

Selectmen's Meeting Minutes
Monday, November 15, 2021

At the Selectmen's meeting held on Monday, November 15, 2021 at 6:30 p.m. the following people were in attendance: John Tholl, Shawn White, and Peter Corey.

Others in attendance: John Ross, Jr., Fire Chief, Tom Ladd, Charles Correll.

Chair Corey called the meeting to order at 6:34 p.m.

Pledge of Allegiance

Chairperson Corey opened the Public Hearing at 6:35 p.m. The Whitefield Board of Selectmen is holding a public hearing pursuant to the provisions of RSA 231:163 and 43:2, for the purpose of considering amending all existing pole licenses to include language regarding taxation pursuant to RSA 72:23 and acknowledging the licensee's statutory obligation to move the licensed poles, conduit and equipment upon order of the Town. The Board will also consider adopting a revised Pole and/or Conduit License form which will include language regarding taxation pursuant to RSA 72:23. This hearing is being held to determine if it is in the best interests of the public good to amend the pole licenses so that they are consistent with the property taxation statutes (RSA 72:23).

Chair Corey asked if there were any questions in reference to the purpose of this evening's hearing. There were none.

A motion was made by John Tholl to declare that all outstanding pole licenses issued by or under the authority of the Selectmen of Whitefield or its predecessors in office acting under the provisions of RSA 231:161(b), or its predecessor statutes, are hereby changed to incorporate in each such pole license in effect as of November 16, 2021 and effective as of such date. The changes are reflected in the attached Town of Whitefield, NH--Petition for License—Utility Poles/Conduit. Shawn White seconded the motion. All in favor, 3-0. Motion passes.

Chair Corey closed the public hearing at 6:40 p.m.

The board discussed the Locality Equipment Purchase Program with Fire Chief Ross. This is a program that is open to NH cities and towns and each locality will be eligible for a grant up to \$50,000. A 10% match by the town is required. To obtain the maximum \$50,000 award a town will need to acquire eligible requirement with a total cost of at least \$55,556. Chief Ross said he has some items he would like to purchase through this program, Rescue Gear and the power lift cot/stretchers. This would be unanticipated revenue, and we will need to hold a public hearing to accept the funds as unanticipated and in order to spend the 10% municipal match, the match funds must be lawfully appropriated for the same. The match funds could come from the grant match capital reserve fund created at town meeting. Judy and Fire Chief Ross will work on

submitting the application, and we will schedule a public hearing for the December 13, 2021 meeting.

Peter said that he talked to Rob about the fire station roof, and if we are going to pursue a CDBG grant we do have to go out for proposals. Peter said that the RFP has to be very specific and has to meet the requirements of the grant. Rob said he is in the process of talking to some companies down south. It is put on hold until we know what we want. Peter said that if we are going to adhere to the procurement policy, it should apply to all departments. The items Chief Ross presented are well above that amount for RFP's. Judy said in the Procurement Policy there is a section that the competitive procurement process may be waived by the Board of Selectmen in the following events: In the case of an emergency or justifiable special circumstances that require timely procurement of goods or services; When there is only one source of supplies or services; When the service or products are received through the State or other joint bid process; When, in the discretion of the Board of Selectmen, the best interests of the Town and its residents are served by waiving a competitive procurement process. Shawn said that anything over \$10,000 should go through the policy. If we have to waive it, we can waive it. John Tholl said he can see if there is somebody else who sells that type of gear, but there is not in this situation. Peter says if we do it for one, we need to do it for all. If there is only supplier who can supply it, then the policy could be waived. Tom Ladd said that there may be more companies who make stretchers, but it creates nightmares when you have different types of stretchers. It is a critical piece to have the same stretchers. Shawn said with the DPW department when you buy plows for the trucks it is important to have all the same type of plows because if you don't it is expensive to get different parts for different plows.

Judy said she got clarification from the NH Department of Revenue Administration timber appraiser, Rick Evans, that as long as the Intent to Cut has met all of the requirements on the Timber Intent checklist, it can be signed at a Selectmen's Meeting even if it is not on the agenda. The only time an Intent to Cut must be publicly posted for 24 hours before signing is when it is being signed outside of a regular Selectboard meeting in order to comply with the 15-day requirement.

The Board reviewed the proposed, projected 2021 town tax rate. It was decided to use \$200,000 from fund balance rather than \$250,000. We will use \$100,000 for overlay. It looks like there will be a 5-cent increase in the town portion of the tax rate. We had projected an 11-cent increase at the budget hearing. The school district materials are not yet on the DRA portal to set our final tax rate.

John Tholl made a motion to approve the November 8, 2021 Selectmen's Meeting Minutes. The motion was seconded by Shawn White. All in favor, 3-0. Motion passes.

