study Grant from Rural Development (an added item by Cara)

Cara stated that a revision is needed to a grant we received in 2014. This grant was to do the closed circuit TV on portions of the town's sewer system.

Larry we need a motion to give the Chairman authority to sign the grant.

Carl: So moved.

J.C.: Second.

Discussion: None.

Motion carries 5-0

## COMMITTEE REPORTS

B.C.E.P is meeting on the 29<sup>th</sup> at the town dump at 7:00 p.m.

Budget committee is also wondering about a meeting with the department heads. Cara stated she is trying to arrange that for October 25<sup>th</sup>.



## INFORMATION ITEMS

### OLD BUSINESS

#### 1. Town hall basement code issues (4/5/16)

Cara gave a description on the progress of moving to the new location and getting all the parties together. She described some of the details the food pantry and how we can get things rolling.

#### 2. Sale of town owned tax-deeded property (7/26/16)

Carl stated these properties are going through the title process

- a. 81 Main Street – (under agreement 8/23/16)
- b. 114 Main Street – (under agreement 8/2/16)
- c. 31 Berry Avenue – (under agreement 8/10/16)

#### 3. Storage Container Permit – 41 Carroll Street – (tabled 8/9/16 for building inspector input)

Cara explained that Jesse stated this should be all set to grant them a permit for this year.

There was some discussion on the location of the seasonal storage container.

Carl: I make a motion to grant the permit for the storage container permit at 41 Carroll St.

Gerard: Second.

Discussion: None

Motion carries 5-0

#### 4. Tax Collector's Deed Waivers (8/9/16, thirty-one of thirty-two tax deed list parcels processed)

Cara stated we received the final tax payment agreement for the property you granted an extension on last week for lot U01-0036. If you accept this tax payment agreement a tax deed waiver will also need to be signed.

Gerard: I make a motion to accept the tax payment agreement for U01-0036.

Carole: Second.

Motion carries 5-0

Discussion: None

Carl: I make a motion to remove the two-day hold on the tax deed waiver for U01-0036.

Gerard: Second

Discussion: None

Motion carries 5-0

5. Joy Street Pump Station concern (8/16/16, building/health to follow up)

Cara stated she sent a letter to the property owner for them to contact the building inspector because of the needed pumping as a result of not having the proper grease trap, with a dead line of October 14, 2016. Carl stated we need to keep on top of this situation.

6. Sale of town owned & tax-deeded property – two-parcel purchase (8/23/16 offer acceptance)

- a. 33 Main Street
- b. 37 Main Street (5 condo units)

Carl stated they are working on a purchase and sales agreement with Bill Miskoe and he sent it to his attorney and the only change is the name of the purchaser. He recommends that we sign the purchase and sales with a couple recommendations for access to an area. If anyone would like to look at this, it is available at the town hall. Carl also recommends that the board gives Cara the authority to sign the documentation. There was also some discussion about access to an area that we need to keep in mind. There was some further discussion on some specifics about the properties and how things are progressing.

7. Pittsfield Bid Policy – proposed revisions (9/6/16)

8. Town equipment policy changes (tabled 9/20/16)

CHECK MANIFESTS

1. Accounts Payable

Gerard: I make a motion to approve accounts payable.

J.C.: Second.

Discussion: None.

Motion carries 5-0

2. Payroll

Gerard: I make a motion to approve payroll and direct deposits.

Carl: Second.

Discussion: None.

Motion carries 5-0

MINUTES

Gerard: I make a motion to approve the September 6, 2016 Non-Public Minutes.

J.C.: Second.

Discussion: None

Motion carries 5-0

There was some discussion concerning the minutes from September 20, 2016 and Larry stated we needed a motion to approve the September 20, 2016 minutes.

Carl: Moved the motion.

J.C.: Second.

Discussion:

Carole stated there is just a few grammatical things and gave Ammy the corrections.

Larry stated that on page 9, a statement should read nothing to discuss about the town hall basement.

