

TOWN OF ORFORD

Board of Selectmen

Meeting Minutes

April 28, 2021

MEMBERS PRESENT: John Adams, Fred Kidder II, Chase Kling

OTHERS PRESENT: Esther Dobbins-Marsh, Jason Bachus, Charlotte Furstenberg, Quentin Mack

Call Meeting to Order

The meeting was called to order at 5:30 p.m.

Roll Call – Adams-present, Kidder-present, Kling-present.

Kling requested having the Selectboard members to meet in person, with virtual still an option for the public. Unfortunately, the phone system didn't allow the access code to be entered, and a personal cell phone had to be used.

Approval of Minutes

Motion made by Kidder, seconded by Adams to accept the minutes of 04/14/2021 (as amended)

Motion Passed 3/0

Follow up activities from the minutes of 04/14/2021

Planning Board – Kidder said there are no updates at this time – he will have more information on a meeting by April 29th and will update the other Selectboard members. The meeting will be to reorganize the planning board, but he needs to confirm all members can attend so there is a quorum. Kling was concerned about the lack of a monthly planning board meeting, and the hold up of a pending sub-division. Adams said the mandate by the Governor due to COVID removed the monthly meeting requirement for the planning board, but agreed the reorganization needs to happen so the board can act on pending matters ASAP.

Reports

- A. **Assessor** - Todd Haywood provided a written report on the assessing activities. Property cards are being updated to reflect changes indicated on the inventory forms as they are received in the office. Land Use changes are processed as received as well. Haywood mentioned that currently Orford doesn't assess photovoltaic solar generation systems. The NH Board of Tax and Land Appeals has been clear that assessors are not to ignore items that contribute value. He has added several options for PV systems (at zero value), and will be adding this information to property cards over the next few years. The Selectboard wants to discuss this in greater detail as they have concerns. Dobbins-Marsh will ask Haywood to call into the Selectboard meeting of May 26th to discuss in greater detail.
- B. **Police Department** – Chief Bachus presented his March report to the Selectboard. There was a total of 69 calls for service which included 4 calls for illegal dumping/littering complaints, 2 vandalism reports, one motor vehicle accident and 2 fraud investigations. In addition, he made one arrest and continues to work on 3 ongoing investigations. The arrest was for leaving the scene or property damage, but was identified with the help of Orford residents with descriptions and leads. This will allow the Town to file for

reimbursement from their insurance company for damage to the guardrail. Motor vehicle enforcement included 23 stops, with 5 summonses issued.

Training was completed and certificates of completion were provided for Juvenile Delinquency & Child in Need of Service investigations, and Multi-disciplinary response to Child Abuse & Neglect. Bachus also received re-certification for Taser Instructor which is valid for two years.

So far in April, activities include new investigations for burglary, criminal mischief, theft and habitual offender which resulted in issued or pending charges against two out-of-town residents. Many hours are being dedicated to these investigations as they are also being charges or have pending charges in at least three other local municipalities.

A final note – reports of theft of Catalytic Converters and personal property from vehicles have increased over the past several months in Orford and surrounding municipalities. Often, keys are being left in unsecure vehicles, as well as purses and other articles of value being left in plain sight. Bachus would implore residents to stay vigilant and ensure your belonging are safe. Adams asked Bachus to send this reminder out on the Orford Listserv.

Old Business

A. Update of Outstanding Projects

- a) Illegal Junkyards – The Selectboard received a letter from Dave Smith regarding work completed over the 2021 spring months, and his plan for work to complete over the summer and fall of 2021. Kling stated his objection to this matter and finds it discriminating as it's addressed towards only one individual.
- b) Hazardous Building Update – No response was received from Mr. Patton regarding the Selectboard inspection of his property. Kling asked why the Selectboard is looking at this property when there are several other locations aren't being discussed such as the Old Academy school building. Should this building have a fence put around it. If property taxes are paid, it's up to property owners do what they like on their property.
- c) FEMA Updates
 1. Sawyer Brook legal notice for bids – Dobbins-Marsh will write up the legal notice and job specs to complete the work on the headwalls around the culvert on Sawyer Brook road.
 2. Town Road #100 – Chase Kling, abutter, reported that Ted Eck (Property owner with an easement for the project) is asking when the Town will be restoring his land to its original condition, and what progress being made on the completion of the bridge installation. Adams will follow up with the construction company to determine when the work will be completed.

