

TOWN OF TEMPLE, NEW HAMPSHIRE

SELECT BOARD

MINUTES OF PUBLIC MEETING

**Tuesday July 12, 2022**

**Town Hall**

**6:30 PM**

**Select Board members present:** George Willard, Bill Ezell, and Ken Caisse

**Other Attendees:** Ivy Bibler, Connie Kieley, Gail Cromwell, Sandra Benotti, Christine Robidoux, John Kieley, Cam Lockwood, Steve Cullinan, Tim Fiske, Vivian Wills, and Brian & Joyce Kullgren.

Meeting called to order by Ezell at 6:30 PM.

**Chairman Comment:** *None*

**Public Comment:**

- *Cromwell updated that the Village Green committee has had 3 new trees planted at the common and one at the cemetery. Cromwell also noted that the soil is terrible and they had to use a lot of compost. Cromwell added that we really need a well on the common and maybe we could use some of the ARPA funds for that.*
- *Benotti notified the board that there is something wrong with the electricity at the common. Caisse stated he has asked Will Wildes to take a look at it and he will follow up.*

**Old Business:**

- **Town Hall Roof & Shade update:** *Connie Kieley updated that she received a quote of \$760 to get the shades fixed adding that we need to more closely monitor the activities in the building. Fiske reported that we will be getting an updated quote from Patriot roofing due to the roof vent is being eliminated. Fiske also noted that they are waiting to hear from LCHIP regarding taking the chimney down. Fiske recommended signing the estimate before prices go up. Ezell will sign the revised contract once received.*
- **Marsh Litigation Update:** *Ezell reported that the judge issued a decision to allow a limited intervention to the Kieley's at this stage. Ezell noted that this means that the previously signed agreement is now void and they are not going to make any effort to settle with the Marsh's. Ezell noted that if there is mediation and the Kieley's can come up with an agreeable document with the Marsh's, he would go along with it. Ezell stated the judge will next hear the Marsh's motion to compel which they are hoping will not be approved. Ezell continued on discussing possible outcomes from the judge. John Kieley noted that on his order to motion to intervene, the judge made several comments as follows: The Kieley's are entitled to a limited intervention to raise their objections of the Settlement; the court notes it's concerns as to the procedural history of the Settlement; the use of the property as a junk yard violates numerous statutes, regulations, and codes; the Settlement with the defendants allows the defendants to continue the violative use of the property; the court is troubled by the evident contradiction between the ZBA's denial of the exception and*

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*the Town's negotiation of the Settlement; the record before the court evidences significant issues surrounding the environmental impact of the continued operation of the junk yard; and the procedural history of the Settlement troubles the court in part because it suggests that the town may not be adequately protecting the public interest with respect to the junk yard. The select board reminded the audience that they have discussed this case over and over again and were relying on legal advice. Bibler added that on the 2<sup>nd</sup> agreement that is on the table, there were notes and comments from the attorneys that eliminated an entire paragraph referencing the cleanup responsibilities of the Marsh's, and if that is the kind of approach our attorneys are taking then she has serious concerns of the appropriateness of our legal counsel.*

- **Code Enforcement Officer:** *No update.*
- **Parking/Zoning/Fee structure follow up:** *No update, still waiting for the Charrette recommendations.*
- **Background checks:** *Caisse noted he still needs to attend a Library meeting.*
- **Flag pole painting:** *Caisse reported he is still making phone calls on replacing the flag pole.*
- **Monument cleaning:** *The monuments were checked out by a local company who reported that most of the monuments were decent candidates for pressure washing and we could do this ourselves to save money. It would be \$300-\$400 each if he cleaned them. The tall monument would need to be hand cleaned due to it being marble and he quoted \$600-\$800 depending if we could provide a bucket lift and operator. Connie Kieley thinks they look fine the way they are and believes that some upkeep around the monuments would be desirable. Lockwood noted she has read that high pressure washing will damage the surfaces and we should talk to LCHIP. Caisse added there are some chips and rust spots and noted they should get regular maintenance/cleaning adding he will put some more effort into this and get back to us.*
- **Letter of Agreement – Rec Dept:** *No update – Ezell will send to Legal for input.*
- **New Flag Policy:** *The board noted they are still working on creating this policy with legal, in effort to cover all of our bases. Connie commented this is probably costing the town a lot in legal fees and we don't need a policy. Bibler agreed we don't need a policy and asked if one is created, she would like it shared before becoming final.*
- **ARPA funds- Ballfield, Fencing, Playground estimates:** *Caisse noted he is still working on this and made reference to a study that was done last fall which noted work is needed on the fence, playground equipment, lighting for nighttime, etc. Cromwell mentioned again that we should see if we can use ARPA money for a well at the common. Ezell added we should hold a forum listing all the suggested projects and see what the public thinks. Robidoux mentioned she will be attending a webinar to learn about a grant that may be available to assist with paying for these repairs.*

