

**Town of Boscawen
Select Board
MEETING MINUTES
Thursday, July 27, 2023, at 6:00 PM**

In Attendance: Matt Burdick, Lorrie Carey, Bill Bevans, Kellee Easler, Kearsten O'Brien, Nicole Hoyt, Alicia Hakins, Tim Kenney & Dean Hollins

Guests: Alan Hardy—Code Enforcement Officer, Roxanne Colby, Cindy Ross, Paula Lemay & Victor Demeroto

Roll Call: completed and guests introduced.

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

Consent Agenda Items:

- P&L, Balance Sheet, Check Manifest & Payroll (2 Weeks)
- Nonpublic/Public Minutes for Approval—07.13.2023
- June Treasurer's Reports
- Abatement—170 N Main
- 1913 Library Cy Pres Petition (Signature)

Selectman Bill Bevans inquired about a check for Don Sorrentino listed on the Check Manifest. He had questions about it. Town Clerk Nicole Hoyt suggested the Select Board discuss further in a non-public session as this was a welfare related topic.

Selectwoman Lorrie Carey and Chairman Burdick noted grammatical changes to the 07.13.23 public minutes.

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

Treasure House Follow Up: Deputy Planning and Community Development Director Kearsten O'Brien presented another anonymous complaint about the Treasure House that Town Administrator Katie Phelps received. At the last meeting, the Board discussed numerous complaints that mentioned the Treasure House was an unwelcoming environment for individuals that tried to access it. The issue was due to a few individuals that volunteer on a daily basis at the Treasure House. Selectman Bevans spoke with two out of the three individuals involved. He noted that the individuals involved have dedicated a lot of their time to help upkeep the Treasure House by bringing in boxes, sorting them and cleaning. Selectman Bevans stressed the importance of working collaboratively with the volunteers to come up with a solution. When he spoke to some of the individuals, he asked for their opinion on how to resolve the complaints. He will follow up with them to get their feedback. Selectman Bevans noted that the volunteers stay all day because boxes are dropped off periodically, and they try to unload and sort them as fast as

SB FM 07.27.23

they can before people start shuffling through the boxes. Selectwoman Carey suggested creating an intake area for box drop-offs. Chairman Burdick clarified that closing down the facility was not an option for resolution. He stated the concern was with people not feeling welcome to drop off boxes or grab items that they may need. He has also heard several complaints about the good items being picked through beforehand so people don't have the opportunity to access things they may need. Chairman Burdick suggested a schedule where the majority of the day would be allotted for people to access it, and the later portion of the day could be used for clean-up.

Ms. Roxanne Colby, 14 Elizabeth Drive, volunteer at the Treasure House, explained her volunteer efforts. Ms. Colby has resided in Boscawen for 25 years and has been very grateful for the community. In 2011, the town helped Ms. Colby with a personal situation where she lost everything. Since then, she volunteers at the Treasure House as a way to pay it forward to the community. Ms. Colby explained that when she needs something, she may take it for herself but most of the items she takes are for families or individuals in town that need them. She noted that individuals give her a list of things they need, and she puts together a box of items and delivers them using her car. She has helped many families and mothers with finding clothes and necessities over the years. Ms. Colby noted she took pictures of the clean up on Saturday and reached out to Public Works Director Dean Hollins about the issue. A lot of the boxes that are dropped off must be cleaned up and inspected. Often times there are items that need to be thrown out due to mold, mice or bad conditions. They stopped taking furniture because the pieces that were being dropped off were moldy or falling apart. In terms of the access issue, Ms. Colby stated that the boxes get stacked up next to the door so when people come to access the Treasure House, the volunteers will walk away to make room. Ms. Colby stressed that her intentions were to help the townspeople. She was willing to discuss solutions and help with making the Treasure House more welcoming. She noted that she does not spend all day at the Treasure House. She mentioned that Jay stays up there with his pickup truck to help with heavy duty items. Ms. Colby mentioned that the Church used to have a clothing closet, but it has been shut down for a while now. There has always been a need for clothes, so many people take them quickly at the Treasure House. One year, Ms. Colby organized a coat drive and distributed coats to families and individuals that attended. Overall, Ms. Colby volunteers at the Treasure House to give back to the community and help individuals find the necessities they need. Selectwoman Carey stated Ms. Colby's explanation was helpful to clarify some of the concerns that were presented. She noted the complainants did not fill out the complaint form and therefore, the Select Board could not respond to the complaint. Selectwoman Carey said people generally base their complaints on observations. It helped to note that the carpool of items were being delivered to community people in need. Selectwoman Carey clarified that there was a misinterpretation about closing the Treasure House. It was never an option discussed. Selectwoman Carey said the Select Board discussed the awareness of the complaints. They wanted the volunteers to be aware of the complaints about individuals feeling unwelcome. Selectwoman Carey inquired about whether there was a way to make greater access to the Treasure House or create a schedule. Previously she suggested an intake area so people could leave boxes without blocking the entrance. Ms. Colby said they would need a small table, but they could create an intake area on the other side of the Treasure House. Public Works Director Hollins said the third bay on the other side of the Treasure House is used by Public Works. They allow the Treasure House to use the bay, but it is

