

TOWN OF HILL

SELECTMEN'S MEETING

August 1, 2023

Selectmen Present: Shaun Bresnahan Chairman, Frank Razzaboni, Stephen Thomson & Lisa Seymour (Administrative Assistant)

Selectmen Absent: None

Public: Mark Labonte, Thomas Seymour, Stephen Arruda, Melissa Fuoco, Richard Hutchinson, Cheryl Gardner, Tom Seymour, Cynthia Styles, John Styles, Nathan Mills, Natalia Mills, Kevin Lorden, Paul Guild, Ellen Guild, JoAnn Irving, James Magee (Non-Resident) and Dave Thomson

Shaun Bresnahan brought the meeting to order at 6:00 pm.

Shaun Bresnahan made a motion to enter into Nonpublic Session at 6:00 pm seconded by Francis Razzaboni. Motion passed (RSA 91-A:3, II (c))

Shaun Bresnahan made a motion to leave nonpublic Session and return to public session at 6:08 pm seconded by Stephen Thomson. Motion passed. Motion made to seal the minutes passed.

Resumed the regular meeting at 6:30 pm.

FIRE DEPT:

Deputy Chief Mark LaBonte came in to discuss the quotes for the new boiler system for the Fire Department. The quotes are from Foley Oil & Propane and Thibeault Heating and Cooling. Foley will remove the old boiler and the oil tank for \$21,000 and Thibeault will do the same work for \$24,000. The question of the being cement blocks could present a problem with condensation which can cause a mold issue with the equipment and the gear. Shaun Bresnahan asked if there was consensus on going with Foley's quote pending Foley's thoughts on the condensation issue and what might be required to remediate the issue if there is one. Pending that we can then vote on the quote. Mark LaBonte will work with Foley on this issue.

Nathan Mills gave an update on the helmets in service. Nathan stated that we will need to purchase at least one more and the costs would be \$350. The selectmen asked how many firefighters do we currently have because we will need to look at the needs for turnout gear. We still have not met the new hires.

Mark LaBonte mentioned that the Splish Splash was very successful and they raised \$3,000 so far and donations are still coming in.

The donated cascade compressor system will be here next week it will need a 3-phase electrical panel. Mark mentioned that the pole behind the store has 3-phase already so we get it there. The question was asked about having a 3-phase converter instead. Shaun Bresnahan asked for quotes for each and feasibility on the installation.

Nathan Mills talked about the gear washer we currently have and informed the Board that Plymouth Fire Department is upgrading theirs and will donate their old one to the fire department. Nathan stated that the one we have right now is not as efficient as the one we would be getting from Plymouth. There was a question on the ATV's we received. Mark Labonte stated that one is running great the second one still needs more work and is at Stephen Thomson's for the repairs.

The Hill Firefighters Association meets the 1st Monday of the month and all are welcome to attend. It was suggested that for the jaws of life that we have a thermometer to measure the fund raising.

HEALTH OFFICER:

No Report at this time

HIGHWAY DEPT:

No Report at this time

POLICE DEPT:

No Report at this time

TOWN CLERK/TAX COLLECTOR:

Shelly Henry asked if the deed waivers will signed for Thursday so she can complete the deeding process. Lisa Seymour stated that she has them ready and will signed tonight.

PUBLIC SESSION:

Melissa Fuoco & Richard Hutchinson Building Permit for a woodshed was denied at the last meeting because it didn't meet the setback requirements. In the Village District (Zone V) section D. Yards: Each lot shall have a front yard of not less than 25 feet in depth, side yards of not less than 20 feet and rear yard of 20 feet in depth. The selectmen denied the permit because it doesn't meet the 20-foot set back on the back side of the property. Mr. Hutchinson asked what could be done to allow the woodshed; they removed one from the same location and no one complained. Shaun Bresnahan the selectmen are not allowed to say it's okay they would need to go to apply for a variance from the Zoning Board of Adjustments. Currently we don't have a quorum in the Zoning Board of Adjustments due to lack of members. A copy of the denied permit and Variance request were provided and it was suggested it be filled out to start the process.

Kevin Lorden asked where would you go for a variance if Hills ZBA couldn't meet because of lack of members? Franklin. Shaun Bresnahan explained that we need to have members from the town to be on the Zoning Board of Adjustments which required 3 members at a minimum; 5 members is the full compliment. Kevin asked how much time this position would require? Shaun said at least one meeting every month at the minimum. RSA 674 Title LXIV Planning and Zoning describes the requirements for both the Planning Board and Zoning Boards.

