

**Town of Boscawen
Select Board
MEETING MINUTES
Thursday, April 11, 2024, at 6:00 PM**

In Attendance: Matt Burdick, Lorrie Carey, Bill Bevans, Katie Phelps, Kellee Easler, Kate Merrill, Gary Moore, Jason Killary, Tim Kenney, & Dean Hollins

Guests: Michael Brazil & Ray Fisher

Roll Call: completed and guests introduced.

Chairwoman Lorrie Carey called the meeting to order at 6:00pm.

Consent Agenda Items:

- P&L, Balance Sheet, Check Manifest & Payroll (2 Weeks)
- Nonpublic/Public Minutes for Approval—03/28/24
- Police Chief Contract Renewal—Signatures Required
- Revised Boston Post Cane Policy
- Report from Executive Councilor Warmingtton
- Underwood Engineers Meeting Notes 02/29 and 03/14
- Map 183D Lot 134 Timber Warrant #23-049-13-T—\$638.12
- Police Department Report 3/25-4/7/24
- Supplemental Sewer Warrant 183D 142
- Supplemental Sewer Warrant 183C 19
- Map 183D Lot 133 & 134 Intent to Excavate
- Elderly Exemption Landowner L—\$32,000

Chairwoman Carey noted grammatical changes to the 03.28.24 public minutes.

Selectman Matt Burdick motioned to approve the Consent Agenda as amended. Seconded by Selectman Bill Bevans. Roll Call Vote. All in favor. None opposed.

Building Permit Request: Mr. Michael Brazil requested a building permit for an addition on Merrill Corner Road and was following up on his request. Chairwoman Carey stated that the Board consulted with legal counsel. Mr. Brazil lives on a class VI road, and because of the town's policy not to allow building permits on a class VI roads, that at this point, the Board was denying the permit request. Mr. Brazil asked for confirmation that the legal counsel reviewed subsections in the RSA regarding the Select Board adopting the map in 2011. Chairwoman Carey said the official map had not been certified by the town clerk, nor adopted at the town meeting or filed with the Merrimack County Registry of Deeds.

Department Head Updates: Planning and Community Development Director Kellee Easler presented the Eagle Perch Temporary Certificate for approval to authorize the Planning Board Chair to sign. The Planning Board approved the certificate at their last meeting. The next steps will be for Underwood Engineers to complete a walk through as well as create a punch list. PCD Director Easler noted Underwood Engineers also need to submit record drawings of “as-builts” to be completed by April 27th.

Selectman Burdick motioned to authorize the Chair of the Planning Board to sign the Temporary Certificate of Performance for Riveredge Properties. Seconded by Selectman Bevans. Roll Call Vote. All in favor. None opposed.

PCD Director Easler requested for authorization to sign off on the Engineering Services Request (ESR) 60-2 for Underwood Engineers for the Riveredge Subdivision construction phase.

Selectman Bevans motioned to authorize Planning and Community Development Director Easler to sign the ESR 60-2 for Underwood Engineers on behalf of the town. Seconded by Selectman Burdick. Roll Call Vote. All in favor. None opposed.

Facilities Director Gary Moore provided an update on the Torrent Building. He has moved forward with cleaning out the building. The Old Home Day Committee Chair, Ms. Polly Dawson, cleaned out their equipment and materials. The next step is to move the Fire Truck, so they can move out more materials. Facilities Director Moore will be meeting with the OHD Committee to review the material they have and where they can store what they need. Facilities Director Gary Moore met the owner of the property next door to the Torrent Building. He asked the owner if he would be interested in listening to a proposal to buy or lease some of his land. The owner was open to discussion. FD Moore noted they could make 4 to 5 parking spots. Selectman Burdick said it would be a discussion between the future owners and Penacook Rescue Squad, but he did not feel as if the town should pay for it. He suggested the Select Board could facilitate conversation between the parties. Chairwoman Carey clarified the town’s vision was to completely get rid of their responsibility of the building. FD Moore felt that if the town was involved, it would increase the value of the property and help Penacook Rescue Squad with parking spaces. The Select Board was not interested in the discussion to buy or lease land for the Torrent Building. Chairwoman Carey noted the Board would be willing to facilitate a discussion between the owner and other parties. FD Moore will extend the information to the potential buyer and Penacook Rescue Squad.

