

Board of Selectmen

May 23, 2012

Present: Kenneth S. Paul, Chairperson; Peter M. Kasprzyk; Richard C. Edwards; Teresa A. Williams, Town Administrator; and Toni Bodah, Secretary.

The posted meeting was called to order by Mr. Paul at 6:30 p.m. **Mr. Kasprzyk moved to enter Non Public Session under RSA 91-A:3, II (a) and (c). Mr. Edwards seconded the motion. Roll call vote: Mr. Kasprzyk – ‘aye’; Mr. Edwards – ‘aye’; Mr. Paul – ‘aye’. The motion passed 3-0, and the Board immediately entered Non Public Session.**

The Board returned to public session at 7:05 p.m. Please see the attendance sheet attached for those present. Mr. Paul led everyone in the Pledge of Allegiance.

1. Public Hearing re: Invasive Species CRF Expenditure Requests

a) **Linda Schier, AWWA, Lake Host Programs** – Ms. Schier is representing 5 lake host programs (Great East Lake, Lovell Lake, Horn Pond, Pine River Pond and Province Lake) seeking a total of \$9500 from the Invasive Species CRF in support of their programs to prevent invasive aquatic plant infestations. She noted that while the total cost of these programs exceeds \$50,000, it is far less expensive than addressing an invasion. The host programs have also proved to be a great educational tool. Ms. Williams advised that the current balance in the CRF is approximately \$18,000. Another \$20,000 was appropriated for 2012.

Mr. Edwards asked what causes this problem. Ms. Schier advised that milfoil was first introduced as an aquarium plant. It appeared in the lakes after people dumped their aquarium fish into the lakes. It is very fast-growing and takes away sunlight from native plants. Lawn fertilizer and nitrates also promote milfoil growth. Ms. Schier spoke to the differences in the various host programs, due in part to location of launches, amount of volunteerism, amount of activity on the particular lake, etc. Mr. Paul stated this is a great program that has educated many people. He noted that the State of Maine used to conduct road blocks to check for invasive material.

Mr. Kasprzyk suggested that sea planes can also spread the weed. Mr. McKay advised that any sea plane in Maine must have a sticker as proof of milfoil education. Some lakes are closed to air traffic because of an infestation. However, New Hampshire does not offer any type of milfoil sticker.

Mr. Edwards asked Ms. Schier to grade the Town on its efforts to address this issue. Ms. Schier indicated that Wakefield is doing everything it can, adding that the lake associations of Belleau and Balch exhibit an incredible amount of energy to address their infestation problems. **Mr. Kasprzyk moved to approve the request for \$9500 from the Invasive Species CRF for Lake Host Programs on Great East Lake, Horn Pond, Lovell Lake, Pine River Pond and Province Lake. Mr. Paul seconded the motion, which passed 3-0.**

b) **Valerie Blomstedt, Belleau Lake Property Owners' Association** – Ms. Blomstedt advised that BLPOA had estimated a \$15,000 request of funds from the Town. Their divers discovered milfoil at the southern part of the lake; however, the State has not been able to see this. Therefore, only 38 acres will be treated, instead of the 50 acres originally anticipated. Ms. Blomstedt stated that BLPOA is reducing its request to \$11,000. If awarded the \$15,000 originally requested, the BLPOA would keep the extra \$4000 in its milfoil fund.

Mr. Kasprzyk asked whether property owners are being educated to not dump aquarium material into the lake. Ms. Blomstedt had not included that in written material but will do so in the future. Ms. Schier noted it is now illegal to sell milfoil. She also asked whether BLPOA could come back for additional funds in the summer if it is determined they need to increase their treatment. Mr. Arnone said that would not occur as the State will issue only 1 permit per year.

Mr. Kasprzyk moved to approve an \$11,000 expenditure from the Invasive Species CRF for Belleau Lake Property Owners' Association for 2012. Mr. Edwards seconded the motion, which passed 3-0.

Mr. Paul referred to the possibility of utilizing Land Use Change tax money to help with the Invasive Species problem. Mr. Kasprzyk believes that current use was set up to protect open space. Therefore, the money generated from that tax should continue to protect open space.

2. Appointments

a) John Fournier re: Tax Maps, Surveys and House Location – Mr. Fournier stated that the Town developed its tax maps in 1978, following institution of the State's tax map law in 1975. He referred specifically to Lot 116, which he now owns. In 1985 the State purchased a portion of this lot in order to change the intersection. At that time, the frontage went to 100', with the side measurement at 145', which agreed with the State's survey. The dimensions of other lots also changed at this time, although Mr. Fournier is not sure why. In 1999 Lots 115, 114 and 113 all gained land, even though Mr. Fournier cannot find any deed changes. There were no more changes until 2005, when Mr. Fournier's property returned to figures cited in 1978.