still the Public Works storage space for cardboard and equipment. PWD Hollins said the intake area would need to be outside but during inclement weather, it would be closed. He noted the boxes would need to be brought in every day. The items can't be left outside because it would make it more congested in the front of the building. PWD Hollins said the Treasure House room was very small so when there are 3 volunteers in the room with people coming in, it can get congested. PWD Hollins suggested that creating a schedule would help with the access issue and congestion. He noted if they didn't have volunteers to help sort and clean through the items, the Treasure House would be a disaster.

Ms. Paula Lemay, 6 Pine Street, inquired about how many complaints there were. Chairman Burdick stated there were 2 written complaints and over a dozen verbal complaints. Discussion ensued. Ms. Lemay has been going to the Treasure House twice a week for 7 years now. She used to own her own thrift store in Vermont, and she stressed how great of a job the volunteers were doing with the upkeep. In her experience, it was very hard to maintain a thrift store, especially financially. She was impressed with how much the Treasurer House has saved the town financially. It costs money to bring the items to the landfill. Ms. Lemay noted it doesn't matter who takes the items or what they do with them because it saves all residents money by recycling rather than paying for the landfill.

Mr. Victor Demeroto, 46 Tremont Street, was supportive of all the volunteers' efforts at the Treasure House. He noted that the Treasure House meant a lot to him, and he appreciated that the discussion was put ahead on the agenda to discuss.

Ms. Cindy Ross, 20 Forest Lane, was in support of the volunteers' efforts at the Treasure House. When she lived in Hillsborough, they had something similar to the Treasure House, but antique dealers would take the items and sell them. Ms. Ross said she brings items to the Boscawen Treasure House frequently and also takes items and recycles them back for the next person to use. Ms. Ross noted the Treasure House has limited space and should be provided with a better space, if possible, in the future.

Town Clerk Hoyt noted there were numerous calls from people in town and some individuals came in the office to voice their support for the Treasure House and those that keep it organized.

Scheduled Guests and Hearings: Code Enforcement Officer Alan Hardy gave an update on the Class VI Roads discussion. In the original discussion, they talked about Class VI and private roads, with no limitations on what would be allowed on the building permit. CE Officer Hardy said the statute was written to specifically discuss building permits on Class VI roads. He said there was a lot of discussion amongst the Planning & Community Development department and Planning Board on what to do. CE Officer Hardy saw an opportunity in the Harrisville document, which the town has been trying to mimic, with their approval. The Harrisville Select Board retained jurisdiction on a case-by-case basis. CE Officer Hardy explained that if someone was asking for a building permit to put an 8x10 deck on, it would be approved by the Select Board. CE Officer Hardy said there was case law that has come up already about making individual decisions. The statute was written with the intent to give the Select Board the ability

