

Selectmen's Meeting Minutes

Monday, July 16, 2018 at Police Department Meeting Room

Present: Chairman Darcy, Selectmen Diorio, McCosker, Gallagher, and Rideout; T.A. Collins and Kim Worden.

6:00 p.m. Chairman Darcy called the meeting to order.

Selectman Diorio made a **motion** to approve the manifests of July 9, 2018 and July 16, 2018 and the public and non-public minutes of July 2, 2018, second by McCosker. Motion passes unanimously.

Selectman Rideout made a **motion** for the Chair to sign and approve the Application for Open Container/Alcohol Permit for Jim Waters for the Juscen Reunion on 8/4/18 at Heritage Park Pavilion, second by Diorio. Motion passes unanimously.

Selectman Diorio made a **motion** for the Chair to sign and approve the Application for Open Container/Alcohol Permit for Jennifer Leonard for a graduation party on 7/29/18 at Heritage Park Pavilion, second by McCosker. Motion passes unanimously.

T.A. Reports/Requests:

T.A. Collins presented a Volunteer Interest form for Sean Leary for appointment to Parks and Rec. Selectman Diorio made a **motion** to approve the appointment of Sean Leary, second by Rideout. Motion passes unanimously.

She also presented the Design and Construction Service Agreement for the Brattleboro Road Sidewalk Project with KV Partners for the sum of \$68,400 which has been approved by the State. Selectman McCosker made a **motion** to have the Chair sign the Service Agreement with KV Partners, second by Gallagher. Motion passes unanimously.

T.A. Collins asked if the Board has had a chance to review the Right of Way Ordinance as she would like to move forward. Discussion followed. It was agreed to go ahead and schedule a Public Hearing making the purpose of the ordinance clear in the notice and using bullet points (for handouts).

T.A. Collins has two non-publics this evening. She also noted auditors will be here tomorrow. A letter was received from the DRA on the 2017 Assessment Review, including congratulations for a job well done.

A letter of Intent to apply for the School Street Project has been received by NH DOT. Sean Leary will obtain a letter from the School Board and a letter from Selectmen will also be done.

John Ratigan will do a final draft of a letter to Thicket Hill.

6:09 p.m. Selectman McCosker made a **motion** to enter into non-public under RSA 91-A:3, II (b) hiring, second by Diorio. The vote is as follows: Darcy-I; Diorio-I; McCosker-I; Gallagher-I; and Rideout-I; Motion passes unanimously.

6:13 p.m. Regular Meeting reconvened.

6:13 p.m. Selectman McCosker made **motion** to enter into non-public under RSA 91-A:3, II (c) reputation, second by Diorio. The vote is as follows: Darcy-I; Diorio-I; McCosker-I; Gallagher-I; and Rideout-I; Motion passes unanimously.

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6:17 p.m. Regular Meeting reconvened.

Selectman McCosker made a **motion to seal** both of the non-public minutes, second by Rideout. The vote is as follows: Darcy-I; Diorio-I; McCosker-I; Gallagher-I; and Rideout-I; Motion passes unanimously.

Board Comments:

Selectman Rideout mentioned the need for new road signs on School Street. Discussion followed. While we wait for signs, we may be able to borrow signs in the interim so that the public is aware. He will be on vacation and has a Rec meeting. Chair Darcy will sit in.

Selectman McCosker mentioned an upcoming Library Meeting.

T.A. Collins will be on vacation next week.

Chair Darcy asked Dennis for quotes (on the water main previously discussed). Jill noted that she has to contact the engineer as this was not addressed in the water report study. Chair Darcy asked if there could be a timeline for this by the end of August. Jill indicated she could try.

Citizen Comments:

Sean Leary noted that at the last Planning Board Meeting they were looking at the Sign Ordinance and found a discrepancy with the current sign ordinance and the yard sale ordinance. They are working on it and will keep the Board informed moving forward.

Outdoor Hinsdale was discussed. This will be a two-day event on September 15th and 16th to promote outdoor areas of town. There have 7 hikes and 2 kayak trips planned. There will be a website set up: outdoorhinsdale.org. Jill had the idea to work with the Historical Society and offer box lunches to benefit the Historical Society. There will also be a hike at the Historical Society for those with limited mobility. Kathryn Lynch noted that they're working in conjunction with the National Parks Service. A \$1000 grant will pay for t-shirts, bandannas, and some canoe/kayak rentals. Norm's Marina is willing to rent them for \$10. This is a great community event. They will be setting up a Facebook page. Chair Darcy asked if they have been in touch with Ashuelot Rail Trails. Kathryn has been in touch with Friends of Pisgah and Wantastiquet/Monadnock Conservatory.

At 6:30 representatives from Fantasy, Phantom and TNT Fireworks were present to discuss the annual permit fee. Jarrod Savinelli gave the board a handout of RSA 41:9-a. Attorney Steve Bonnette indicated that he was present on behalf of Fantasy Fireworks. He cited and read RSA 41:9-a Section 3 and noted that the opinion of Fantasy Fireworks was that the 2018 license fee of \$5000 is excessive. Questions and discussion followed. T.A. Collins noted that we don't do a business permit and talked about RSA 160-C and referred to RSA 160-C:3, paragraph I. Jill noted that Seabrook called it a business permit, later clarified business license. She stated that we don't charge a business license fee. We charge a fee for ability to sell fireworks. She further noted that in 2012 all stores came in and there were not disagreements at that time and that Fantasy's attorney was here at that time. Discussion followed with Jarrad and Attorney Bonnette. Chair Darcy indicated that we would need to get legal opinion. Fees charged started at \$1000 rising and stabilizing at \$5000. Dan Peart with Phantom Fireworks indicated he would appreciate legal interpretation. The representative from TNT indicated that he has no issues with fees right now. Chair Darcy stated the need to take the

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information and pass it on to the town attorney to get legal interpretation. He thanked all for coming in. (Fireworks representatives left the meeting.)

Kathryn Lynch outlined for the Board the number of times and the reasons she and Rod Lawrence had been to fireworks stores this week. Questions, options, and discussion followed.

6:55 p.m. Selectman Gallagher made a **motion** to adjourn, second by McCosker. Motion passes unanimously.

Respectfully Submitted,

Kim P. Worden
Secretary