

**TOWN OF WALPOLE
MEETING OF THE SELECTBOARD
JUNE 25, 2020**

Selectboard Present: Peggy Pschirrer (Chair); Cheryl Mayberry; Steven Dalessio

CALL TO ORDER: Mrs. Pschirrer called this meeting of the Selectboard to order at 6:30 PM in the Walpole Town Hall. She advised this meeting is being recorded and asked anyone wishing to speak to identify themselves for the record. There were eight visitors in attendance.

PUBLIC BUSINESS:

SALE OF BALLOT COUNTING MACHINE: Mr. Jack Wozmak was present to ask permission to sell one of the two ballot counting machines that they no longer use. Mrs. Pschirrer explained the Selectboard gave approval last year but the prior sale did not occur. Now they have another town that would like to buy the machine that is of no use to us for \$600.

Ms. Mayberry moved to sell the machine to the Town of Stratham for \$600. Seconded by Mr. Dalessio. Mr. Dalessio amended the motion to allow the Moderator to sell the second voting machine to whoever they want to for \$600. Ms. Mayberry accepted the amendment. Mrs. Pschirrer asked if there were any other questions or comments. There were none. (Mr. Vose came into the meeting.) With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion and amendment were approved.

MAP AND LOT #026-014-000 AND TRASH DUMPING: The Selectboard acknowledged receipt of letters from Mrs. Kara Dexter and Mrs. Jazmine Breslend: Photos were previously sent by Mrs. Kara Dexter. She explained that in late April her husband, Peter, noticed a considerable amount of trash in the woods across Route 12 from Aubuchon Hardware and brought it to her attention. She went to the site, no one was there except there was lots of trash. On April 26th, she and her friend backed their truck and trailer down the old railroad bed to do a clean-up. They documented, in pictures and videos, the substantial amount of refuse that appeared to be from someone living there. They filled their trailer to the brim with lots of trash; it took several hours. They spent an hour at the Recycling Center unloading the trailer, weighing everything; the total weight was 897 pounds. She was upset by the complete lack of respect. Therefore, Mrs. Dexter decided to add this location to her list of spots to check frequently. On June 3rd, a few friends informed her that the same person, who had been camped on this site, was back in the same RV as last year. Later that day, she walked down the path to see for herself and recognized the RV seen around town the previous year. There is a generator plus propane tanks, etc. She flagged down a Walpole Police officer who listened to how much litter she had cleaned out of there recently. Mrs. Dexter asked if there was anything they could do about the occupant. She was advised that the Police Department could not do anything because that person was on private property. Over the next couple of weeks she rode by the lot every couple of days and saw the GMC RV parked in the lot nearly every time. She also saw a white car through the trees. Mrs. Dexter was upset because this person is trashing the place, yet the property belongs to the Town of Walpole. What can we do to deter this person from continually trashing what is our land or make him go away? She would like to keep the land open for people to use, but not to trash. Mrs. Pschirrer mentioned that Mrs. Brett Breslend also wrote a letter. Mr. Breslend's first interaction was last year when he brought his dog to the area. H was met by another dog that was snarling at them and there was a guy in the RV, so he left. About a week ago he drove down, could see the trash, parked his truck and walked down. He knew the area had just been cleaned up. The RV was not there, but when he went back to his truck, the RV was in back of his truck. The guy told him rudely to get away from his stuff; Mr. Breslend called the Police so he could exit. The RV had blocked him in. Mrs. Pschirrer explained they are on a section of land that is on the railroad line but it belongs to the Town of Walpole. It is not private land. She talked to the Police today. They know who he is; he has moved around to different places. They discussed what their options were.