James Magee came in to discuss Brice Cross's property located on Bunker Hill Road. He was concerned why Shaun Bresnahan and Frank Razzaboni would be going with the assessor to review the property. When you have a piece of property that was stripped at 122 Bunker Hill Road and a cabin in the woods on Clough Road. It appears that you are picking and choosing who to go after. James also stated that Robert and Ruth Cross have lived in this town along time and have large tracts of land in current use. So, when did this change? Shaun Bresnahan replied that it was brought to the Boards attention that a cabin was on the property which is in current use and because of this a change of use has to be done to remove the developed portion of the property from current use. This changed when Brice received the property from Ruth Cross because it is under the 10-acre requirement for current use. Frank Razzaboni stated that it's the selectmen that need to follow through with these changes. Stephen Thomson that there are no consistencies in this town. David Thomson said we need to rectify these issues. Nathan Mills said that we should be looking at everything. Shelly Henry thinks everything should be assessed fairly so everyone is paying their fair share. Nathan Mills suggested that they file an abatement after the last tax bill.

James Magee asked why Stephen Thomson was not on the Zoning Board of Adjustments? Stephen resigned when he became a Selectmen. Shaun Bresnahan explained that one of the primary jobs of the ZBA is to rule on decisions that Selectmen make if a landowner feels the Selectmen have done so in error. A Selectmen would have to recuse themselves in these cases. Stephen added There is

nothing in law that state's a Selectmen can't serve it just makes thing messy. Stephen is the x-officio (selectmen) on the Planning Board.

Cynthia Styles asked if you had to be a resident to be on the ZBA? It was explained that you have to be a registered voter to be elected or appointed to any town boards.

Thomas Seymour came to address a couple points on statements that have been made from Mr. Estes as the superintendent of the Water Commission. David Thomson stated that you can't address these issues because the man isn't even here to defend himself. There was heated discussion, Mr. Seymour tried to speak but was shutdown numerous times and in frustration left and stated he would attend the Water Commissioners meeting He will be submitting a to submit his complaint. Mr. Seymour left a 1-page document.

Ellen Guild asked why is Mr. Estes such a bully. Ellen told David if you went to the meetings, you would know what is going on.

Natali Mills said is there away Mr. Estes can be removed from the positions that he currently on? Shaun Bresnahan we as a Board haven't had a chance to even discuss what is going on so there isn't an answer to this. Natali continued there have been complaints between the boards and departments. Deputy Fire Chief Mark LaBonte asked where we go from here. Shaun Bresnahan there is a pattern of behavior and complaints but we as a Board have to make time to discuss the issue. Nathan Mills stated someone needs to make a hard stand on this issue.

Joann Irving recently received a copy of the RSA's 38 regarding the water system. Joann has concerns that the Water Commissioners aren't acting legally. Stephen Thomson stated the water department has its own rules and procedures to follow.

Shelly Henry made a statement about the bullying and harassment in regards to Mr. Estes.

Cynthia Styles came in to discuss the cease-and-desist letter that she received from the Selectmen's Office regarding No Driveway or Building Permit for their property on King Road. Shaun Bresnahan had Stephen Thomson address this complaint because he brought this issue up. Stephen said that it has a there is a shed on current use property and the property is located on a Class VI Road. Stephen Thomson said in addition there is no driveway permit on file. Cynthia mentioned that it was a logging road and it was there when they purchased the property. Stephen Thomson replied the culvert should have been removed after the logging was completed to discontinue use. The property is on a class six road which deems it a non-buildable lot. The Building on Class VI Roads ordinance was reviewed; a shed can be built if it is 150 sq. ft. or less and has no heat or plumbing. Cynthia asked what needs to be done? Stephen Thomson replied you need to submit for a Driveway & Building Permit to be compliant.

Shaun Bresnahan explained the building permit process and stated that most are approved.

Stephen Arruda submitted written complaints against Charles Estes. Shaun Bresnahan told Stephen the Board would review them and there was no further discussion.

Selectmen Business:

Building Permit:

David Thomson 251 NH Route 3A Map R10 Lot 5-1A. Remove existing building from lot approximate size 20' x 30' – Approved

Driveway Permits:

None

Intent to Cut:

Joel Bean & James King Road Logger Michael Sharp Enterprises, LLC – Signed

Gravel Intent:

None

Other:

Selectmen Meeting Mins. – July 18 were not available at this time.

