

**Town of Boscawen  
Select Board  
MEETING MINUTES  
Thursday, June 1, 2023 at 6:00 PM**

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

Guests: Lisa Lyford—MVYBS Softball Director, Todd West & Josh Crawford

**Roll Call:** completed and guests introduced.

Chairman Matt Burdick called the meeting to order at 6:00 pm.

**Consent Agenda Items:**

- P&L, Balance Sheet, Check Manifest & Payroll
- Nonpublic/Public Minutes for Approval—05/25/23

Selectman Bill Bevans clarified on the 05.25.23 public minutes, line 350, that he was not in favor of spending an additional \$30,000 to replace the generator because it would exceed the amount previously approved at Town Meeting of \$99,000.

**Selectwoman Lorrie Carey motioned to approve the Consent Agenda as presented. Seconded by Selectman Bevans. All in favor. None opposed.**

**Scheduled Guests & Hearings:** Ms. Lisa Lyford, the Softball Director of the Merrimack Valley Youth Baseball and Softball League (MVYBS), asked the Select Board to consider establishing a centralized softball field at the Boscawen Town Park or propose an alternative solution for the softball league to have their own field. MVYBS operates multiple baseball and softball teams for children aged 4 to 15, spread across fields in Boscawen, Penacook, Salisbury, Webster, and Concord. The softball league has been using Rolfe Park in Concord when it's available. Ms. Lyford explained that they have encountered several issues at Rolfe Park, such as the lack of maintenance and improper setup for games, with MVYBS not being permitted to address these concerns. Ms. Lyford's primary concern was safety due to vandalism and reckless driving in the parking lot, posing a threat to the children. Furthermore, the unmaintained field has caused numerous injuries due to the divots and holes. The MVYBS Board discussed speaking with the Boscawen Select Board to allow the softball league to convert the 90-foot field at the park into a regulation softball field. The conversion would be no cost to the town and the softball league would maintain the field. They have explored fundraising options and have volunteers to help in the process. The softball field would be utilized by seven to nine teams during the initial season. The field is currently used six weeks out of the year by the MVYBS Babe Ruth Baseball team. Ms. Lyford noted that the Babe Ruth league will not be offered next year. She suggested that the Boscawen Men's Softball League would also appreciate having an extra practice field, or the town could consider using it for future events like the Police vs. Fire Softball game. Overall, the goal was to establish a dedicated softball field for the league's use. Chairman Burdick was in favor of allowing MVYBS softball league to use the field. He stated it would provide the youth a

better alternative than traveling around the district and dealing with the issues at Rolfe Park. Public Works Director Dean Hollins noted the Jamie Welch field has consistently been well-maintained. MDM Landscape Company mows and fertilizes the area four times a year and there has always been someone maintaining the field. PWD Hollins also confirmed that the 90-foot field is only used for a short duration during the year. Discussion ensued. Chairman Burdick asked how quickly they would convert it into a softball field. Ms. Lyford stated it would be ready for the next season and they would start working on it during the summer. PWD Hollins noted Penacook-Boscawen Water Precinct controls the water at Jamie Welch field and in terms of irrigation, they may charge the league for the use of water. TA Phelps asked the Board if they would entertain MVYBS submitting a proposal with a timeline, responsibilities of each party, and an overview of what they will do with the field. All concurred. Ms. Lyford will submit a proposal and the Board will review it in order to make a decision. Selectwoman Carey noted she has a conflict of interest in the discussion because she is a banner sponsor and team sponsor for MVYBS. No further discussion.

### **Public Hearing: 1913 Library Cy Pres**

Chairman Burdick read the public notice:

*Per RSA 547:3-d II, the Town of Boscawen will hold a Public Hearing on Thursday, June 1, 2023, at 6:15 PM to take public testimony regarding plans to file a Cy Pres petition, to obtain Court approval to offer for sale or transfer the 1913 Library located at 248 King Street in Boscawen, Map 81D, Lot 12. The petition will not alleviate the need for the Select Board to present a final plan for Town approval at a later date, consistent with Article 22 of the 2023 Town Meeting.*

Chairman Burdick provided background information on the 1913 Library. The building was given to the Town of Boscawen for a charitable purpose. It was to be used and occupied by the town for library or town purposes. In order to sell the building, the Select Board must submit a Cy Pres petition to the Court, demonstrating why the charitable purpose can no longer be maintained. The 1913 Library was last used by the Boscawen Public Library in 2006 and other than occasional storage, the building hasn't been used since. There are modifications needed to bring the building up to current code. Currently, it is not handicap accessible, there is no accessible second egress, no bathrooms on the first floor and parking is limited for municipal use. The Board proposes the building being sold or transferred with proceeds from the sale going to the Boscawen Public Library, therefore reducing their request for tax dollars in subsequent budgets.

