

Board of Selectmen  
Meeting Minutes  
July 21, 2020

Present: James C. Bailey III, Chairman; John P. Stohrer, Selectman; David J. Rogers, Selectman; Laura Buono, Town Administrator.

In Attendance: Tara Cederholm, Elizabeth Stark, Mike & Jen Walker, EB Chamberlain, Ian Royal, Bryan Beebe, Cyndy Mathews, Bill Collins, Steve Blanchette, Mary Rogers, Todd & Carol Pontious, Anne Poole, Alan Dobrowski.

**1. OPEN SESSION**

Alan Dobrowski – Mr. Dobrowski said there have been two Brownfield monitoring wells taken off his property with one remaining. He also brought forward copies of the Town’s Code entitled “Sunday Activities” which was adopted in 1932 and referred to it as Hillsborough’s Noise Ordinance. The Code doesn’t cover noise or nuisances but it does cover activities which are allowed on Sundays and is basically outdated and should probably be rescinded. Mr. Dobrowski also said he would like to see the Economic Development Committee work on bringing more business to Hillsborough.

Brian Beebe – Mr. Beebe brought up the noise ordinance the Selectmen are working on in conjunction with issues he is having with a couple of his neighbors. He said he owns 5.2 acres and when they ride their dirt bikes and quads on the property, neighbors report them to the police. A discussion took place with regard to riding on private property, NH guidelines on altered equipment, etc. It was pointed out that a Noise/Nuisance Ordinance will cover various issues and is not targeting OHRVs. Mr. Beebe was told that once the Selectmen complete work on the draft Noise/Nuisance Ordinance, a public hearing will be held and residents will be allowed to speak on the Ordinance.

Bill Collins – Mr. Collins brought in a short video clip that was taped in the Town of Gorham and showed how life has been disrupted near the trailhead in that Town that was put in around 2013. Mr. Collins also showed two short recordings of UTVs going by his house so the Board could hear how they sound.

Tara Cederholm – Ms. Cederholm read a letter into the minutes with regard to how she, and 21 other people whose names were typed at the end of the letter, would like to see the Selectmen proceed with an OHRV Ordinance. The letter as presented is attached to these minutes.

**2. OTHER BUSINESS**

COVID-19 Travel Guidance – Ms. Buono brought forward Travel Guidance for employee as was distributed by the NH Division of Public Health Services which outlines Travel and Quarantine Guidance (14 days) for employees returning to work after traveling outside of the New England States both national and/or international. Ms. Buono asked the Board to approve the adoption of this guidance as an employee policy. The Board reviewed the document and briefly discussed it as to whether or not employees will be able to use earned sick time once the initial 80 hours under the Family Medical Leave Plan for COVID is exhausted or if they will be required to use vacation time. Selectman Rogers said the State employees are able to use whatever earned time they want including sick time. The Selectmen agreed to allow employees to use whatever time they would like to make up the hours if they want to be paid for them. Chairman Bailey moved to adopt the NH Division of Public Health Services Travel and Quarantine Guidance as discussed. Motion was seconded by Selectman

Stohrer. A vote was taken. Motion passed unanimously. Ms. Buono will type up the policy for the Board to sign.

Downtown Decorations – Selectman Rogers said he was attending a Lions Club Meeting and the downtown Christmas decorations were discussed. He said the Club is moving toward having the Town take over decorating the downtown and doing away with the snowflakes that have traditionally been put up. Selectman Rogers said there is some concern with the stability of the lampposts and after a brief discussion, Ms. Buono said she would ask Scott Yeaton to check the condition of the lampposts out and let her know the status. Ms Buono said she would like the Town to take over the decorating of the downtown in conjunction with the Lions Club and liked the idea of replacing the snowflake with wreaths. Selectman Rogers will bring this information back to the Lions Club for further discussion.

### 3. LONG-TERM PROJECTS

Manahan Boat Dock – Chairman Bailey said he and the engineer didn't get a chance to meet last week but will be touching base next week with regard to the DES application.

### 4. MANIFEST MOTION

Chairman Bailey moved to authorize the Selectmen to sign manifests and order the Treasurer to sign Payroll Check numbers 15963 - 15995 a/k/a Vouchers 29 & 30 in the amount of \$159,250.93 (includes 127 direct deposit stubs) and Accounts Payable Check number 023382 – 023464 a/k/a Voucher 24 in the amount of \$562,676.24. Motion was seconded by Selectman Rogers. A vote was taken. Motion passed unanimously.

\*\* A/P Checks include amounts payable to the Trustees of Trust Funds to be deposited in various CRF's.

### 5. CONSENT AGENDA

Chairman Bailey moved to approve the Consent Agenda for July 21, 2020. Motion was seconded by Selectman Rogers. A vote was taken. Motion passed unanimously.

- Federal & State Forest Land Reimbursement to Towns and Cities
- PA-28 Form for Department of Revenue
- Veterans' Tax Credit – Map 3 Lot 4

### 6. APPROVAL OF MINUTES

Chairman Bailey moved to approve the Meeting Minutes for July 7, 2020 as written. Motion was seconded by Selectman Stohrer. A vote was taken. Motion passed unanimously.