and responsibility to make those decisions. Selectwoman Carey asked if there was a set of guidelines. Chairman Burdick asked if it could open litigation issues with the case-by-case basis. For example, if a Select Board member was accused of favoritism for approving one permit over another. CE Officer Hardy said the case law dealt with that issue. Once case law has been held by the spirit of the Supreme Court, it becomes law. CE Officer Hardy stated the Board would not be held accountable. He asked the Board if they would like to do the case-by-case control or allow accessory structures on Class VI roads but no expansion of living spaces and no new living spaces. Another option would be to open it to private roads. Selectwoman Carey asked if private roads would include Pateneau's Pond. CE Officer Hardy said there would be an issue with ownership. He listed examples of private roads: Cat Hole Road, Tote Road, and Lincoln Terrace. The other private roads are manufactured home parks. CE Officer Hardy said they discussed creating a document and procedure with supporting documents. He suggested it should be sent back to the Planning Board for feedback. Selectwoman Carey requested a list of the roads that may be impacted by Class VI and private roads, in addition to a list of the building impacts that may occur. Selectwoman Carey said it would help to see all the different variables that could be impacted by any change. CE Officer Hardy noted PCD Director Kellee Easler has a list of the roads and keeps it up to date. Selectwoman Carey asked if the case-by-case basis would include retroactively approving things that have not been done properly. CE Officer Hardy said they can't retroactively approve things because most situations preexist zoning, therefore following under the preexisting nonconforming statute. They cannot be changed unless in the future, individuals brought it forward and did a 40% change. Selectwoman Carey asked what actions triggered the current discovery. CE Officer Hardy said it was about the accessory building. In their original discussion, Chairman Burdick mentioned people should have the ability to build a garage. Selectwoman Carey inquired about whether they should approve building a garage to allow the same opportunity for all. CE Officer Hardy recommended at least addressing the garage issue because it triggered the Class VI Road discussion. Chairman Burdick suggested keeping the approval process through the Zoning and Planning Board instead of a case-by-case basis. CE Officer Hardy said the accessory structure would be easy to turn on. In Article V of the Zoning Ordinance, there was already a limitation of percent coverage by zoning district. He said in the Agricultural zone, someone would have a 120,000 sq foot minimum lot size, buildable area with a percent coverage of 30%. CE Officer Hardy said some lots in town have a minimum lot size of 10,000 sq ft. A few years ago, they caught someone who bought a 10,000 sq ft lot for the purpose of duplexes. The minimum lot size for a duplex was larger than 10,000 sq ft. They had to request a variance to resolve the issue. CE Officer Hardy said they put a notification in Town Office stating they were single lots only. Discussion ensued. Selectwoman Carey would still like a list of the roads it will impact and the building impacts such as sheds, garages, and additional bedrooms, etc. She clarified that if a home was already there, she would like to know what they can build additionally on it. Chairman Burdick said the bedroom wouldn't be an accessory building in that situation. CE Officer Hardy said they could turn on the accessory structures if they stay away from dwellings altogether, and with the understanding that the town cannot limit up. Residents can maintain their sq footage and make a single-family home into two stories. CE Officer Hardy said most of the discussion has been about staying away from dwelling space and that accessory structures could be turned on. PCD Director Easler clarified that it would be limited to accessory structures, allowable only on Class VI roads. CE Officer Hardy

said there has been no support to turn on accessory structures for private roads. Selectwoman Carey requested a copy of the Harrisville document and case law. CE Officer Hardy noted the case law was underneath the legislative changes, but he will try to obtain a copy of the base case law statute. Selectman Bevans asked for clarification on whether they are looking at new homes on Class VI roads. There has been no support for new homes for accessory structures. Discussion ensued. CE Officer Hardy will send the Select Board information to review, and they will discuss further at the next meeting.

Department Head Updates: Town Clerk Hoyt discussed the Invoice Cloud Donation options available for the town. Residents could donate to any committee and/or project in town. The service would cost \$50 a month. Town Clerk Hoyt said they don't know how many people would use it, but they received over \$500,000 in online payments. Invoice Cloud was offering a sweepstakes for anyone who paid online. The money was not allotted in the budget, but Town Clerk Hoyt noted they would like to foreshadow the cost for next year. Last week, the Notary services donations went to the Beautification Committee and this week they will go towards the appraisal for the clock. Town Clerk Hoyt asked the Board if they had any questions about the add-on to the town website. It would cost \$600 a year and they would need to anticipate making enough money to cover the cost, in addition to a profit for whoever they're donating to. Town Clerk Hoyt suggested putting the money into the budget for a year, to see if it would be profitable. Selectwoman Carey asked how many users have made online payments. Town Clerk Hoyt will research and bring the findings to the next meeting. Options include a round up, minimum amount or a drop-down list of options. Town Clerk Hoyt was unsure how Finance would handle the donations. She will follow up with Finance Director Merrill and bring back the user findings.

