

TOWN OF ALLENSTOWN
Selectboard Meeting
16 School Street
Allenstown, New Hampshire 03275
December 02, 2019

Call to Order

The Allenstown Selectboard Meeting of December 02, 2019 was called to order by Chair Ryan Carter at 6:10 pm.

Chair Carter called for the Pledge of Allegiance.

Roll Call

Present on the Board: Sandy McKenney, Maureen Higham, Ryan Carter

Allenstown staff: Derik Goodine, Town Administrator

Citizens' Comments

None.

Regular Agenda

▪ **Tax Abatements and Agreements**

Mr. Goodine referred to four Bear View Crossing properties which they want to demolish. They were owned by Holiday Acres or are in foreclosure. Bear View Crossing, he said, wants the town to abate the property taxes owed, and they have requested a revision of the agreement. The Town Attorney had drafted language saying that the property is transferred as is, with no representation of warranty whatsoever of title, position or possession. Bear View Crossing wants more time to remove the mobile homes or to pay one dollar to tear them down, claiming that 30 days is not enough for an asbestos mitigation study and to get the work done. They are asking for 60 days. They will have to subcontract the work.

Ms. McKenney asked if this is for all of the properties or just these four.

Mr. Goodine said it is for all properties.

Ms. McKenney said that they have had 30 days already. She asked if they now need more time.

Mr. Goodine said yes. He said we don't care about the time because we don't want these properties. That is why the town would sell them for one dollar. Continuing, he said that the agreement language used to say that the mobile home park or cooperative will hold the town harmless from improper or unlawful removal or disposal. Bear View Crossing's attorney want to add language to this saying the town will be held harmless unless the claim is due to a defect in the town tax deed process. This means the town would be responsible if it made an error in the deeding process.

Ms. Higham asked if Town Attorney Somers prepares the deeds.

Mr. Goodine said they have standard wording and he fills in the details for each property.

Chair Carter asked why they want the taxes abated.

Mr. Goodine said they want to rip out the existing mobile home and put in a new mobile home. He said the town will never receive the unpaid taxes.

Chair Carter asked why Bear View doesn't have to pay the taxes if they foreclosed on the property.

Mr. Goodine said the town does this to get a new mobile home on the parcel, and thus more tax income. This eliminates the two-year deeding process.

Ms. McKenney said that without agreements, she is not going to sign. She said they have always had agreements.

Chair Carter said that this is not deeding, nor is it a payment agreement. He reported that the consensus of the Board is that Mr. Goodine prepare wording for an agreement that a new mobile home will replace the one being demolished.

- **Purchase of Former Rail Road Land – Map 114 Lot 001 and Map 115 Lot 001**

Mr. Goodine stated that the Parks & Rec Capital Reserve Fund was repurposed last year to allow for the purchase of land for recreation facilities, which is what the town needs in order to provide more recreation. He said that the BOS members are the agents for disbursement of monies from the fund. It was funded with \$10,000 last year and had an existing balance of \$9,400. The town has an opportunity to purchase two parcels of land, which are part of former Railroad land. One parcel is \$8,900 and the other is \$5,700, for a total of \$14,600. He said that the trails are very popular and connect on one end with the Pembroke Rail Trail and with the Hooksett Rail Trail on the other end. They have had the support and guidance of the Central NH Regional Planning Commission on this project, and they are very enthusiastic about this Rail Trail expansion.

Chair Carter stated that they would be spending \$14,600 to buy two lots in the woods. There is \$19,400 of taxpay money in the fund.

Mr. Goodine said they were proposing the addition of \$20,000 this year from the Undesignated Fund Balance. For development of the trails, he said, they could apply for grants to develop the trails.

Chair Carter asked if the grants would pay all of the expense of the trail development.

Mr. Goodine responded that he didn't know, but it would probably be between 20% and 50%.

Chair Carter asked if this is a trail no one lives on.

Mr. Goodine said that was correct.

Chair Carter asked if the town would have to maintain the trail.

Mr. Goodine said yes, if it washes out in the summer. He said that when they connect with Hooksett, there could be snowmobiles on the trail in the winter, which helps to pack it down.

Ms. Higham said that one of the presenters told them he could walk the trail now.

Ms. McKenney said the town would decide whether or not snowmobiles would be allowed, because these trails are designated for non-motorized vehicles.

Chair Carter asked if these lots were on the riverfront.

Mr. Goodine said they are not, but are close.