One is posting a “No Dumping” sign. This gives the Police the authority to at least fine people. They cannot forbid him from parking on public land at this point. This is an issue because they have discovered people are camping in other locations in Town and have left evidence behind. It is an issue they have to discuss as a group. There are people in Town who want no ordinances that forbid people from camping on public property. Mrs. Dexter does not have a problem with this person camping on this land but does have a problem with his attitude and trashing the area. Mr. Dalessio commended her for her efforts in cleaning-up trash all over Town. He understands the trash issue. But, there was a confrontation and that is a different issue. It is a public way. This person has taken over this entire area that should be open to other people. Mrs. Pschirrer noted it is a common place for people to dump all kinds of trash. Mrs. Dexter said it will be checked regularly. Mr. Shelley asked if there were signs of fire. Mrs. Pschirrer replied one was reported but it was on Reservoir Road. Mr. Shelley said the Walpole Conservation Commission has been discussing this and have talked about no camping areas. Mrs. Dexter is always ready to assist with a clean-up if someone contacts her. People have asked Mrs. Pschirrer why the rubbish containers are no longer on the Common. It is because people were disposing of their trash bags and, at times, the containers were over-flowing. Any ordinance that would be written would have to go to Town Meeting. Signs for “No Dumping” are helpful and it holds people accountable. When camping, it is important to remember that what you carry in, you carry out when you leave. Mr. Dalessio is expecting more issues with homeless people especially with this economy. Mrs. Pschirrer summarized that the Selectboard thank Mr. and Mrs. Peter Dexter, a friend, Paul, and Mr. and Mrs. Breslend for coming in to discuss this problem. They are grateful for all the clean-up that Mrs. Kara Dexter does. Mrs. Dexter stated there are a lot of people in Town that are helping pick-up trash. The Selectboard will keep them informed of what they are able to do.

OFF HIGHWAY RECREATIONAL VEHICLES (OHRV) LAWS: Mr. Lew Shelley has been a member of the Walpole Conservation Commission for 30 years. He is also a concerned resident after seeing increased activity and damage to both roads and private property by Off Highway Recreational Vehicles (OHRV). He is here to present his findings. Class VI (6) roads have always been of interest to him. He spoke about a new property owner who had a UTV they rode late at night. He confronted one individual. He learned from Fish and Game that any ATV is not allowed on any Class VI road in the State of NH unless the Town permits it. There has been an increase with off the road ATVs over the last year. Because of COVID-19 people want to get out. He thinks people are not aware that this is not legal. Mr. Shelley provided the following information.

NH State laws (Chapter 215-A Off Highway Recreational Vehicles and Trails, Section 215-A:6) do not allow any OHRV (Off Highway Recreational Vehicle) use on any road, including Class VI roads, primarily because of safety. This includes all ATVs, UTVs and any other non-registered off highway vehicle. The only exception would be if the OHRV has a special commercial plate when used for agricultural or industrial purposes only and even then they have to meet certain requirements of lighting, reflectors, etc. to be on the road. These plates do not cover recreational or casual use of any kind. Snowmobile clubs are totally different in that they get permission from the towns to use the roads and landowners on private property. Obviously there’s no damage to roads and trails are covered under insurance policies, signed, patrolled, etc.

If a town votes to open their roads including Class VI roads to OHRVs then law enforcement falls the town’s Police Department and not NH Fish and Game. In this area, towns are already stretched thin on officers and enforcement. Adding that additional responsibility of enforcing OHRV laws and landowner issues can be stressful especially when the Police Department must now be equipped with an OHRV equipment, be properly trained, add extra patrols/officers, etc. Mrs. Pschirrer reported they had

complaints about Derry Hill Road; she was told from the Police that it was okay because they were registered. Mr. Shelley feels that somehow the public needs to be educated. Fish and Game has said it is hard to monitor this.

When the Selectboard talked about Derry Hill Road a few meetings ago, Mr. Shelley was reminded that even with registered vehicles there is a way to stop that problem. They can change the road to a Class A Trail. Mr. Shelley pointed out that designating Class VI roads as Class A or B trails is a way to limit certain activities and uses. These are typically used to create trails for certain users while still allowing access for abutting landowners. Class A trails allow such access while Class B trails do not. In most cases Class A trails would make the most sense in Walpole. These designations require a town vote and can always be reversed by another vote in the future. Another option is to permanently discontinue Class VI roads which also requires a town vote. Some sections of roads in Town are beyond repair and would likely cost tens or hundreds of thousands of dollars to repair. Mrs. Pschirrer noted they get a lot of complaints about Whipple Hill Road. She asked Mr. Shelley what roads he would suggest to discontinue. Mr. Shelley mentioned doing some research but would consider Cochran Road to the bottom section in Christian Hollow, Scovill Road down to the Emergency Lane, and lower end of Merriam Road.