PCD Director Easler presented the Camping in Public Places Regulation and Smoking Regulation for the Board to review. In reference to Camping, Selectman Bevans was not in favor of enforcing the regulation for all residents because it only involved one individual. There has been one individual camping in the woods overnight. Selectman Bevans believed it was a homeless issue, not a camping issue because they're looking for a local shelter. He questioned if there would be any shelters available and if the Police Department would locate the individual and transport him to the shelter. He noted that the regulation stated that the individual has the right to camp in public places if there are no shelters available. He did not think it was fair for others in the community, such as kids who may want to camp in the woods for an adventure, to be affected by one individual. Selectman Bevans said if the Police Department can't enforce the regulation, it would become a homeless issue, not a camping regulation. Selectman Bevans recommended that Police Chief Jason Killary be involved in the discussion before the Select Board approves the regulation. Discussion ensued. Selectwoman Carey noted they don't currently have a policy in place in order to enforce regulations. She noted the Police Department works with the Welfare Director of the town to identify homeless resources for homeless individuals in town. Boscawen has a number of homeless individuals camping throughout Earl St and the Town Forest. The Police Department regularly addresses the homeless encampments to ask them to move along or help find resources for the individuals. Selectwoman Carey noted the importance for all people to have access to sanitary facilities regardless of their situation. She

said not all individuals want help with resources, but part of the town's problem has been that historically there are no policies in place to enforce regulations about camping in public places. Deputy PCD Director O'Brien said that Police Chief Killary has reviewed the issue and stated a policy would need to be in place for him to take action. The Tobacco policy prohibits smoking on all town property including sidewalks. Selectman Bevans noted that the policy stated residents would get a ticket for smoking anywhere in town. Selectwoman Carey suggested creating a designated smoking area in town. She noted the town maintains the sidewalks but the State owns them so they could not enforce the policy on sidewalks. Town Clerk Hoyt noted there were some employees down at the Parks that smoke as well. Selectman Bevans voiced his concern with prohibiting smoking in town areas, when again, it was one individual causing the issue. Selectwoman Carey believed it was a matter of enforcement. They have the policies to enforce regulations but without them, they can't do anything. Selectman Bevans did not support the Tobacco use policy. Chairman Burdick suggested amending the Tobacco policy, to specifically reference the Municipal Building. Additionally, he recommended leaving it open to private vehicles so if an employee is a smoker, they have the option to use their private vehicle. Selectwoman Carey read that the policy would be enforced only in public buildings. Selectman Bevans said it also prohibited outside use. Selectwoman Carey clarified that it pertains to controlled areas. Chairman Burdick suggested specifying where the regulation will be enforced, which would be the Municipal Building. Selectwoman Carey recommended enforcing it at the Dorval House as well. Selectman Bevans noted smoking was already prohibited inside the building, if they prohibit the outside of the building, someone renting the facility would have nowhere to smoke. For the next meeting, the Select Board will review the policy regulations and make recommendations on how to improve it. Community Services Director Alicia Hakins was not in favor of enforcing a Camping regulation. She stated individuals camp out in town because they can't afford a place to stay, and they do not have overnight shelters. She suggested similar to the smoking regulation, to decide on certain areas that are prohibited. For example, it would be prohibited to put a tent at the Municipal Office. CS Director Hakins noted it would draw a lot of resources. The Board decided to send both policies back for review and further recommendations. They will discuss it further at the next meeting and invite Police Chief Killary to attend for his input.

PCD Director Easler presented the final draft for the petition, with exhibits on behalf of Tim Sullivan. The petition required signatures by the Board. Once the petition is signed, Mr. Sullivan will move the original petition back so the town can file it with the court. The Board deferred approval and signature so they could review the draft.