Lakes Region Heating & Air Conditioning – 4 Mini Splits Indoor/Outdoor inspection update; 3 of the unit received annual cleaning and service at the time they came the Town Clerks office wasn't open but they need to come back to address some mold issues which weren't covered under the agreement.

Dwight Ellsworth permit will be reissued, Shaun Bresnahan signed the wrong line.

The sidewalks on Mountain View Drive were discussed because these need to be completed in order to compile with warrant article five to see if the Town will appropriate \$20,000 to remove approximately 1,500 feet of sidewalks on Mountain View Drive south of New Chester Road and plant grass. The money to come from the Sidewalk Expendable Trust Fund in which the Selectmen are agents to expend. Shaun Bresnahan said that SKR cannot do the work because they are too busy. The Selectmen agreed that the highway department will be doing the work on the sidewalks and Shaun will let them know.

Shaun Bresnahan presented the two quotes for paving, R&D Paving and GMI. These quotes are for reclaiming and repaving approximately 3,500 ft of Bunker Hill Road and repairing approximately 1,500 feet of the lane that washed out on Murray Hill Road in May. After discussion on the differences from the quotes it was decided to accept the slightly more expensive quote from R&D because it would do 500 more feet of paving on Bunker Hill Rd and they would grind, grade and compact Murray Hill Rd and GMI wouldn't.

Stephen asked about how the paving project would be paid for? Shaun Bresnahan reviewed the approved warrant article which outlined that \$44,000 would come from Highway Block Grant, \$31,000 from Capital Reserve and the rest from taxation. The Murray Hill repair would have to be made up from the bottom line of the budget or from the Road Improvement Capital Reserve since it isn't looking like there will be any FEMA money.

Shaun Bresnahan made a motion to accept the R&D Paving quote of \$149,466.50 for reclaim and repaving Bunker Hill Road and the Quote for \$36,758.75 for the repairs to Murray Hill Rd. Frank? Seconded the motion and it was approved unanimously.

A safety committee is required for employers with 15 or more employees per RSA 281-A:64 III. Primex Workers' Compensation coverage for the town also requires that employers with more than 15 or more employees, full-time or part-time. The committee equally comprised of both labor and management, should represent the employer's key work activities. Some of the committee's requirements and duties are to: meet at least quarterly, maintain meeting minutes, review accident and injury data and coordinate workplace safety inspections. The selectmen will work to come into compliance with the NH Department of Labor. Lisa Seymour will reach out to our member services consultant at Primex for clarification.

Gravel Crushing will be done next year.

Deed Waivers were signed

Homeless Encampment update that is likely located on William and Yvonne Thomas property. The Town of Hill owns the property that abuts the Thomas property. Stephen Thomson still can't find the pin but will continue to research this.

248 NH Route 3A was sent a letter regarding the condition of the property and it violates the junk ordinance in the zoning ordinances. We received the receipt that the letter was accepted on July 10th and have not heard from them. The next step is to send another letter enforcing the fines.

RSA 676:17 provides that "[a]ny person violates any provision of any local ordinance adopted under this title shall be guilty of a misdemeanor if a natural person and shall be subject to a civil penalty of \$275 for the first offense and \$550 for subsequent offenses for each day such violation is found after the date on which the violator receives written notice from the municipality.

Shaun Bresnahan made a motion to take the next steps to resolve the issue at 248 NH Route 3A. Stephen Thomson seconded the motion. All in favor.

Paul and Ellen Guild asked for an update on the issue at 20 Shop Road. Natali Mills Health Officer sent an email to the attorney for clarification on the 20 business days. The letter was signed for on June 30 so the deadline for compliance would be July 31. The attorney states that the enforce fines are recoverable only if we go to court and are successful. The Selectmen made the decision to go to court. Stephen Thomson made a motion to move forward with attorney to go to court. Shaun Bresnahan seconded the motion. All in favor.

Police committee update. Shaun Bresnahan will contact Sheriff David Croft to set up an oral board to consist of Sheriff Croft, State Trooper from Troop D which covers Hill NH, two Chief of Police and Niki Mahoney from the committee. They will compile the questions for the candidates that the police committee agreed to interview. The town will require they take physical test and the town pay for this. The background checks will be done by Sheriff Croft. The Board of Selectmen will also interview the candidates before hiring is completed.

With no further business to conduct, Francis Razzaboni made the motion to adjourn the meeting and Stephen Thomson seconded the motion. Motion passed unanimously motion at 9:45 pm.

Respectfully Submitted,

Lisa Seymour

Shaun Bresnahan, Chair

Frank Razzaboni

Stephen Thomson