Travel on private property requires the permission of the landowner.

There are other laws that relate to age restrictions, driver's licenses, speed limits, crossing streams and wetlands, etc. All of these regulations may be seen in the Chapter 215-A NH laws related to the subject. Any person violating the provisions shall be guilty of a violation for the first offense and shall be guilty of a misdemeanor for any subsequent offense.

Over the next many months, the Conservation Commission will work with the Selectboard to help educate and monitor OHRV use in town with an eye on potential Class VI roads that could be designated for limited uses.

Mr. Dalessio pointed out that more appropriate signage is needed throughout Town. Mrs. Pschirrer summarized that the Selectboard will continue to work on how they will deal with several issues that have recently been brought to their attention.

NON-PUBLIC SELECTBOARD SESSION:

Mr. Dalessio moved to enter into a Non-Public Selectboard Session pursuant to RSA 91-A:3 II to discuss (a) Personnel, (b) Hiring and (c) Reputations. Seconded by Ms. Mayberry. Mrs. Pschirrer asked if there were any questions or comments. There were none. On a roll call vote with Mr. Dalessio, Ms. Mayberry and Mrs. Pschirrer in favor, the motion was approved at 7:25 PM.

The regular Selectboard meeting resumed at 8:16 PM.

Mr. Dalessio moved that the Minutes of the Non-Public Selectboard Session of June 25, 2020, will be sealed. Seconded by Ms. Mayberry. Mrs. Pschirrer asked if there were any questions or comments. There were none. With Mr. Dalessio, Ms. Mayberry and Mrs. Pschirrer in favor, the motion was approved.

ACCOUNTS PAYABLE:

Ms. Mayberry moved to accept the Accounts Payable Check Register in the total amount of \$412,633.88 for checks issued June 26, 2020. This amount includes three payments to Walpole Fire District Capital Reserve funds of \$175,000 for heavy equipment, \$75,000 for building renovations, and \$75,000 for

Walpole Fire District Operating Expenses. Seconded by Mr. Dalessio. Mrs. Pschirrer asked if there were any questions or comments. There were none. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion was approved.

PAYROLL:

Ms. Mayberry moved to accept the Payroll Check Register for the week ending June 20, 2020, in the amount of \$29,021.40, for checks issued June 26, 2020, and the electronic fund transfer for the 941 Employer Taxes in the amount of \$5,617.72. Seconded by Mr. Dalessio. Mrs. Pschirrer asked if there were any questions or comments. There were none. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion was approved.

SELECTBOARD MEETING MINUTES:

SELECTBOARD MINUTES – June 18, 2020: Ms. Mayberry moved to accept the Minutes of the Selectboard meeting of June 18, 2020, as submitted. Seconded by Mr. Dalessio. Mrs. Pschirrer asked if there were any questions or comments. There were none. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the Minutes were approved.

NON-PUBLIC SELECTBOARD SESSION – June 18, 2020: Ms. Mayberry moved to accept the Minutes of the Non-Public Selectboard Session of June 18, 2020, as submitted. These Minutes will remain sealed. Seconded by Mr. Dalessio. Mrs. Pschirrer asked if there were any questions or comments. There were none. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the Minutes were approved.

COMMITTEE REPORTS:

The Selectboard acknowledged receipt of the following Committee reports:

- Hooper Institute Board Meeting – June 3, 2020;
- Zoning Board of Adjustment Meeting – June 17, 2020.

OLD BUSINESS:

Walpole Pool Opening Proposal: Kraig Harlow and Justin Cassarino had submitted the Walpole Pool Opening Proposal with new procedures and set-up.

Ms. Mayberry moved to approve the Walpole Pool Opening Proposal. The middle block of pool time will be available for residents of Walpole and non- residents of Walpole. Seconded by Mr. Dalessio. Mrs. Pschirrer asked if there were any questions or comments. There were none. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion was approved.