Chairman Burdick opened the public hearing at 6:18 PM.

226 Corn Hill Road, Todd West, a former Library Trustee was in favor of selling the 1913 Library. Mr. West was a trustee for 22 years and fought hard to consolidate the two libraries in town. The 1913 Library was open two days a week and the Torrent Station library was open for another two days during the week. The library at the Torrent Station was on the second floor and then it moved into the Town office. Mr. West said the previous town building inspector noted they couldn't have a library on the first floor due to the number of exits. The library is now on

the second floor in the town office. There have been many issues with maintaining the 1913 Library. Mr. West inquired why the Select Board doesn't fix the windows in the hose tower of the Torrent building. The Trustees put a new roof on the tower about 15 years ago. Mr. West was worried about the broken windows and amount of pigeon activity. Mr. West stated the main problem at the 1913 Library has always been the lack of parking. The library owns four feet on the North side of the building, from the foundation to Sanborn's property. The front half of the lawn takes up the septic system. The lot is not big enough for a regular septic system. On the south side, there is a right of way that goes down to the hill that has been closed for years. In addition, Mr. West said there have always been issues with the bathroom. Mr. West stated it was not cheap to maintain the 1913 Library and was in favor of the town pursuing other ownership. Mr. West mentioned that 20 years ago the Trustees were approached by a law firm interested in buying the 1913 Library. At the time the firm needed three to five parking spots, but parking was very limited. Mr. West suggested it would be a great building for a law firm if parking was available.

22 Corn Hill Road, Josh Crawford, as a resident, he is in favor of selling the 1913 Library. He noted the town has not been maintaining it well and it costs more money to let it fall into disrepair. Mr. Crawford believes selling the building to a private business would benefit the town because it would grow the King Street project and alleviate the burden on taxpayers. He suggested collaborating with the owner of the parking lot across the street so the buyer has a potential parking option. He noted the town would not pay for the parking lot, it would be negotiated between the buyer and parking lot owner.

Town Clerk Hoyt asked the Board why someone would want to buy the building if it is already hard for the town to address all the issues. She inquired if the town was looking for someone to purchase the building and move it to another location. Selectwoman Carey said they would be open to all selling options. She recently observed a commercial property on Main Street be converted into a private home. Selectwoman Carey felt the property could be sold and converted for any type of use.

**Chairman Burdick motioned to proceed with filing the Cy Pres petition for the 1913 Library. Seconded by Selectwoman Carey. All in favor. None opposed.**

Chairman Burdick closed the public hearing at 6:30 PM.

**Department Head Updates:** Town Clerk Nicole Hoyt gave an update on unlicensed dogs in town. There are currently 191 unlicensed dogs in Boscawen. There are many households that have more than one dog under different last names. To save money and time, the town sends out certified mail and for those that don't respond, the Police Department gets involved. Town Clerk Hoyt will send out the certified mail next week. Selectwoman Carey asked if the number of unlicensed dogs was high compared to previous years. Town Clerk Hoyt noted the volume may be a little high, but it is about the same. She said many times, they will find that people move and do not notify the town. The database is not connected to other town information, so they don't know until they start sending out mail. Town Clerk Hoyt noted the list of unlicensed dogs was not a public document and cannot be distributed. No further discussion.

TA Phelps gave an update on the Community Services Director position. Town Clerk Hoyt and TA Phelps conducted interviews last week and selected Ms. Alicia Hakins for the position of Community Services Director, Tax Collector and Town Clerk Administrative Assistant. Ms. Hakins will start June 12th and has a background in welfare and customer service.