PCD Director Easler gave a Board of Health update on 20 High St. It was purchased by an individual who was unaware of the issues going on with the property. The Planning and Community Development department has been working with the individual and they are awaiting an application for temporary power. Once the owner receives temporary power, he will work on the inside of the house. PCD Director Easler has an active Order to Vacate from the prior owner. The previous owner did not follow through with the requirements and it was sold. PCD Director Easler, CE Officer Hardy, Fire Chief Tim Kenney, Deputy PCD Director O'Brien, and Building Inspector Chuck Bodien have completed a walk-through of the house and gave

their recommendations. PCD Director Easler will send out the recommendations tomorrow for signature. The Order to Vacate would not go into effect until August 4th which gives the owner time to organize and contact contractors. The order was specific to what the owner can and can't do and legal has reviewed it. PCD Director Easler clarified that the current owner was different from the person who bought 20 High St at the auction. Chairman Burdick said that individual bought 20 High St at the auction and then sold it for 3x the price. Chief Tim Kenney noted the individual lightly cleaned and was not honest to the current owner about the information regarding the house. Selectwoman Carey asked about the owner's plans. The new owner must get an electrician to do temporary power so he can finish cleaning. Tomorrow they will turn on the water and if the first part is completed by next week, PCD Director Easler will inspect the environmental air quality. If it is all set, the owner can proceed with the next steps. If not, a Hazard Mitigation company will need to assess the situation and if needed abate, before the owner can move forward. After that is completed, there needs to be a structural contractor that will examine the building and clear it structurally. There will be NH licensed trades for gas, electrical and plumbing that will be required to sign off on the work performed. CE Officer Hardy explained the electrical situation issue. CE Officer Hardy said the owner will need to start from scratch on power, heating and plumbing. PCD Director Easler said they were willing to work with the owner to do the first floor, close off the top floors and have the living space on the first floor. Chairman Burdick asked what the owner intended to do with the property. PCD Director Easler said the owner intends to use it as a single-family residence. Selectman Bevans asked if the owner would be fixing the septic system. PCD Director Easler said the septic system was not in failure that they could see.

Deputy PCD Director O'Brien noted she sent the Select Board another Board of Health situation that turned into a Code Enforcement issue. There was a person living in a camper and refused to allow Deputy PCD Director O'Brien to inspect it as per zoning ordinances. She noted they can discuss further in a non-public session if needed. CE Officer Hardy noted the cease-and-desist order allows the town to stop something from happening and gives them the ability to go to court quickly. CE Officer Hardy explained the situation with the camper. There was an individual living in a camper on private property. The town's ordinance specifically prohibits campers and recreation vehicles to be used as permanent dwellings. There was a provision in the parking ordinance that allows guests to travel and stay for a few weeks over the summer. CE Officer Hardy said there was one modification to the old ordinance which was to allow health officers to assess the camper, if it is brought onto a single-family home lot. The health officer would make sure the gray and black water were being properly handled. The issue at hand will move forward and the individual will have to decide whether to stop or challenge the town's order.

PCD Director Easler gave an update on the Planning and Community Development department. They have a new staff member, Ms. Ruth Ashby, who is now the PCD Clerk for the town. PCD Director Easler will bring Ms. Ashby to the next Select Board meeting to meet the members.

PCD Director Easler mentioned the Planning and Community Development Department will be limiting their staff at meetings. There was discussion at the Joint Loss Committee that there was an issue with not having staff present. Staff will be present during the meeting; however, they