### 7. NONPUBLIC SESSIONS

- (a) Chairman Bailey moved to go into nonpublic session at 7:02 p.m. under RSA 91A:3II (c) reputation. Motion was seconded by Selectman Rogers. A roll call vote was taken. Chairman Bailey – yes; Selectman Stohrer – yes; Selectman Rogers - yes. Motion passed unanimously.

In attendance: Chairman Bailey, Selectman Stohrer, Selectman Rogers, Town Administrator Laura Buono.

Ms. Buono discussed a resident's property tax status with the Board. The Board discussed the circumstances and formulated a plan and authorized Ms. Buono to meet with the property owners to review it with them.

Chairman Bailey moved to come out of nonpublic session at 7:24 p.m. Motion was seconded by Selectman Rogers. A roll call vote was taken. A roll call vote was taken. Chairman Bailey – yes; Selectman Stohrer – yes; Selectman Rogers - yes. Motion passed unanimously.

(b) Chairman Bailey moved to go into nonpublic session at 7:25 p.m. under RSA 91A:3II (e) legal. Motion was seconded by Selectman Stohrer. A roll call vote was taken. Chairman Bailey – yes; Selectman Stohrer – yes; Selectman Rogers - yes. Motion passed unanimously.

In attendance: Chairman Bailey, Selectman Stohrer, Selectman Rogers, Town Administrator Laura Buono.

Ms. Buono informed the Board of a request that came from a local law firm that was forwarded to our property liability company.

Chairman Bailey moved to come out of nonpublic session at 7:30 p.m. Motion was seconded by Selectman Rogers. A roll call vote was taken. A roll call vote was taken. Chairman Bailey – yes; Selectman Stohrer – yes; Selectman Rogers - yes. Motion passed unanimously.

**8. ADJOURNMENT**

Chairman Bailey moved to adjourn at 7:31 p.m. Motion was seconded by Selectman Rogers. A vote was taken. Motion passed unanimously.

A true record.

Laura Buono  
Town Administrator

Approved by:  
Hillsborough Board of Selectmen

Date: \_\_\_\_\_

\_\_\_\_\_  
James C. Bailey III, Selectman

\_\_\_\_\_  
John P. Stohrer, Selectman

\_\_\_\_\_  
David J. Rogers, Selectman

July 20, 2020

Hand Delivered

The Selectboard  
Town of Hillsborough

To the Hillsborough Board of Selectmen,

We have learned that the Board is considering the possibility of enacting an ordinance concerning the use of Utility Terrain Vehicles (UTVs) on Hillsborough town roads. The Board previously had authorized them with a policy announced in 2016. As you may recall, a number of us participated in opposing the 2018 effort by a Bradford ATV Club to open certain roads in town to ATV traffic.

The 2016 policy was not well publicized either at the time it was adopted or at present and there have been questions raised about whether it is enforceable. It appears that maybe the intent of the Board in 2016 was to assure those who use UTVs to perform farm work or access timberlands, or go hunting and fishing, or visiting a neighbor or going down to the mailbox, that driving a UTV to do that would not subject the operator to police enforcement. But there are many variations of UTVs being marketed and the rules for what is road worthy and how they might be safely operated in harmony with existing vehicle traffic, and how to address other landowner concerns all need to be well understood and clarified.

To adopt an ordinance allowing OHRVs on roads, the Board would need to hold a duly noticed public hearing under RSA 215-A:6, IX. In addition, the law seems to say that the Board would need to give actual notice to the abutters of the roads where the ordinance allowed the UTV OHRVs to be operated.

In this time of pandemic holding a possibly contentious public hearing would be a complicated and potentially risky thing. Many parties with an interest in the outcome might be unwilling to attend for fear of health risk.

We would at this time like to express our support for the Board doing the following:

- a. Clarify and make public the 2016 policy. This helps the police and the public understand what is permitted and what is not permitted.

b. The Board should make sure that the police department has clearer guidance regarding enforcement and hopefully the public (both land owners and UTV operators) will see more attention paid to enforcement with publicity about their efforts.

c. The Board should initiate a process where an ordinance gets drafted over the fall and winter with input and participation from people (a balanced working group of voters, property owners and other stakeholders) and a process set up to have a hearing late next spring or summer, assuming it can be done safely.

To be sure, we do not support the immediate adoption of an ordinance regarding UTVs or ATVs one way or the other. We also do not think this is a town meeting issue and while there are certainly legitimate concerns about what happened in 2016 we do not at this time wish to rehash whether the 2016 policy was correct or properly done.

Thank you for your consideration of our views and for your work and effort for the people of the town.

Sincerely yours,

/s/

Peter C.L. Roth	Cheryl Houston	Sally Blauch	Ethan Zohn
Elizabeth Stark	Richard McNamara	Fred Blauch	Lisa Heywood Zohn
Tara Cederholm	Wendy Roworth	William H. Collins	Samuel Stark
KC Cederholm	John Roworth	Janice M. Collins	Martha Stark
Dan Hingston	Emily Wrubel	Susan Shamel	
Barbara Hingston	James McDonough	Roger Shamel	