Facilities Director Gary Moore gave an update on his projects. He spoke with the administrator for the Homeland Security grant, and she explained that the process was procedural and just takes time for the governor to sign off. FD Moore was optimistic that the grant will move forward with the increase to \$75,000. He noted he will send out the generator bid selection on June 6th. For upcoming events, the front of the municipal building will be paved on June 13th. FD Moore will send out an email to town staff, so they are aware of the construction. There will be cones set up to block off the area and employees may need to park on the road to ensure there is enough room. On June 23rd, they will be doing the crack sealing and the following day, June 24th, they will be seal coating. FD Moore updated the Board on the furnace issue at the Torrent building. An electrician determined the furnace was only getting 94 volts which is not enough to power it. They found old and corroded wires which is causing the lack of energy. FD Moore noted the basement was wet and the energy for the building consists of old knob and tube wiring. In addition, almost all the windows in the hose area are broken. FD Moore stated he spent money in order to power the electricity and the more the town holds onto the building, the more it will be expensive to maintain. He will email pictures of the damage to the Select Board to review. FD Moore mentioned he reviewed his budget, and they are in good standing for future projects. He suggested moving forward with the generator project and he will not expend additional money until they finalize a plan. Chief Tim Kenney noted he must be notified if the town plans on not heating the building because they will have to move the Model T. It doesn't have antifreeze in it and can only have water which will freeze. FD Moore will notify Chief Kenney if they plan on stopping the heat for the building.

Town Clerk Hoyt gave an update on the Tax Department. On June 15th, TA Phelps, Deputy Town Clerk Karyn Chagnon and Community Services Director Alicia Hakins will be attending the Art of Welfare workshop. The tax collector's office has been busy collecting taxes. TA Phelps has been helping with the welfare side and Town Clerk Hoyt and Assistant Town Clerk Norma Caporale are managing the tax department.

Town Clerk Hoyt researched grant funding for the Torrent windows. The moose grant offered a maximum of \$20,000 but it does not match funds. Town Clerk Hoyt was uncertain about the cost to replace the windows. She recommended repairing the windows first to avoid further financial loss since they are also experiencing heating issues. Selectwoman Carey suggested boarding the windows with plastic or Styrofoam insulation.

PWD Hollins gave an update on the Public Works Department. He met with a contractor in regard to building a house on the vacant lot on Sweatt Street. It will connect to the sewer which will require the contractor to shut down a section of the road. PWD Hollins will reach out to Chief Kenney and the Police Department when they finalize the road closure. They plan to start around 8:00 am and finish at 3:30 pm to avoid the traffic rush. PWD Hollins updated the Board on the new pickup truck. The build sheet was enroute to Concord. PWD Hollins inquired if the town planned to auction the old truck or trade it in at value. The old pickup truck was a 2013

model and has about 120,000 miles. Chairman Burdick suggested getting quotes for trade-in value. Discussion ensued. PWD Hollins noted one of their lawnmowers was being repaired. They lost the cylinder head and a few other parts. They were able to fix it in the shop which saved money. They spent about \$500 compared to \$3,000 if they had to pay for labor elsewhere. PWD Hollins stated their commercial lawn mower is 16 years old. He noted they should consider buying a new one before it dies completely. A new mower would cost around \$12,000 to \$13,000. Currently Public Works has no funds available and cannot use impact fees to buy a new one. No further discussion.

Chief Kenney provided an update on the Fire Department. The new forestry pickup truck arrived and is in service. PWD Hollins helped move the old skid unit into the new truck. It still needs to be lettered and installed with radios, but it can be used on the road in the meantime. The fire department got rid of the 1953 State Forestry truck. They still use the other forestry truck and they put a different tank and pump on it to fit the size of the truck. Now they have two town forestry trucks to use. Chief Kenney has been working on obtaining a state license for EMS. He completed the first process and is currently working on the second portion. He noted it will be a non-transport license, so people won't be charged for the service. Chief Kenney stated the Fire Department will attend the next Police Advisory meeting in June to discuss what they're facing in the future.