**New Business:**

- **LUCT Abatement application – Kullgren:** *Brian asked the board if there has been any response from our assessor regarding his application. The board noted the assessor is still working on this. They are busy this time of year and have 6 months from the notice of the LUCT. Kullgren noted he did speak to Avitar earlier*

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*and was hoping for a much faster resolution adding that the board is really the assessor and can make this decision. The board noted that Avitar is a licensed professional assessing company and they need to wait for their recommendation.*

- **Septic System Evaluation & Invoicing/Accounting:** - *Robidoux noted all of the recommended work has been done and the cost so far is \$1765. Robidoux added they are waiting on a report from the state and noted Torphy is working with Caswell on a maintenance schedule and estimates for future work. Cullinan mentioned there was an agreement made in the 90's that the church would share the cost with the town but he has been having trouble locating it. We have always helped pay for maintenance and septic pumping and would like to be a part of this movement forward. Cromwell mentioned using a different account number for these expenses, GB other prop. Rep & Maint.*
- **CAC Committee update:** *Robidoux provided the following written updates to the board:*
  - \* **Broadband Update** – *Hipp is working with CCI, Fidium and commercial interests in town on the phone line issue; Hipp is working with the road agent on the alarm/phone line issue at the town hall.*
  - \* **A/V update** – *East West is scheduled to begin installation on July 14<sup>th</sup>. Temporary speakers will be used until the correct speakers arrive. Training will be offered in a couple of weeks*
  - \* **Plan NH Charrette** – *The CAC will be communicating to the public soon on dates to be aware of; The town received a \$5000 grant from the NHHFA for the Charrette.*
  - \* **Septic update** – *\$1765 of work has been done. Waiting on a report from the state and recommendations on how often the tanks should be pumped and a maintenance schedule.*
  - \* **Welcome Booklet** – *The 250<sup>th</sup> Anniversary Fund voted to award the CAC \$405.00 for printing and materials for the Welcome Booklet. 10 copies will be printed.*
  - \* **State Housing Fund** – *The CAC is working with the SWRPC to apply for funds for a full Regulatory Review with the planning board.*

***Caisse noted anyone wanting a table at the Harvest festival on September 25<sup>th</sup>, needs to get an application completed and submitted.***

- **Rec Department Update:** - *Wills presented the Rec departments plan for parking and traffic control at the next two car events on July 25<sup>th</sup> and August 22<sup>nd</sup>. Caisse noted they will need at least 3 people in order to close the road. Wills also asked if they could use the town hall to store food and for bathroom use. Wills will need to speak to the Health officer regarding the need for a porta potty and will report back.*
- **Review offer on town land lot 75-2:** - *Ezell reported they have received a firm cash offer of \$110,000. Caisse moved to accept the offer of \$110,000 for lot 75-2. Ezell seconded the motion, all were in favor, motion passed. Ezell will notify the Real estate agent to proceed. Ezell also noted he met with the DOT and the \$1 sale for the shed has been finalized and registered.*
- **Transfers needed to Trust Funds:** *Ezell moved to authorize 3 transfers per town meeting warrant articles 4, 5 and 8. Willard seconded the motion, all were in favor, motion passed. Caisse suggested we keep the \$110,000 from the sale of lot 75-2, in the town's general fund. Cromwell noted the DRA dictated the*

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warrant article wording and the intent was always to put that money into the new Highway Department Building and Construction Expendable Capital Reserve Fund for the Highway Department move. Fiske agreed.

- **Property Complaint:** Ezell noted he passed the complaint by our town council and noted there is a covenant on the deed that has restrictions. Ezell noted this is a civil case and they must handle themselves. The town has no authority under zoning. They discussed some other options and legal will be consulted.
- **Select Board Assistant ZBA hours:** Ezell noted that administrative work performed on behalf of the ZBA committee should be billed to the ZBA.
- **Cert. of Yield tax & Warrant – Kingston – Howard Hill:** The board reviewed and signed the paperwork.
- **Approve Select Board Meeting Minutes June 28, 2022:** Caisse moved to accept the minutes from June 28, 2022 as amended. Willard seconded, all in favor, motion passed.

**Other Business: -**

- None

**Committee Updates: - No Updates**

**Meeting Adjourned:** 8:21 PM. Motion by Ezell, second by Caisse, all were in favor, motion passed.

**Next Select Board Meeting:** The next select board meeting will be held on Tuesday July 26, 2022 at 6:30 PM at the town Hall. Meeting minutes respectfully submitted by Carole Singelais

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