B. Broadband Committee Member appointments – Adams chaired the Broadband Committee meeting to discuss the overall scope of work the committee will undertake. In addition to John Adams and Ted Cooley (previously appointed), 10 expressed interest in being committee members.

Motion made by Adams, seconded by Kidder to accept Kathleen Landgraf, Bob Hedges, Lisa Camarra, Fran Plaisted, Jeff Thurston, Ron Smith, Kerry Swartz, Charles Smith, Martha Tecca and Elizabeth Schwendler as members of the Orford Broadband Committee. Motion Passed 2 in favor (Adams, Kidder), 1 abstaining (Kling).

The next meeting will be held on May 13th to elect officers and discuss in greater detail what the survey to the Town residents will include. Adams also attended the Grafton

County Broadband committee – that group is working on an email to towns to get increased participation in their survey. They are also working with a contractor on a plan for the “big picture” of installation of broadband services. The GC Broadband also discussed funding between local, state wide and private donors.

- C. Sand Pit Reclamation update** – Nothing specific to report. Kling feels it’s fine to develop a reclamation plan, but doesn’t think it will be enacted for many years to come.
- D. Review of the Agreement for a Building Permit for Construction of a Building not fronting on a Class V or Class VI road** – The Selectboard reviewed the application. It was thought the access to the Miller property was restricted for logging only – however, Kling said this was not the case. There is a Conservation Easement on the Gould Property (formally owned by Alan Thorndike), but this applies to the Gould property only. The Right of Way (ROW) granting access to the Miller property has no restrictions listed. The ROW allows the Miller property access to North Brook Road (currently named Prettyman Road). Adams stated the Town had received a legal opinion that the ROW doesn’t qualify the property as having frontage on a Class VI road. Furstenberg (representing her sister Jean Gould) said her father Alan Thorndike gave the ROW to Ralph Wright for logging of his property and never intended the ROW to be used as a private driveway. She feels strongly that a ROW doesn’t qualify as an access road per NH State law. Mack (representing Mark Miller) said Alan Thorndike and he upgraded the ROW several times, and agreed to move the ROW location as well. Both these documents are filed with the Registry of Deeds. Mack said the ROW does allow access to the Class VI road and there is no restriction on that ROW. After more discussion between Furstenberg, Mack and the Selectboard, Adams said further examination of the documents and additional research is needed by the Selectboard, specifically if a ROW constitutes access to a Class VI road. Kidder said he’d like more information before deciding. Kling was okay signing the application. The Selectboard agreed to research further and hold a meeting on 05/05/2021 to discuss the permit application, with a final determination at the 05/12/2021 meeting.

New Business

A. Review of received “Notice of Intent to Cut Wood”

Property Owner: George Tullar Jr., #008-089-038, Logger: George Tullar Jr.

Property Owner: George Tullar III, #008-110-010, Logger: George Tullar III

Property Owner: David Bischoff, #001-091-032B, Logger: Bruce Streeter

Property Owner: David Chappell, #001-091-048, Logger: Stephen Shaughnessy

B. Complaints

Additional photos of the property at 709 NH Route 10 were submitted from Tim Cole regarding their yard. Adams said this situation does not meet the State of NH’s definition of an illegal junkyard, therefore is only considered a “junky” yard.

C. Correspondence

Jennifer Hebb sent an email regarding use of the basketball court after 8:00 pm. She identified some of the kids that were using the court after hours and has spoken to them. She’s hoping this will eliminate the problem.

- D. Other - Elderly & Disabled Tax Credit Application** – the Selectboard previously reviewed the application and found complete. *Motion made by Kidder, seconded by Adams to approve the application. Motion Passed 3/0*

Dobbins-Marsh will have the Tax Collector process the deferral and have the application completed for the Selectboard signature April 29, 2021

Manifests, Payroll and Accounts Payable folders

The manifest, payroll and accounts payable folders were reviewed and signed where necessary.

Adjourn

Motion made by Kidder, seconded by Adams to adjourn the meeting. Motion Passed 3/0

The meeting adjourned at 7:28 pm

Respectfully Submitted,

Esther Dobbins-Marsh