

Bethlehem Board of Selectmen

Meeting Minutes

Bethlehem Town Building Meeting Room

October 21, 2013

Present: Chairman Blanchard, Selectman Laleme, Selectman Fiorentino, Selectman Culver, Selectman Glavac.

At 6:38 Chairman Blanchard opened the meeting.

Jack Anderson came before the Board to talk about a proposal to purchase a Fire Truck. Jack said there is money in the Capital Reserve account for it. He said he initially was hoping to purchase a new truck but when he looked into pricing he found that they cost around \$250,000.00 so he began to look at used ones. Jack said he found a used one in Georgia that is equipped the way he needs. He said it is year 2000 and has 18,000 miles on it and is in good shape. Jack said the asking price is \$99,000.00 but he feels we could buy it for as low as 90,000.00. He said we have 100,000.00 in the Capital Reserve account. Jack said we will also need an ambulance in 2 to 3 years so that was a consideration when he looked into getting a used truck. He said he would like the Board's permission to investigate this further and possibly purchase it. Chairman Blanchard moved to allow Jack to investigate it closer by taking a trip to Georgia to inspect it and can make an offer of up to \$95,000.00. Selectman Glavac seconded. Carried 4-0 (Selectman Culver abstained).

At 6:53 Chairman Blanchard opened the hearing to amend the Dog Control Ordinance. Chairman Blanchard read the public notice. There was discussion about how this would be enforced and it was stated that the police department would enforce this. Several residents spoke of areas that are problems with dog waste being left. Bill Brown suggested setting up containers that have bags available for dog waste. Rita Farrell suggested residents put up a sign if they are having problems with dog waste on their property. Alan Jackson said the church should not have to buy a sign. Julian asked if it passed what type of notice will be given to the public. Chairman Blanchard said it can be put on our website and an ad could be put in the paper. Selectman Laleme moved to accept the amendment to the Dog Control Ordinance. Chairman Blanchard seconded. Selectman Fiorentino said the Board may need to determine a fine amount in the future. Carried 4-1 (Selectman Glavac opposed).

At 7:25 Chairman Blanchard moved to close the public hearing. Selectman Culver seconded. Carried 5-0.

Chairman Blanchard asked Dick Robie and Bruce Brown, Commissioners from the Bethlehem Village District, if they had any input in the Millers' Run Road water issue. Dick said the Village District does not own the water lines and said the homeowners should be proactive about forming an association and looking into funding options (grants). Chairman Blanchard said the Town of Bethlehem does not receive any taxes or revenue for water but the Village District does get revenue. Selectman Culver said the Town of Bethlehem does not own any water lines and does not supply any water to any residents of the Town. He said the contract is null and void and the Board doesn't have the authority to enter into a contract on something we don't own. Selectman Culver also said the Town does not tax homeowners more if you have District Water.

Mr. Dempsey said the Town accepted the water line in 1969 and the Village District has been maintaining it ever since. Selectman Laleme read the Warrant Article from 1969 and it said it was contingent on Village Districts vote and the Village District did not vote for it. Dick said the Village District didn't vote for it because the water line wasn't upgraded. Selectman Culver said the homeowners cannot be forced to form an association and said he feels the Town needs to make a stand. Rita Farrell said the people who live there now should not be punished.

Dick said the unofficial cost estimate to fix it permanently is \$70,000.00. Selectman Fiorentino asked Bruce and Dick if they put their jobs out to bid. Bruce said yes if it is over \$10,000.00. Chairman Blanchard asked the Commissioners to get a more concrete price estimate. Bruce said the pipe has to be upgraded to BVD specs which are an 8 inch water line and they will not take it over until then. Selectman Laleme asked what happens next time it breaks. Dick said the District will fix it and send the Town a copy of the bill. Selectman Glavac said homeowner input is needed. Bill Dempsey said in 1991 the District threatened to shut off the water and he obtained an attorney who did research and said that the Town accepted the water line in 1969. Selectman Fiorentino pointed out that the Village District has been collecting revenue for water from these homeowners for 10+ years.

Selectman Culver questioned if the Board has any authority to make the repairs. Frank referred to a NH Supreme Court case that said a Town cannot spend money to benefit private people; it has to benefit the Town. Rita Farrell said with a warrant article you can.