Charles Correll of 97 Elm Street said he realizes he is wasting everyone else's time coming in tonight. Charles said that he filed a lawsuit to have the dangerous trees removed by their

property, which were located on Frank & Marsha Lombardi's property. Afterwards Frank told Pete Dimmitt the pin is off a foot. Pete Dimmitt is the neighbor on the other side. Charles said that they are receiving it on both sides. None of the deeds have been adjusted for many years, and haven't said anything about lines moving. Charles said that him moving it is more of harassment from them. They call the police on Charles & his family two to three times a week, 2pm or 4pm for dogs barking. They waste everyone's time. Charles said he knows there is nothing the town can do because it has to do with a civil matter. He just spent \$18,000 to do what was right in the first place. Not going to spend another \$10,000. His options are to remove the fence. It will only escalate. He wants it on record he is protesting where those fences are. Peter asked if they had their property surveyed? Charles said that they did and there is a variance of 8 feet from Pete from 8 years ago and from when Chuck had his survey done. They came out about 10 feet apart. Records weren't kept that good back in the day, and it goes back to homestead and rods. It is very easy to have made a mistake somewhere. One survey says it is here, and another survey says another location. The fence has been there for 35 years. His wife's father put it in with the previous owner. Peter said it is a civil matter. Chuck said he knew he was here wasting our time, and Charles just wants it recorded. Town doesn't have the authority to do anything. Charles said he just wants it known what is going on. They are planning on moving, don't want to stay here any longer because of the neighbor issue. Shawn said ultimately there are a couple of different avenues. You have been maintaining that land for 20 years. Take caution if you remove the fence. Charles said that he put the fence up already. It is a foot off the corner stone of his property. It is a split-rail fence. John said if he keeps being harassed, he can go to court and get a restraining order.

Shawn said at the meeting last week Rob brought up that he would like to purchase IAMGIS. Shawn said he has done some research, and feels it is a good program. It does have some features that CAI doesn't have. If Rob is able to purchase that with the ARPA funds, Shawn is good with that. Shawn said there are still things the town office will need on the CAI program, but we will be able to cut back on some of that. The Board is ok with going with the IAMGIS software that Rob had requested.

Meeting adjourned at 7:00 p.m.

TOWN OF WHITEFIELD, NH
PETITION FOR LICENSE
UTILITY POLES/CONDUIT

DATE: _____

PETITIONER(S):

BUSINESS NAME: _____

CONTACT PERSON: _____

ADDRESS: _____

PHONE: _____ FAX: _____ EMAIL: _____

BUSINESS NAME: _____

CONTACT PERSON: _____

ADDRESS: _____

PHONE: _____ FAX: _____ EMAIL: _____

Attached hereto:

- Two signed copies of this "Petition for License"
- Location Plan, Land Survey, or Plan approved by the Town of Whitefield Planning Board showing proposed location of utility pole(s) or underground conduit
- Check for \$10.00 made payable to the Town of Whitefield (Town Clerk filing fee)

To the Board of Selectmen, Whitefield, New Hampshire:

Pursuant to NH RSA 231:161, I/we are requesting that a license to erect, install, and thereafter maintain the following described poles, structures, and/or conduits together with wires, cables, and associated sustaining, strengthening and protecting fixtures, be granted across and/or under the following public right(s)-of-way in said municipality: _____.

EQUIPMENT DESCRIPTION: (check box & provide necessary information)

POLE

Being numbered _____, or set of Poles, being numbered _____ and as shown on plan titled _____ dated _____ attached hereto and made a part hereof.

UNDERGROUND CONDUIT

Being described as _____ and as shown on plan titled _____ dated _____ attached hereto and made a part hereof.

In accordance with the requirement of RSA 72:23, I(b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all properly assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.

continued...

In accordance with the requirements of RSA 72:23, I (b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I (b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license.

The above-described pole(s) or conduit shall support the equipment of the following named providers:

1. _____
2. _____
3. _____
4. _____

The Licensee is required to provide the town in writing the names and contact information for any additional provider(s) authorized now or in the future to place equipment at these location(s).

LOCATION DESCRIPTION:

_____ GPS Coordinates and location, with reference to the NH Plane Coordinate System: _____; and

further described on:

_____ Attached location plan or land survey or

_____ Plan as approved by the New Hampton Planning Board, on _____ (date)

for _____ drawn by _____

(Name of Project)

dated _____ last revised _____

NEAREST LICENSED STRUCTURES:

The above-described equipment installation will commence at an existing licensed utility structure described by the following location and license information: _____

_____, and will terminate at an existing licensed utility structure described by the following location and license information: _____

Petitioner:

Petitioner:

By: _____
Duly Authorized

By: _____
Duly Authorized

Company: _____

Company: _____

TOWN REVIEW AND AUTHORIZATION:

Reviewed and Recommended by the Public Works Director: _____
Signature Date

Comments, Concerns and Recommendations: _____

BOARD OF SELECTMEN:

_____APPROVED _____DENIED

Date: _____

TOWN CLERK:

Received and entered into the records of the Town of Whitefield, New Hampshire,

Book _____, **Page** _____

Date: _____ **Attest:** _____

Town Clerk

If approved the applicant(s) are hereby granted a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures, in the public ways covered by said petition. All of said wires, except such as are vertically attached to poles and structures, shall be placed in accordance with the National Safety code in effect at the time of petition and/or license is granted.