Motion carries 4-1 Gerard abstains.

#### Public Input

Chief Cain stated that Sgt. Walter could not stay and asked him to inquire about the appointment today in public. I sent an email today detailing the circumstances surrounding the part time employment of Sgt. Walter. He was wondering if the board had a chance to look at that email and make a decision. Larry stated that the majority did not support moving forward at this time.

Fred Okrent would like the board to be aware that the person who spoke out the most concerning the disorderly conduct ordinance does not live in town. He lives in Barnstead. And told Cara she should have that contract in her email now.

Tracy Huyck personally thinks that it would be a great dis-service to not appoint Sgt. Walter as a part time officer. Sgt. Walter has been a great influence on the youth in this community. He has done a lot of work for the youth in this community, mine included. She has great respect for the police department and the Selectboard and has tried to stay neutral in this situation. She has noticed some comments on social media and hopes this is nothing personal, because as elected official's it is in the best interest of the town. She also thinks it's a great disservice to the town not to have him in our community.

Mike Wolfe would like to ask the board to work harder with the staff and administration. It seems like we are all trying to do the same thing but instead of the board asking what we can do to make this better, you are just saying we are doing this and that. The same goes with our committees. Instead of the tuition committee working with the school they are just sending letters to the superintendent reciting RSA's and requesting information within five days. He expressed his concern about not being able to work together as a community.

Jennifer Cole wanted to express her disappointment with not appointing Sgt. Walter as a part time officer. He has been such a positive influence to her daughter and many other children in town. She believes it is a great disservice to the town.

Clayton Wood feels that this board has been accused of being personal and feels that a lot of comments that about this board are unfair. Public input is a privilege and thinks it should be respected. He would like people to stop pointing fingers and let this board work.

Joan Osborne agrees with Clayton, she does not see any of the people who are against this board stepping up to be in their shoes.

Closed 8:27

Carl: I make a motion to adjourn.

Carole: Second.

Motion carries 5-0

Meeting adjourned at 8:29 p.m.

Approved:



Lawrence Konopka, Chairman

10/11/16  
Date



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

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**TUESDAY, SEPTEMBER 27, 2016**

**6:00 p.m.** - Call to order - regular session

**PUBLIC INPUT** - regarding agenda items only

**AGENDA REVIEW**

**6:15 p.m. - PUBLIC HEARINGS** - second public hearing on two proposed ordinances, first was on 8/9/2016

1. Disorderly Residence Ordinance - new proposal
2. Animal Control Ordinance - proposed revisions

**APPOINTMENTS**

7:00 p.m. - non public

**NEW BUSINESS**

**ACTION ITEMS**

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2. Payroll & Check Manifest
3. Aqueduct Contract
4. 2016 Halloween trick-or-treat at Town Hall
5. Columbus Day, October 10, 2016 - permission to close Selectmen's Office for training/catch-up
6. Office of Highway Safety grant award - DWI Patrols, \$7,000
7. Office of Highway Safety grant award - STEP Patrols, \$6,650
8. 2016 New Hampshire Drought Conditions - proposed regulations for lawn watering bans

**COMMITTEE REPORTS**

**INFORMATION ITEMS**

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2. Sale of town owned tax-deeded property (7/26/16)
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6. Sale of town owned & tax-deeded property - two-parcel purchase (8/23/16 offer acceptance)
  - a. 33 Main Street
  - b. 37 Main Street (5 condo units)
7. Pittsfield Bid Policy - proposed revisions (9/6/16)
8. Town equipment policy changes (tabled 9/20/16)

**APPLICATIONS and WARRANTS**

**CHECK MANIFESTS**

1. Accounts Payable
2. Payroll

**MINUTES**

1. September 6, 2016 – Non-Public Meeting Minutes
2. September 20, 2016 – Public Meeting Minutes

**PUBLIC INPUT**

**NON-PUBLIC SESSION**