

MINUTES  
SELECTMEN'S MEETING  
APRIL 20, 2009

The Board of Selectmen met for their weekly meeting at 6:30 p.m. at the Campton Town Office. Present were, Selectmen Charles Cheney, Craig Keeney and Marsh Morgan. Selectman Sharon Davis was not present due to a conflict in schedule and Selectman Charles Wheeler was out of town. The Board signed the manifest and reviewed the bills. They signed 2 Intents to Excavate, 1 Abatement, 1 Quit Claim Deed from the Town of Campton to Luther Haartz, 2 Applications for Current Use, 3 Warrants for Collection of Taxes regarding betterments and one work order from Mathew Moore Civil Engineering, PLLC.

At 6:45 p.m. Acting Chair Charles Cheney opened the meeting with the first appointment being Josephine Belville, Town of Campton's State Monitor from the Department of Revenue Administration. Josephine distributed to the Board the results of her monitoring of random properties throughout the town in which the Town Assessors have been visiting in preparing for the 2009 revaluation. She indicated everything was fine with a few missed features such as paving, hot tub and deck. Ms. Belville also indicated that she has been working on the elderly and veteran's exemptions. Josephine indicated she has suggested to Ann Marie to look at some of the disabled exemptions to see if any individuals could possibly qualify for the elderly instead of the disabled, whichever one is higher and change from one exemption to the other. Josephine also offered her services in actually meeting with individuals, if necessary, to explain the exemption laws and stated that she would be happy to furnish actual sample documents to be used for qualifying purposes which pertain to existing laws now in effect. Josephine did mention that she had reviewed a particular file which she was questioning the assets and explained that any properties beyond the place of residence and exceeded the two acre limit of land, was to be considered an asset and needed to be included in the total asset limit of \$50,000. After Josephine's report, Ann Marie indicated that she would let the Board decide whether or not to re-qualify the disabled. The Board then thanked Josephine Belville for coming.

At 7:00 p.m. Acting Chair Charles Cheney then called on Attorney Steve Latici as the next appointment of the evening concerning Beebe River and the lawsuit with Hamblett and Kerrigan. Attorney Latici proceeded to inform the Board of their options regarding the lawsuit. In summary, Attorney Latici explained that if the case was mediated vs. going to trial, his "gut feeling" was the most that could be recovered is \$10,000.00. If it goes to trial, which he feels the Town has a very good case, legal fees would be recoverable and a better settlement could be achieved. Attorney Latici also informed the Board that the recovery in this case was going to be paid by the attorneys themselves. (An insurance company is not involved as their deductible is \$100,000 and the claim in this case is approximately \$40,000). Attorney Latici explained that this is why the case seemed to be taking so long as the money will be coming out of "their own pockets". Attorney Latici stated that the Town would be looking at approximately \$7,500 in additional legal fees to his office and approximately \$1,500 for the expert witness if the

case went to trial. He also stated that, if both parties agreed, the case could be tried in front of a Judge rather than jury and it would probably only take one day. If the case was tried by jury, he felt the trial would be a minimum of 2 days.

Acting Chair Charles Cheney then asked the Beebe River District Commissioners who were present for their input. The Commissioners present representing Beebe River District were Scott Woods and Rick Davis. Mr. Russell, consultant for Beebe River Commissioners, presented the question as to what portion of the monies would actually be received by the District upon settlement. Attorney Latici stated that he could answer that question by stating that the Town spent the majority of the monies so the majority of the recovery should be going to the Town. Commissioner Scott Woods expressed that it was not the District's intent to acquire a large settlement in this case and that they just wanted it to come to rest. Acting Chair Charles Cheney explained to Attorney Latici that with two Board members absent, they felt a decision could not be made at this time on how to proceed. Ann Marie will convey to Selectmen Wheeler and Sharon Davis that Attorney Latici will be in his office this week and they can call him to discuss the issues presented this evening. The Board will then be able to make a decision next week on how to proceed. The Board thanked Attorney Latici for coming.

At 7:45 p.m. Acting Chair Cheney called on Kelly Bolger who was present to represent the Planning Board concerning dates for junkyard visits. Mr. Bolger indicated that Charles Brosseau, Compliance Officer, had planned on attending this meeting, but had an emergency within the family. Mr. Bolger explained that the Planning Board has done what they need to do and is ready to move forward on making the visits, as this is the second spring this matter has been pending. Mr. Bolger inquired if Selectman Craig Keeney was still interested in making the visits and if he had set up any dates with Charles Brosseau. Selectman Keeney indicated that he felt this was going to be a very delicate issue and felt, he himself, would like to talk with certain individuals. Selectman Morgan stated that more than one person should go on the visit and Charles Brosseau is the Compliance Office and should accompany Selectman Keeney. Selectman Craig Keeney confirmed that he would contact Charles Brosseau this week to schedule dates for these visits.