Police Chief Jason Killary gave an update on the Police Department. They closed out a couple postings for their open positions. The patrol officer posting was closed yesterday, and they received just under a dozen applicants. Chief Killary said there are a few potential candidates. The next steps are sending out invitations to all applicants with a date for a PT test. After the PT test, those that successfully pass will then complete a written test. If candidates pass the written test, Chief Killary will invite them back for oral boards. Chief Killary noted it is a long process and he expects to close out the position by the end of the summer so they can enroll a potential uncertified individual in the upcoming academy. The Corporal position was closed on Friday, and they received two applicants, including one internal candidate. The oral board is scheduled for Tuesday, June 6th. Chief Killary discussed the budget for a new police cruiser. He stated the former Chief did not allot enough for both the cost of the cruiser and the installation of equipment. It costs about \$10,000 more. Chief Killary noted there was a new state grant this year for radar systems. The cruiser they are acquiring was the last one to be outfitted with the new radar system. To replace the system with the new standard, it would cost about \$3,500. Chief Killary stated the grant would match 75%. The department would purchase the radar system at 100% and then the state would reimburse 75% of the purchase price, cutting the cost to around \$850. The grant also applies to other radar equipment such as movable radar signs and radar trailers. Chief Killary will obtain quotes from Custom Radar Company and bring them back for the Board to review. He noted they could budget for the new radar system for FY24. Chief Killary will introduce Officer Ryan Smith to the Select Board. Officer Smith is a new Boscawen officer. He came to the department certified and experienced. Chief Killary said, Officer Smith has been a great addition to the team and already caught a few investigations as well as made two DWI arrests in two days. Selectwoman Carey inquired about their staffing issue. The police department is currently down three officers and has three independent officers on call. There is an officer on alternative duties and an officer at the academy. No further discussion.

Finance Director Kate Merrill gave an update on the Fine Art appraisal. There was previous discussion about appraising the painting and clock in the town municipal building before next year. FD Merrill reached out to the company referred by Primex, but they were not interested in participating in an appraisal fundraiser event. They suggested another company that may be interested. FD Merrill reached out but hasn't received a response. The Board previously discussed Canterbury's successful fine art fundraiser and Selectwoman Carey had suggested following the model to allow residents to pay to have their own items assessed. The idea was that it would cover the town's cost to appraise the clock and painting. FD Merrill spoke with the President of Canterbury's Historical Society, and they used a company on the Antiques Roadshow in Massachusetts. FD Merrill stated Boscawen would need at least 100 items to be appraised to break even on the town's appraisals based on the original quote she had gotten. At this point, FD Merrill is waiting for a response from the company she contacted and would like to know which direction the Board would like to proceed if they are not interested. Selectwoman Carey asked how much the Antique Roadshow company cost. FD Merrill has not reached out to them yet. She calculated the total cost of appraising the town's fine art and what they charge. They will need to find out the additional costs associated. With Primex's recommendation, it would cost \$500 for the Town's fine art to be appraised.

Selectwoman Carey discussed the balance sheet and profit and loss for this week. She noticed the Public Health and Community Services budget had some large expenditures. For the health budget, FD Merrill mentioned there was a \$50,000 over-expenditure approved for a septic remediation at a public hearing. TA Phelps believed it pertained to the grant sheet that former CS Director Sarah Gerlack received. The expenditures were showing under welfare but there was no budget for it. FD Merrill stated there was an offset revenue for the grant.

Selectwoman Carey asked FD Merrill to speak about the process of encumbering funds. FD Merrill explained that department heads must go to the Board before the end of the year with a legally binding contract or obligation and use unspent money in the budget for a project that will happen in the next year. The Board approves or disapproves the request and then the approved funds get restricted on the balance sheet and show up on the profit and loss for the next year. Funds are restricted so they don't drop to the unassigned fund balance for the town to use to reduce taxes. Selectwoman Carey noted that it was neither an asset nor a liability and that it was held in suspension. FD Merrill will review where it falls on the balance sheet, but it is restricted funds.

Planning and Community Development Director Kellee Easler gave an update on the Planning and Community Development Department. Deputy PCD Director Kearsten O'Brien and PCD Director Easler attended the Health Officer's spring conference for training. They are working on completing their certification before October which requires them to pass a test. PCD Director Easler will start attending the Central New Hampshire Regional Planning Commission quarterly meetings next week. Currently, no one from Planning Board attends except for Ms. Barbara Randall. PCD Director Easler noted they will out the final bill for the septic system replacement shortly which is why they had the over expenditure of \$50,000. They paid the designer and installer for the septic installation and he has completed the project and it is working. PCD Director Easler will work with legal to draft up information to send out to the owners. It will state that the town is putting a lien on the property. Selectwoman Carey clarified that the

expenditure shows in the Public Health budget as being over budget, however, it is supported by an asset that will offset it. PCD Director Easler stated it would be the same concept as real estate liens, if it is not paid off in three years, the property will be deeded. Selectwoman Carey asked if there was an interest rate attached to it. Discussion ensued. Town Clerk Hoyt will look into our software capabilities.