will be working in another room. PCD Director Easler said it will primarily affect AgComm, Beautification and Conservation. Selectwoman Carey asked for clarification on what the staff does for committees and meetings. She has been questioned about why the town needs so many staff members at the administrative office. Selectwoman Carey had mentioned that the administrative staff attends all the committee meetings, and many are note takers. PCD Director Easler noted staff members have deadlines for the different boards, committees, and commissions, especially ZBA and Planning Board. Deadlines are required by law. Staff manages the information for meeting agendas and materials. The Planning Board and Zoning Board of Adjustment are regulatory boards and have particular deadlines that must be followed. Deputy PCD Director O'Brien has never done a ZBA meeting but will be shadowing PCD Director Easler in the future. PCD Assistant Gallagher is the recording secretary in house for the Planning Board meeting. PCD Director Easler noted they have two outside recording secretaries for some meetings because of their workload and inability to manage the numerous meetings, which is now at 10 per month. She said PCD Assistant Gallagher is taking minutes outside of work and works on 5 different sets of minutes during work hours. Deputy PCD Director O'Brien noted the summertime is very busy for the department. They are in the reevaluation year, so Avitar has been doing a lot of the assessing, and she still had to attend about 8 public hearings last month. She said PCD Assistant Gallagher receives at least 4 building permits a day that she has to prepare for the Building Inspector. PCD Director Easler said the phones and public who come into the office daily is a job in itself to manage. She allows her department to flex their time as an incentive. Town Clerk Hoyt mentioned that PCD Director Easler and Deputy PCD Director O'Brien create all the warrants for funds brought in for the town. Selectwoman Carey stressed the importance of explaining what staff does in the administrative office because many residents don't understand. There are numerous legal requirements that the town staff handles on a daily basis. Discussion ensued. Selectwoman Carey noted there was confusion with building inspector fees. It is a fee per service versus a salaried employee. CE Officer Hardy noted that the building permit process has changed to self-support and is 100% paid by user fees. It used to be fully supported by the town, paid for entirely.

PCD Director Easler sent the Memorandum of Understanding (MOU) and letter from County Administrator Ross Cunningham. She spoke with the Community Relations Coordinator who will touch base with Administrator Cunningham on how it was different than the original one they put together at the beginning of June. Mr. Cunningham will be attending the August 24th meeting to discuss the abatement for the launch. On the following Tuesday, she, Town Administrator Katie Phelps and Selectwoman Carey will meet with the County Commissioners, Community Relations Coordinator and Administrator Cunningham to discuss the MOU. The MOU that was given to the Selectboard stated Public Works would take care of the maintenance but that was not agreed upon by PCD Director during the latest meeting she had. Selectwoman Carey noted Stuart Tracy had recommended splitting the tax liability 50/50, which was also not reflected in the updated MOU. Selectwoman Carey stated it was important for people to understand that the Town of Boscaawen was one of the largest percentages of untaxed property in the state of NH. When they are unable to collect tax on public use properties, that means taxpayers must pay higher taxes. At the last Town Meeting, Selectwoman Carey said it was clear that the public wanted to reduce tax rates and encouraged the town to be resourceful in finding

ways to split the burden, not just on residents. Selectwoman Carey suggested providing those resources for the public but also trying to reduce the tax rate.

PCD Director Easler noted both she and TA Phelps will be away the week of August 8th at the 2023 Brownfields Training Conference in Detroit. Deputy PCD Director O'Brien will run the Select Board meeting that week. PCD Director Easler graduated and received a certification for the Certified Public Manager Program (CPM) and TA Phelps received a certificate and graduated from the Supervisor's Academy. Kate Merrill is next in line to begin the CPM program from the Administrative Staff. Town Clerk Hoyt noted that CS Director Hakins has passed the initial DMV trainings and will be going in August to get her certification. She also noted that Assistant Town Clerk Norma Caporale and Deputy Town Clerk Karyn Chagnon will be going to Primex for certification. Assistant Town Clerk Caporale will be graduating, and Deputy Town Clerk Chagnon will be entering her first year in the 4-year certification.

Town Clerk Hoyt gave an update on the Tax Department budget. She has reached out to different vendors regarding the town's tax paper, a notice that must be included by law. Town Clerk Hoyt noted the company who did the town report will be the new vendor. They were half the price of what they paid last year, and it would be a better product. Town Clerk Hoyt stated the listening section regarding elections was held last week. Moderators, supervisors, and clerks met, and Secretary Scanlon mentioned they have been in discussions with superintendents because most of the elections are held at local schools. On Wednesday, August 2, they are having a gathering session to demonstrate the 4 counting machines. They will have a morning and afternoon session. Town Clerk Hoyt and CS Director Hakins will be attending one of the sessions and Assistant Town Clerk Caporale and Deputy Town Clerk Chagnon will attend the other session. Town Clerk Hoyt noted the gathering was also open to Select Board members and it will be held at the Legislative building. The four vendors that will be in attendance are Clear Ballot, Dominion Voting Systems, Election Systems and Software, and Voting Works. Town Clerk Hoyt has seen the Dominion Voting System in person and said it looks good, but the box was massive and may be hard to store. She said all of the vendors were good and that the most expensive vendor would be \$9,000. They budgeted some funds for the machine this year so that once the Ballot Law Commission approves the option(s), Town Clerk Hoyt would be able to encumber the funds. Selectwoman Carey noted she was one of the moderators and she sent Town Clerk Hoyt some criteria that one of the moderators had developed to assess all the machines. Town Clerk Hoyt mentioned that the machines will be able to do more than the town will want, due to the laws in NH. She said they will want to discuss the costs of printing the ballots because they would have to print using the vendor they choose.