Acting Chair Cheney called on Ann Marie to review correspondence. She indicated a letter was received from Attorney Laura Spector in response to the Town's letter directed to her concerning Attorney Nizetic's comments regarding the agreement with Mr. Tuck and the Town. After considerable discussion, and Selectman Cheney questioned who actually owns the road, it was decided that Ann Marie would gather whatever maps necessary (tax map, etc) for the next meeting to hopefully assist the Board in determining who actually owns the road and come to a conclusion on this issue.

Time Warner Cable forwarded a letter informing of a new interactive technology which the company will be implementing and information on the special offers being introduced for the new technology.

Ann Marie also indicated a letter was received from New Hampshire Division of Historical Resources informing that the Blair Bridge is eligible for listing in the New Hampshire State Register of Historic Places. Ann Marie indicated, that after doing some checking as to what benefit this would be to the Town, and she discovered it was mostly “an honor”, and might entail an annual fee. The Board agreed not to apply for historic registration of the Blair Bridge at this time.

Notice was received from NH DOT regarding a workshop to be held on April 27, 2009, from 9 a.m. to 4 p.m. at the Local Government Center located at 25 Triangle Park Drive in Concord, NH pertaining to roads and bridges and the stimulus. Mr. Mathew Moore is planning to attend the workshop on behalf of the Town.

There being no further correspondence, Acting Chair Cheney moved for a motion to approve the Minutes of the previous meeting. Selectman Marsh Morgan made one minor correction and then made a Motion to approve the revised Minutes. Selectman Craig Keeney seconded the Motion, and the Minutes were approved as revised.

Acting Chair Cheney proceeded with Other Business/ Selectmen’s input. Road Agent, Butch Bain was present and expressed that he felt the road limit could be lifted. The Board agreed to lift the limit at the present time on the Road Agent’s recommendation.

Butch Bain also indicated that he was concerned about a particular culvert that had been installed with 6” PVC pipe rather than the minimum 15-inch culvert pipe. The Board agreed to have Charles Brosseau inspect this issue and any concerns about the washing out of the road.

Road Agent, Butch Bain also stated he was offended by accusations of extended lunch periods of the Highway Department. Butch proceeded to make the Board aware of the fact that the Department does not make use of their 15-minute breaks, and on many occasions, they work right through their lunch break.

Also, Road Agent Butch Bain indicated that he believes the purchase of the roller is helping with the crowning and that the Department will soon be spending a lot of time on ditching.

Selectman Charles Cheney stated that he suggested and it was agreed by the Board that an independent person go out with Butch Bain to survey the gravel roads and look for more ideas on the general maintenance and what upgrading (if any) was needed to be done to the gravel roads. Selectman Cheney felt using an outside source would be a good method in order to report to the public. Selectman Cheney confirmed that George Leel who has 32 years experience with the DOT as road maintenance supervisor has agreed to go out and view the roads. Selectman Cheney suggested that a neutral party (rather than Selectmen or Road Agent go with Mr. Leel), and suggested a Police Officer since they were familiar with the location of the various roads. Selectman Cheney also inquired of the Board as to how they would like Mr. George Leel to report back – written or come in to a meeting. The Board agreed to have Mr. Leel report by coming to a

meeting. Selectman Cheney indicated that Ann Marie could follow through with contacting Mr. Leel to set up the gravel road inspections and speak to Chief Warn about a Police Officer accompanying him.

Selectman Marsh Morgan indicated that he had a chance to drive the roads (in question) in the Town of Campton last week. Selectman Morgan felt, contrary to Lester Mitchell's concerns, that Bog Road was in better shape than US Route 3. Selectman Morgan also stated that he drove down Lower Beech Hill Road and he, "would not want to travel that road twice in one year." He felt the road definitely needed to be upgraded, even if the Town worked on small portions each year upgrading and paving of Lower Beech Hill Road. Selectman Morgan was made aware, by actually driving in the area, the large number of homes that are now built. He expressed the fact that Lower Beech Hill Road is like a "main road" in Town due to the high volume of traffic it receives from the large population living their which also accentuates the need for upgrading sooner than the Town had planned for.

Ann Marie gave an update on John Timson's replacing of fence at the Eastern Corner Cemetery and Hutts. She stated John has taken down the Eastern Corner fencing and will be replacing it with a new fence. At the Hutts Cemetery John will replace the front of the fence.

There being no further business, Acting Chair Cheney moved for a Motion to adjourn, Selectman Marsh Morgan made a Motion to adjourn, seconded by Selectman Keeney the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Eleanor M. Dewey  
Office Assistant to Ann Marie Foote, Town Administrator