Mr. Kasprzyk referred to the Town's tax maps, specifically to the notation on each map that states (in part), "This map is for assessment purposes and is not valid for legal descriptions or conveyances." He stressed that tax maps change over a period of time for various reasons and are not meant for legal descriptions. Mr. Fournier stated that these maps then do not meet the law. Mr. Kasprzyk suggested that Mr. Fournier take his survey to Court to see if a change in decision is warranted, adding that the Board of Selectmen does not have authority to overturn a Court Order. Mr. Fournier stressed that the Board must comply with State law and must show boundary lines and measurements.

Mr. Edwards noted that Mr. Fournier has had a survey done and questioned why the Town does not accept the findings of that survey. Mr. Kasprzyk stated that the Court made a judgment, which the Board cannot reverse. He again suggested Mr. Fournier go to Court and introduce any new evidence, which might result in satisfaction. Then the Town would have to comply with that Court Order. Mr. Edwards noted that Land Tech endorsed Mr. Fournier's survey. Mr. Kasprzyk disagreed. Discussion followed as to whether the Town should have a survey conducted. Mr. Paul is willing to consider that possibility at the end of the year, at which time we will have a better idea of the availability of funds.

Mr. Fournier referred to perambulation of the Wakefield/Middleton line. Mr. Kasprzyk stated that representatives of both towns walked that line and agreed upon the markers found. Mr. Edwards questioned whether the Town would want to spend \$18,000 to find out that Mr. Fournier's survey is accurate. No action was taken at this time. The Board may reconsider this issue closer to year end.

3. Unscheduled Matters/Public Comment #1

--Mr. Mankus noted that he has spoken with the Road Agent regarding removal of the flattened camp on the Union Meadows property for which the Town has a Purchase & Sale agreement. The Seller has provided a letter giving permission for the Town to remove that debris. Mr. Mankus estimates it will be about $\frac{1}{2}$ days' work. He is requesting that the Selectmen authorize the Road Agent to accomplish this work during the month of June. Mr. Paul expressed concern about spending taxpayers' money on private property, even though the Town does have a Purchase & Sale in place. Discussion followed as to whether removal of this debris is a part of the Purchase & Sale. Mr. Edwards does not believe there is any "out" for the Town in that agreement. Mr. Mankus advised that the agreement is contingent upon the Town receiving the necessary grant funds. Mr. Kasprzyk noted that cleaning of that area may reduce the potential for a forest fire. Mr. Brown referred to a liquidated damages clause in the agreement. The Board agreed by consensus to have the Highway Department remove the debris in question.

--Mr. Mankus advised that the Town may qualify for a PREP grant for up to \$4000 in matching funds (for the Union Meadows project) since the river is part of the watershed to Great Bay. The submission deadline is June 1. Ms. Williams stated that since the grant is less than \$5000, it would not require a public hearing (although it would need to be an agenda item). The Board agreed by consensus to allow Mr. Mankus to submit this application on behalf of the Town.

--Mr. Fogg noted that the tax maps are constantly changing as a result of yearly pick-up work.

--Mr. Fogg questioned where we stand with perambulation. Mr. Kasprzyk had made an appointment with Ossipee representatives, but this had to be rescheduled. Mr. Fogg does not believe the line with Middleton was perambulated property, as a majority of neither Board was present. He recommended that more Board members, and members of the public, be included. Mr. Kasprzyk stated that he went out with appointed representatives, photographs were taken and markers were documented. He is also working with the Town of Effingham. Mr. Fogg would like to be kept in the loop.

4. Unfinished Business

a) Logging Bids re: Food Pantry Construction – Jungle Jims in Epsom quoted a \$4750 cost to the Town for this project. Crawford's Logging of Wakefield quoted a payment to the Town of \$1500 for this project. **Mr. Edwards moved to accept the bid of Crawford Logging in the amount of \$1500, providing this \$1500 is revenue for the Town. Mr. Kasprzyk seconded the motion, which passed 3-0.**

5. New Business

a) Tax Recommittal for New Tax Collector – As we have a new Tax Collector, it is necessary to provide a recommittal. This is necessary whenever a tax collector leaves prior to year end. The Board executed this documentation as presented.

6. Proposed CRF Expenditures

a) Forest Fire Management \$800.76 – This represents DRED's invoice for a backpack pump outfit. **Mr. Kasprzyk moved to approve this expenditure as presented. Mr. Edwards seconded the motion, which passed 3-0.**

b) Landfill Closure \$740 – This represents CE2's invoice relating to the ash pile removal. **Mr. Paul moved to approve this expenditure as presented. Mr. Kasprzyk seconded the motion, which passed 3-0.**

7. Correspondence

a) Ron Fountain – Mr. Fountain reminds the Board of the horn located in the Town Hall belfry and suggests it might be feasible to consider for future use. Discussion followed as to whether it makes more sense to rely on more modern technology for emergency alerts. Mr. Kasprzyk will determine whether the Heritage Commission has any interest in assuming ownership.