Discretionary Easement for Hooper Golf Properties LLC: This was discussed at the last Selectboard meeting. The Selectboard signed the PA-36 form at this meeting. It will be recorded with the Easement Deed that is to be created by the property owner.

Letter from Zoning Board of Adjustment re: Feather Flags: The Selectboard received a letter from the ZBA in reference to the Selectboard’s letter of April 23rd. The feather flags have been removed by the Jiffy Mart. ZBA members are still concerned about the flags and have requested the Selectboard write a letter to every business displaying a feather flag that they are in violation of the regulations. Mr. Dalessio requested that the Selectboard table this until the meeting next week. Ms. Mayberry and Mrs. Pschirrer agreed to do so.

Hitching Post Area by Walpole Grocery: Mrs. Pschirrer advised that the Warranty Deed to Burdicks and Burns property was found. Mrs. Downing is continuing the research to find the survey. This will remain on the agenda for next week.

NH DOT Pavement Markings at Church and Killeen Streets. The Selectboard discussed their observations of the NH Department of Transportation (DOT) pavement markings at Church and Killeen Streets in North Walpole. There was a consensus to wait until the bridge project is finished before talking with the NH DOT about the markings.

Central Plating Brownfields Site Update: Mrs. Pschirrer reported that Ransom Consulting was in Town last Tuesday. They started disposing of some items left in the red building. The two mowers were offered to Mr. Rau and Mr. Hoy. There are still filing cabinets and two tables with chairs, etc.

Broadband Update: Mrs. Pschirrer and Mr. Paul Looney attended the Town of Langdon Select Board meeting and discussed their Broadband project. The Select Board was appreciative of their information.

Pending Further Actions:

The following items will remain on the pending Agenda list:

- Recreation Area Parking Lot: Lot Line Adjustment and Deed with Letter;
- Town Deeded Properties;
- Houghton Brook Fish Ladder;
- Mill Pond Beaver Activity;
- NH DOT New Arch Bridge Lighting (no agreement has been received).

NEW BUSINESS:

Police Revolving Fund Request: Mr. Dalessio moved to accept the purchase order from the Walpole Police Department to purchase (6) Gas Masks with Canisters for the total sum of \$1,800.00 to be withdrawn from the Walpole Police Revolving Fund. Seconded by Ms. Mayberry. Mrs. Pschirrer asked if there were any questions or comments. There were none. With Mr. Dalessio, Ms. Mayberry and Mrs. Pschirrer in favor, the motion was approved.

Mr. Dalessio noted this is protective gear for the Police Department.

Pole Licensing Agreements: Mr. Dalessio moved to accept and sign three Consolidated Communications Pole Petition and Licensing Agreements as approved by the Road Agent. Seconded by Ms. Mayberry. Mrs. Pschirrer asked if there were any questions or comments. There were none. With Mr. Dalessio, Ms. Mayberry and Mrs. Pschirrer in favor, the motion was approved.

RECESS SELECTBOARD MEETING:

Mr. Dalessio moved to recess this Selectboard meeting. The Selectboard will enter into a meeting as the Hooper Trustees. Seconded by Ms. Mayberry. Mrs. Pschirrer asked if there were any questions or comments. There were none. With Mr. Dalessio, Ms. Mayberry and Mrs. Pschirrer in favor, the motion was approved at 8:40 PM.

The regular Selectboard meeting resumed at 8:43 PM.

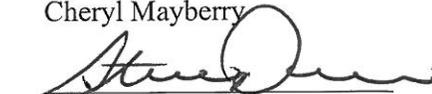
ADJOURNMENT:

Mr. Dalessio moved to adjourn this Selectboard meeting. Seconded by Ms. Mayberry. Mrs. Pschirrer asked if there were any questions or comments. There were none. With Mr. Dalessio, Ms. Mayberry and Mrs. Pschirrer in favor, the meeting was adjourned at 8:44 PM.

Respectfully submitted,
Regina Borden, Recording Secretary


Peggy L. Pschirrer, Chair

Cheryl Mayberry


Steven Dalessio

(Note: These are unapproved Minutes. Corrections will be found in the Minutes of the July 2, 2020, Selectboard meeting.)