Police Chief Jason Killary provided information about a storage container. The MI-BOX Company offered a 16x8x8 MI-BOX portal storage unit with free delivery or pickup. The company asked that the recipient store it in a moderate or highly visible location at the facility. MI-BOX guaranteed free use of the storage unit for at least 12 months, likely longer. In the event that they run out of inventory, MI-BOX would send a 60-day notice to either vacate or rent storage at a discounted rate.

Chairwoman Carey circled back to the discussion on moving the old fire truck out of the Torrent Building. Facilities Director Moore noted Fire Chief Tim Kenney said the former Fire Chief Ray Fisher needed to be involved. Mr. Fisher asked how much time he had to move the fire truck. Chairwoman Carey noted their next meeting will be in June. Mr. Fisher will move the truck by June. Discussion ensued. Chairwoman Carey asked for a history on the fire truck. Mr. Fisher explained that the fire truck was built in 1917, it's 107 years old and was the first motorized fire truck in the Town of Boscawen. When it was retired, the firefighters in the department paid \$0.10 cents each for a total of \$1.00 and since then those former firefighters passed away. Mr. Fisher took it in and has been maintaining and driving it ever since. He keeps it at his house in the summer and brings it to the surrounding town parades. Chairwoman Carey clarified that the plan was for each party involved (Penacook Rescue Squad and the potential buyer) to complete their responsibilities discussed at the work session. When they meet in June, they will review the list of responsibilities. Part of the town's responsibility was to clean out the building, so the potential buyer could conduct a structural review of the building. Mr. Fisher asked if the Torrent Building had been publicly put out to bid. Chairwoman Carey clarified that the Torrent Building has been in public discussions and voted on at Town Meeting for the past two years. TA Phelps asked Mr. Fisher if anyone else knew how to drive the fire truck other than him. Mr. Fisher said no one else knows how to drive it. He has been trying to show his son how to drive it and there was another young resident interested in learning. Chairwoman Carey asked what the long-term plan was for the fire truck. Mr. Fisher said he planned to keep it until he passed away. Discussion ensued. Facilities Director Moore suggested there were two bays open at the Penacook-Boscawen Water Precinct building. Mr. Fisher said he will store the fire truck in his barn for now.

Facilities Director Moore provided an update on the projects he has been working on. The generator at the Fire Station was wired to the Old Police Station, so Mr. Mike Warren disconnected it. Public Works Director Dean Hollins will be able to take it down now. FD Moore has been working on a project for the grant of the attic windows upstairs. He has to carefully take out all of the framework which will take some time. It should be completed within the next few weeks. FD Moore said they put 9 more emergency backup units (EBU's) in the Police Department. The project has been completed so both buildings are updated with new LED EBU's. The Sally Port entrance has been prepared and they will be epoxying the floor this week. FD Moore will send pictures of the completed kitchen. FD Moore sent 3 quotes regarding the Fire Department showers. Mr. Shane Belanger quoted the project at \$22,000. FD Moore said Mr. Belanger completed the Mahogany deck in front of the Municipal Building. The McCarthy Construction company quoted \$29,000. They are currently building an apartment complex in town. FD Moore received a quote from Great Dane Construction for \$26,000. FD Moore said they were very interested in the project. Great Dane is local and has invested several thousand dollars in labor to town projects. Selectman Burdick asked about timeframes. FD Moore said Great Dane seemed to be ready to start as soon as possible. He would need to follow up with Mr. Belanger on his timeline because he was close to booking out for the year. Discussion ensued. Selectman Bevans was in favor of putting the shower in the basement utility area. Fire Chief Tim Kenney noted there was not enough space to put a shower in the basement utility area. He said he would measure the dimensions and relay the information for the next meeting. Selectman

Bevans suggested getting quotes for putting the shower in the basement area. Selectman Burdick suggested getting confirmed timeframes from the companies. FD Moore will reach out to the companies for timeframes.