There was discussion about whether or not \$6,000.00 was raised or not in 1969. Selectman Laleme said the Warrant Article says the 6000.00 that was to be raised was supposed to be reimbursed by the homeowners but it was also contingent on the Village District vote that didn't happen. Selectman Glavac said the Board should get a clear legal opinion on this. Selectman Laleme agreed with Selectman Glavac. Selectman Culver said he thinks we have enough info to make a decision because we have determined we don't own the water lines. He also said we can ask LGC if a Warrant Article is allowed on this.

Chairman Blanchard said we need to get a handle on what the cost would be to fix it permanently. He said the water lines are not the Town's but said he doesn't want any citizens to not have water. Chairman Blanchard also said the homeowner's need to explore their options. Selectman Fiorentino said the Town could help the homeowners by forming a committee to look for grants. Chairman Blanchard said the homeowner's would need to be involved with that. Julian Czarny said the homeowner's cooperation is key to this and may find that the Town and Village District have no obligation. He also said the homeowner's should be proactive. Dick Robie said the Village District is willing and always has been to sit down with the homeowner's. He asked the Board about splitting the cost of the last bill with the Village District. Selectman Fiorentino moved to split the bill with the Village District and resolve this issue with condition of getting the estimate of cost for permanent fix. Chairman Blanchard seconded. Chairman Blanchard withdrew his second. Selectman Fiorentino withdrew his motion. Selectman Fiorentino moved to split the bill upon receiving estimates to solve the problem permanently. Chairman Blanchard seconded. Selectman Culver said the Town of Bethlehem does not own water lines or supply water and does not have any budget lines to pay this bill. He said we are not responsible for this and we have not collected any money; the District collects money at least. Selectman Laleme said she would like to see the motion separate, one to pay bill and one to move forward with looking for a permanent fix. Chairman Blanchard withdrew his second. Selectman Fiorentino withdrew his motion. Selectman Fiorentino moved to pay half of the \$2,200.00 bill for work previously done due to lack of historical info on who owes what. Chairman Blanchard seconded. Motion failed 2-3.

Chairman Blanchard moved to form a committee to look at solving this long term. Selectman Fiorentino seconded. Carried 5-0.

The Board reviewed the security system quotes from Zizza and Lufkin's. Selectman Laleme moved to accept the quote from Lufkin's for \$866.00 and to have it installed as soon as possible. Chairman Blanchard seconded. Carried 5-0.

The Board reviewed a request from Nicole to waive interest on a timber tax bill because of a billing mix up. Selectman Laleme moved to waive the interest. Chairman Blanchard seconded. Carried 5-0.

The Board reviewed the email from Steven Boulanger about the Oxbow Drive property owner who wants the Town to deed to them the end of the road. Selectman Culver questioned if the Board has the authority to do this without a Town vote. This was tabled until next meeting.

The Board reviewed the minutes from 09/30/13. Selectman Laleme moved to approve the minutes as written. Selectman Glavac seconded. Carried 5-0.

The Board reviewed the minutes from 10/14/13. Chairman Blanchard moved to approve the minutes as written. Selectman Laleme seconded. Carried 3-0 (Selectmen Culver and Glavac abstained).

The Board reviewed a request from BES Nest about using the ball field for a Harvest Festival. Selectman Laleme moved to allow them the use of the field. Selectman Fiorentino seconded. Carried 5-0.

Selectman Laleme asked Chairman Blanchard if he scheduled the meeting with all parties for the library driveway permit issue. Chairman Blanchard said he talked to DOT and they said the library hasn't followed through and he also said he received a letter from DOT that explains what is still required. Chairman Blanchard said he feels they are close to getting the permit but he hasn't talked with Horizon's yet. Selectman Laleme said the Board needs to make sure it is resolved and need to get all parties together to get it resolved. Chairman Blanchard said he thought it was important to talk with DOT first. Selectman Culver said the Board never should have signed the permit without having a Site Plan Review. He said a deadline should be put on it or yank the permit.

Selectman Laleme informed the Board they are going to wait on removing the cement and asphalt from the skate park. The cost is \$6,000.00 so it will be included in next year's budget.

Selectman Laleme told the Board that Rhienna finalized the Recreation liability and medication forms. Selectman Laleme moved to accept the forms as part of the Rec handbook. Chairman Blanchard seconded. Carried 5-0.

At 9:00 Chairman Blanchard moved to adjourn. Selectman Laleme seconded. Carried 5-0.

Respectfully submitted,

April Hibberd

Administrative Assistant