Public Works Director Hollins gave an update on the Public Works Department. A few weeks ago, he discussed the cylinder leak issue with the trash compactor. Last week they cleaned out the trash compactor. The compactor will need a new cylinder. PWD Hollins reached out to the contractors that help with their repairs. The suggestions were to rebuild it or buy a new one. PWD Hollins noted it would cost the same amount for either solution. They wouldn't know if it could be rebuilt until they take it apart but rebuilding it would be more time-consuming. PWD Hollins ordered a new one and the shop will call once it arrives. The trash compactor was out of

commission last weekend and will not be available again this weekend. PWD Hollins said the cost would be between \$3,500 to \$4,000. He did not anticipate the expense in his maintenance budget for the Transfer Station. Selectwoman Carey asked if the expense could come out of the recycling budget. PWD Hollins said he planned to discuss with Finance Director Kate Merrill to take it out of the recycling budget. The compactor will be running next week. He noted that the employee out on medical leave came back last Monday and is performing light duties. There is an employee retiring and his last day will be Friday, July 28. PWD Hollins stated they had to repair a backhoe that fell under warranty. Due to the floods from last Sunday, the guys were fixing them on Monday and Tuesday when the backhoe engine light came on. They cleared the code, but it came back up on Wednesday. PWD Hollins cleared all the codes, but it was still persistent. There are three levels of the code: the first code alerts there is a problem, the second one alerts people to find a place to park and shut off the machine and the third code shuts the machine off. It is now fixed and running again. The issue was a sensor inside the admissions. The technician said it was a very common problem and didn't anticipate any recalls. Public Works spent time on Commercial Street a few weeks ago smoothing out some of the holes. They also went back twice with hot top to fill in the huge potholes. PWD Hollins obtained a quote from their paver, to put a 2-inch finish to seal the holes. The paver said the finish would last 5 to 6 years. Selectwoman Carey inquired about the Public Works staffing. PWD Hollins said he will be down 2 employees and one employee on light duty.

Fire Chief Tim Kenney gave an update on the Fire Department. Residents have been concerned with the fires happening in Penacook. Last night the Boscawen Fire Department was called about smoke at the Roundabout. They spent an hour and a half trying to find the smoke odor and when they did the homeowner wasn't cooperative with allowing them to look in their yard to confirm the cause of the problem. Chief Kenney noted the smoke odor had nothing to do with the Penacook fires. He said Penacook had two more incidents yesterday afternoon, after the initial two fires that burned the structure at the school and on the apple house. The state and the city of Concord have been involved and are conducting investigations. He noted that when they received the call yesterday about the Roundabout, the Battalion Chief, and their investigator, as well as the state investigator, came to Boscawen to assist. No further discussion.

Deputy PCD Director O'Brien noted FD Merrill sent the Board information regarding the Clock appraisal. She said the donations have been changed over and that the Board should decide on if they want to request a donation box at the library. Select Board members agreed to request a donation box at the library. Deputy PCD Director O'Brien presented a letter from Elaine Clow, the Boscawen Library Trustee, confirming that the clock was not theirs. The town owns the clock.