PCD Director Easler gave an update from Conservation Commission Chair Alan Hardy on the Land Use Change Tax (LUCT). Last week the Board discussed changing the percentage of tax allocated for conservation, alleviating some of the burden on taxpayers. CC Chair Hardy researched previous Town meeting discussions on the matter. In 2000, the town approved 100% of the LUCT to be allocated for conservation. In 2005, they discussed changing it from 100% to 50% per article 16 but it was defeated by a voice vote. It was attempted again on March 14, 2006, article 21 and was defeated again.

PCD Director Easler noted they are working on getting a Certificate of Occupancy for Eagle Perch Drive for the first home. Everything has been approved through Underwood Engineers and all conditions have been met. PCD Director Easler said she worked with the County and submitted the grant for the municipal boat launch. She will keep the Board updated once she hears back from the County. PCD Director Easler and TA Phelps spoke with Mr. Ross Cunningham, County Administrator, about having a joint meeting in July between the County Commissioners and the Select Board regarding the additional tax bill and the draft Memorandum of Understanding (MOU). PCD Director Easler said they are not approving the draft MOU currently, but they are moving forward with the grant. Work on the MOU will continue.

Deputy PCD Director O'Brien presented a \$100 donation for the Parks and Recreation program from Ms. Linda Woodward in honor of her parents for Select Board approval.

**Selectwoman Carey motioned to approve the \$100 donation for the Parks and Recreation program from Ms. Linda Woodward. Seconded by Selectman Bevans. All in favor. None opposed.**

Deputy PCD Director O'Brien noted the Parks and Rec program will start on June 26. Chief Kenney will bring down the fire truck one of the camp days. Chief Killary said that they will do a 'cops and cones' day and bring ice cream down to the campers. Deputy PCD Director O'Brien discussed other field trips planned for the summer. Martha from Highway View Farms will be giving a tour of the farm; they will also take a field trip to Live Free Florals. Deputy PCD Director O'Brien has tentatively scheduled Reptiles on the Move to come for a presentation, but she is waiting on their proof of insurance. Deputy PCD Director O'Brien will be ordering water equipment for the kids such as sprinklers. No further discussion.

Deputy PCD Director O'Brien noted second reminder letters were sent out to residents who have not returned their current use updates. She encouraged individuals to submit their current use updates if they haven't already. The town only received about 50% of current use updates back. They have received all but two veterans credit requalifications for the reevaluation, and reviewed all of the elderly exemptions for the reevaluation year.

TA Phelps presented a few updates. Underwood Engineers submitted the town's clean water state revolving fund applications for the C&D Landfill and sewer projects 3 and 4.

TA Phelps spoke with Ms. Karen Way from the Environmental Protection Agency and there are still no updates for Commercial Street. They are still waiting for the removal project to close out so that the cleanup project can move forward.

There will be a public hearing on June 15th after 6:00 PM for a discretionary preservation easement for Map 81A, Lot 19.

Chairman Burdick opened public comment at 7:05 PM.

Chairman Burdick closed public comment at 7:06 PM, with no comments received.

**Non-Public Session(s):**

**Selectman Bevans motioned to enter a nonpublic session at 7:07 pm under RSA 91-A:3 II (c). Seconded by Selectwoman Carey. Roll Call Vote. All in favor.**

**Selectwoman Carey motioned to close the nonpublic session at 7:26 pm under RSA 91-A:3 II (c). Seconded by Selectman Bevans. Roll Call Vote. All in favor.**

**Selectwoman Carey motioned to preliminarily extend the tax due date for Landowner B1. Seconded by Selectman Bevans. Roll Call Vote. All in favor.**

**Selectwoman Carey motioned to offer a settlement of \$2,000 for Landowner B2. Seconded by Selectman Bevans. Roll Call Vote. All in favor.**

Chairman Burdick noted that the board also discussed an update on a situation for Landowner A. There was no motion necessary.

**Selectwoman Carey motioned to seal the nonpublic minutes under RSA 91-A:3 II (c) for Landowner B1, B2, and A as it would adversely affect the reputation of the individuals discussed. Seconded by Selectman Bevans. Roll Call Vote. All in favor.**

**Next Meeting:** Thursday, June 8, 2023 at 6:00 PM.

**Chairman Burdick motioned to adjourn at 7:30 PM. Seconded by Selectwoman Carey. All in favor. None Opposed.**

*Respectfully submitted by Hannah Gardner*