Chair Carter said his problem is he knows of a road on which 15 families live with their children. He said that \$14,000 could renovate the road, which has been a problem since the middle of the 1990's. No action has been taken. One half of the road is not plowed, and if this is not done by tomorrow morning, people might not be able to go to work to feed their kids. In good conscience, he said, he could not spend \$14,000 on land to nowhere that the town is going to have to maintain when we tell people here in town who probably contributed to that fund that we can't maintain their road. Addressing the other Board members, he said, good luck. You guys can do what you want.

Ms. Higham addressed Chair Carter, saying that, with all due respect, there have been a lot of meetings when he wasn't present when they heard from people who support the project. She said he didn't hear all of the facts about the trail from the people in town who want it.

Ms. McKenney also addressed Chair Carter, saying that she understands where he is coming from. The road has been an issue for many years, she said, and she sympathizes with the people living there, but if we can't do it, we can't.

Chair Carter said all we have to do is vote next week to accept that road as a public road. The expense for the trail would be \$14,000 now and \$20,000 later to develop and maintain it.

Ms. McKenney said the road is in terrible condition. For the trail, there are grants available, and clubs will probably help. Also, she said they do not have to spend the money next year.

Ms. Higham said the trail is for the greater good of the community.

Chair Carter said he can't vote for this and look people in the eye. The trail would be good for the town, he said, but there are far greater needs.

Ms. McKenney said that there are lots of needs on the back burner.

Chair Carter said they should be on the front burner. He said that there are other roads that could be developed as well. And there might be land the town already owns for trails.

Mr. Goodine said they could not be connected to the Rail Trail. He added that the Parks & Rec funds can't be used for the private road issue.

Ms. Higham made a motion to authorize the acquisition, by the Town of Allentown from Vera B. Buck, Betty Gail Fifield and Vernon Christopher Hipkiss, Successor Trustees of the Lucille A. Ladd 2004 Revocable Trust, of two (2) certain parcels of land, with the buildings thereon, if any, known as: (1) Tax Map 114, Lot 1 containing 2.70 acres, more or less; and (2) Tax Map 115, Lot 1, containing 1.44 acres, more or less, both situated off Main Street, in the Town of Allentown, New Hampshire, as further described in a deed dated January 10, 2019 and recorded in the Merrimack County Registry of Deeds at Book 3620, Page 1164. This transfer follows the requirements of RSA 41:14-a, including but not limited

to a referral to the Planning Board for review and recommendation, two properly noticed and timed public hearings and a properly timed vote by the Board of Selectmen to acquire the above referenced parcels of land. The authorization of these transfers is conditioned upon the successful negotiation of a purchase and sale agreement for the purchase price of \$14,600.00 and which shall contain such other terms and conditions that are in the best interest of the Town. Ms. McKenney seconded the motion. Chair Carter called for a vote on the motion, Higham Aye, McKenney Aye, and Carter Nay. Motion approved 2 to 1.

Non-Public Agenda Items

None.

TOWN ADMINISTRATOR'S REPORT

None.

CONSENT CALENDAR, MINUTES AND MANIFESTS

Ms. Higham made a motion to ratify the Consent Calendar of December 2, 2019. Ms. McKenney seconded the motion, which carried unanimously.

Ms. Higham made a motion to approve the minutes of the November 18, 2019 public session. Ms. McKenney seconded the motion, which carried unanimously.

Ms. Higham made a motion to approve the minutes of the November 18, 2019 non-public session. Ms. McKenney seconded the motion, which carried unanimously.

Ms. Higham made a motion to approve the Payroll and Accounts Payable manifests listed on the December 2, 2019 meeting agenda. Ms. McKenney seconded the motion, which carried unanimously.

Ms. McKenney made a motion to adjourn at 6:59 pm. Ms. Higham seconded the motion, which carried unanimously.

**TOWN OF ALLENSTOWN
SELECTBOARD
PUBLIC MEETING MINUTES
DECEMBER 02, 2019**

SIGNATURE PAGE

Original Approval:	
RYAN CARTER, Chair	DATE
SANDRA MCKENNEY, Vice Chair	DATE
MAUREEN HIGHAM, Member	DATE

Amendment Approvals:		
Amendment Description:	Approval:	Date:
<div style="font-size: 48px; opacity: 0.3; transform: rotate(-15deg); pointer-events: none;">DRAFT</div>		
	RYAN CARTER, Chair	DATE
	SANDRA MCKENNEY, Vice Chair	DATE
	MAUREEN HIGHAM, Member	DATE