Deputy PCD Director O'Brien said at the Joint Loss meeting on Tuesday, a resident sent an email to TA Phelps about the Torrent Station windows falling out onto N. Main St. The email was forwarded to Facilities Director Gary Moore. The Joint Loss Committee recommended that the discussion be sent back to the Select Board because it will be a lot of work. The estimated cost was about \$2,000 to rent the boom lift and put some boards up. There was concern about animals in the shaft and broken glass falling out onto the side of the road. Selectwoman Carey

was at the Torrent Station yesterday and confirmed that there was a significant problem. She noted there was construction going on next door which could create a greater liability for the town with the amount of people walking around. Selectwoman Carey stated Mr. Fred Reagan just completed a project at the school district with the Fire Station on Washington St. She suggested Mr. Reagan would be a good resource. Deputy PCD Director O'Brien will reach out to FD Moore to obtain estimates and discuss further with the Board. Chairman Burdick noted the estimates would be for temporary fixes. Selectman Bevans asked if there was an update on the Torrent Station sale. Selectwoman Carey heard they wanted to proceed with the discussion of the sale.

Deputy PCD Director O'Brien noted the town was under a heat advisory for today and tomorrow, Friday, July 28. She spoke with Police Chief Killary because the Parks and Recreation program was scheduled to walk up to Live Free Florals. They decided to cancel and reschedule the field trip due to the heat. Deputy PCD Director O'Brien mentioned the library was open until 6PM today for anyone who needed to cool down. For tomorrow, if anyone needs to cool down, they will need to call the dispatch number listed under the homepage of the town website. Selectwoman Carey asked if the Dorval House had air conditioning for the Parks and Rec program. Deputy PCD Director O'Brien confirmed they have air conditioning, and they can close the doors to cool down. The kids will also be able to use the pools.

Chairman Burdick opened public comment at 8:00 PM.

Joshua Crawford of Corn Hill Road commented on the Use of Tobacco regulation. He noted he was not a smoker, but he did not feel it was appropriate to approve a smoking ban. He stated it was not in the 'Live Free or Die' spirit of the state. He suggested prohibiting smoking within 25 feet of a public building. He felt it was bad practice to pass ordinances and rules but to not enforce them all the time. It could lead to some individuals being profiled over others and justifying some to smoke but not others. Mr. Demeroto said if people can legally buy tobacco products at the store, then they should be allowed to stand on the corner and smoke.

Chairman Burdick closed public comment at 8:01 PM.

Non-Public Sessions:

Chairman Burdick motioned to enter a nonpublic session at 8:02pm under RSA 91-A:3 II(c). Seconded by Selectwoman Carey. Roll Call Completed. All in favor. None opposed.

Chairman Burdick motioned to close the nonpublic session at 8:08 pm under RSA 91-A:3 II(c). Seconded by Selectman Bevans. Roll Call Completed. All in favor. None opposed.

Chairman Burdick motioned to enter a nonpublic session at 8:08 pm under RSA 91-A:3 II(c). Seconded by Selectwoman Carey. Roll Call Completed. All in favor. None opposed.

Chairman Burdick motioned to close the nonpublic session at 8:15 pm under RSA 91-A:3 II(c). Seconded by Selectman Bevans. Roll Call Completed. All in favor. None opposed.

Chairman Burdick motioned to approve the payment plan discussed within the nonpublic under RSA 91-A:3 II(c) for Resident F. Seconded by Selectwoman Carey. Roll Call Completed. All in favor. None opposed.

Chairman Burdick motioned to enter a nonpublic session at 8: 16 pm under RSA 91-A:3 II(a). Seconded by Selectwoman Carey. Roll Call Completed. All in favor. None opposed.

Chairman Burdick motioned to close the nonpublic session at 8:34 pm under RSA 91-A:3 II(a). Seconded by Selectman Bevans. Roll Call Completed. All in favor. None opposed.

Chair Burdick motioned to approve the adjustments to the Public Works Department's pay rates that will be covered within the Public Works budget for this year. Seconded by Selectwoman Carey. Roll Call Completed. All in favor. None opposed.

Deputy Health Officer O'Brien informed the Select Board that Health Officer Easler asked her to let the Select Board know that she will be following up on a potential bed bug issue in town. She received a message and will get back to the Select Board when she has more information.

Next Meeting: Thursday, August 10, 2023, at 6:00 PM.

Chairman Burdick motioned to adjourn at 8:44PM. Seconded by Selectman Bevans. All in favor. None Opposed.

Respectfully submitted by Hannah Gardner