Mr. Fountain also reminds the Board that a number of years ago he rewired the building now home to Parks & Rec to allow for an emergency generator.

8. Unscheduled Matters/Public Comment #2

--Mr. Fogg read an excerpt from an article printed in *The Carroll County Independent* regarding county issues. He then stressed that the PEG channel needs to be open to everyone. According to Mr. Fogg, CROW meetings are not getting air time. Mr. Paul asked that concerns be documented in writing as they arise and be directed to the Town Administrator. Regarding recent submission of a DVD from CROW, Ms. Williams noted that she had anticipated having Mr. Fogg execute the appropriate form when he dropped off the DVD. However, she was out of the office when Mr. Comeau dropped off that DVD. Mr. Kasprzyk stated that the 501.c.3 project is being worked on; however, both the Station Coordinator and the Assistant have had personal issues with which to deal recently. Mr. Edwards suggested it might be reasonable to go back to having a Cable Board. Mr. Kasprzyk stressed that we are trying to get this operation away from being a Town responsibility by creating a 501.c.3 organization. Mr. Fogg stated that members of the public would like to help, but no one is responding. Mr. Kasprzyk questioned whether the Board should invite Jerry O'Connor in for a discussion.

9. Administrative Matters

a) Liaison Reports – **Mr. Kasprzyk:** The Heritage Commission has applied for a \$6500 CLG grant and should receive notification by the end of June. The Commission is reviewing bids for heating and air conditioning for the freight house. A 45-person tour of the museum is scheduled in June. A schedule of all activities is posted on the web site. A yard sale will be held at the Grange Hall on Saturday, May 26 beginning at 10 a.m. The Highway Department is working on Oak Hill Road. Since the Transfer Station may need cement blocks for the waste oil container and the wind wall for the paper container, perhaps the Highway Department and the Transfer Station should purchase blocks at the same time in order to get the best price. The Transfer Station Manager is also considering having a foundation company come in to pour a wall. Mr. Kasprzyk has suggested that the Manager view the facility as a whole to determine the best utilization of space. If we are going to repair a retaining wall, we should decide if we are placing the containers in the correct place. Mr. Kasprzyk also noted we should consider purchase of a compactor for the paper. Mr. Paul noted that compacted paper should not get wet. On another note, the survey crew is ready to wrap up at the Meadows.

Mr. Edwards: The Planning Board will have a workshop on June 2 to view Route 16 for commercial zone possibilities. He was unable to attend the Parks & Rec meeting regarding Pride Day.

Board of Selectmen
May 23, 2012
Page 5

Mr. Kasprzyk noted that the Fire Department's web site is awesome! Parks & Rec's site is also very good. The gauntlet has been thrown! Mr. Kasprzyk has asked that Mr. O'Connor list web addresses on the PEG channel. Thanks to the Town crew for making the town look great for Pride Day.

Mr. Paul: Paving work has been put out to bid. He questioned whether the blasting work should also go to bid. Ms. Williams believes that cost to be less than the limit for which the bidding process is required.

b) Selectmen's letter of Appreciation – The Board agreed by consensus to send this month's letter to Rhodie Haskell.

c) Administrator's Update

--Mary Richards sent a note thanking the Board for her recent letter of appreciation.

--There will be a retirement gathering for Earleen DiPrizio on May 31 beginning at 3 p.m. at the Public Safety Building.

d) Building Permit Releases – Mr. Kasprzyk moved to approve building permit releases for Clear Blue Real Estate Trust on Pickerel Point Road and Farina on Virginia Lane. Mr. Paul seconded the motion, which passed 3-0.

e) Payment Manifests – Mr. Kasprzyk moved to approve the payroll warrant in the amount of \$64,741.79. Mr. Edwards seconded the motion, which passed 3-0.

Mr. Kasprzyk moved to approve the accounts payable warrant in the amount of \$39,445.31. Mr. Edwards seconded the motion, which passed 3-0.

f) Minutes – Mr. Edwards moved to approve the minutes of May 9, 2012, as presented. Mr. Kasprzyk seconded the motion, which passed 3-0.

There being no further business, the meeting adjourned at 8:48 p.m.

Respectfully submitted,
Toni Bodah, Secretary

Approval of Minutes:

Kenneth S. Paul, Chairperson

Peter M. Kasprzyk

Richard C. Edwards