PCD Director Easler noted that the Police Department received a report on Sunday, March 24th for juveniles trespassing the old mill building located at 20-28 Commercial Street. Building Inspector Chuck Bodien had taken pictures of the building back in 2020 when the owner applied for a demolition permit. He went down and reassessed the building's condition. Mr. Bodien, Police Chief Killary and Fire Chief Kenney agreed that it was a hazardous and dilapidated building that poses a risk. PCD Director Easler noted when the owner applied for the demolition permit in 2019, they gave him the permit, but he needed to complete an asbestos inspection. The owner never did the asbestos inspection; therefore, he never received the demo permit. PCD Director Easler was in favor of making the owner take the building down due to safety concerns. She clarified that it would be the owner's financial responsibility. She said TA Phelps and herself would work on the documentation needed and then review with legal counsel. Selectman Bevans asked if the owner would be responsible for legal fees. PCD Director Easler said that would be a question for legal to answer.

Chairwoman Carey motioned to approve initiating the process with legal support under Chapter 155-B Hazardous and Dilapidated Buildings for Map 183D Lot 149 Sublot 10. Seconded by Selectman Burdick. Roll Call Vote. All in favor. None opposed.

Fire Chief Kenney gave a brief update. He noted he would provide Police Chief Killary with the data information from the latest storm they responded to for recuperating any money. Chairwoman Carey asked if an Emergency Declaration has been declared. Police Chief Killary said they didn't receive the necessary amount of snow, but it was classified as a major storm. Police Chief Killary said for Public Works, plowing does not count except for specific circumstances. Police Chief Killary reached out to the field representative about overtime for the Police Department and Fire Department. They are waiting to hear back to see if accrued overtime would qualify for the grant.

Public Works Director Dean Hollins gave an update on the Public Works Department. He noted the department will be cleaning up in the next few weeks due to the latest storm. PWD Hollins reminded the public that the Transfer Station was open on Tuesday afternoons from 2:30 PM to 7:00 PM. The town-wide leaf pickup will be on Monday, April 22nd. PWD Hollins noted they will only be collecting leaves and yard-raking, not tree limbs from the storm. They will be removing 4 large dead trees on Chandler Street. PWD Hollins has been waiting for the landowner to make access to the property so they can complete the removal. PWD Hollins provided an update on the demo project for the Old Police Station at 19 High Street. They are almost set to start the process, but they need to obtain a demo permit from the Planning and Community Development department first. Building Inspector Chuck Bodien will be scheduling inspections for asbestos, and once they are completed, they will be ready to demo. PWD Hollins spoke with the Penacook-Boscawen Water Precinct about disconnecting the water. They will map it out to dig the surface up safely, so they can disconnect it and run the equipment through

for the demo. PWD Hollins asked the Board if they should get rid of the entire foundation or take out what they can with the equipment they have and fill it in where needed. The Board was in favor of using the equipment they have and filling in where is needed. Selectman Burdick asked for an update on the pump house project. PWD Hollins said they were still working on how to proceed with the water.

Finance Director Kate Merrill provided an update on the Finance and Human Resources department. The town's new auditors came in last week. FD Merrill has been providing them with the necessary documentation they need to complete the audit. At this time, there has not been much received from the auditors, but FD Merrill was hoping to get recommendations and new ideas from the auditors for the town. FD Merrill mentioned that Ms. Kadylynn Westgate started this week as the town's Finance and Human Resources Assistant.

PCD Director Easler provided an update on the Planning and Community Development department. She asked if the Board made a motion to deny Mr. Brazil's building permit. There was no official motion. PCD Director Easler requested a formal motion and noted the Board will need to send a final determination letter.

Chairwoman Carey motioned to deny the request for the building permit for Mr. Michael Brazil because the applicant lives on a class VI road. Furthermore, the Board has a policy previously enacted which does not allow building permits to be issued on class VI roads: private roads, consistent with RSA 674:1 (c) and (d). Seconded by Selectman Burdick. Roll Call Vote. All in favor. None opposed.

PCD Director Easler noted the State will be coming in next week to conduct their 5-year review. The PCD department has been putting together the necessary information. The auditors will be in the building next Wednesday and Thursday.

TA Phelps presented a request from Blue Storm Lacrosse. The league would like to extend their use of the field at the Municipal Building until the end of April. The Merrimack Valley fields are still unavailable. The Select Board was in favor of allowing Blue Storm Lacrosse League to use the field until the end of April.

Chairwoman Carey noted that as part of the Land, Water, and Conservation grants, the town must conduct an annual compliance review and stewardship. TA Phelps asked about the steps involved. Chairwoman Carey said the steps and procedures are usually listed as part of the grant. She asked where the copies of previous grants existed. TA Phelps will try to locate the past grants. Chairwoman Carey said they will need to check what was in the stewardship. For example, making sure the signage is appropriately displayed and that the town has been doing regular maintenance on the facility built with the grant money. No further discussion.

Chairwoman Carey opened public comment at 6:51 PM.

Mr. Ray Fisher, 200 Water Street, noted that a long time ago the Fire Department and town gave all the houses in Boscawen house numbers. He suggested it be done again because there have been a lot of new houses. Mr. Fisher also voiced his concern about the number of people living in trailers adjacent to houses. He noted one was on a class VI road and another on Corn Hill Road. PCD Director Easler noted that the town only addresses formal written complaints for legal purposes. She emailed the Board about a trailer on Tremont Street. She presented zoning ordinance 8.05 that allowed trailers to reside for 24 weeks as visitors on a property. The materials she presented also had the definition of a dwelling unit and recreational vehicle. A recreational vehicle cannot be used as a dwelling unit. PCD Director Easler clarified it would be an ordinance issue that Code Enforcement would handle. Discussion ensued. Mr. Fisher also complained about the owner of a home next to Cumberland Farms building a porch. He said they have been building the porch for a while and it was not flush. PCD Director Easler noted a written complaint would be needed to act. Mr. Fisher voiced his opinion on the Fire Station showers. He was in favor of putting one shower in the basement. Fire Chief Kenney said they will need to have two showers.

Fire Chief Kenney asked what the Department of Labor said in regard to providing safety equipment. Finance Director Merrill noted the town could add a law to require safety equipment. Fire Chief Kenney stated as a department of safety, they need to provide safety equipment.

Chairwoman Carey closed public comment at 7:00 PM.

Non-Public Session:

Chairwoman Carey motioned to enter a nonpublic session under RSA 91-A:3 II (c) at 7:00 PM. Seconded by Selectman Burdick. Roll Call Vote. All in favor. None opposed.

Selectman Burdick motioned to exit the nonpublic session under RSA 91-A:3 II (c) at 7:14PM. Seconded by Selectman Bevans. Roll Call Vote. All in favor. None opposed.

Selectman Bevans motioned to seal the nonpublic minutes under RSA 91-A:3 II (c), as it could adversely affect the reputation of any person other than a member of this board. Seconded by Selectman Burdick. Roll Call Vote. All in favor. None opposed.

Chairwoman Carey noted the Board was proceeding with the action discussed in the nonpublic session.

Next Meeting: Thursday, April 18, 2024, at 6:00PM.

Selectman Bevans motioned to adjourn at 7:16 PM. Seconded by Selectman Burdick. Roll Call Vote. All in favor. None Opposed.

Respectfully submitted by Hannah Gardner