

**Town of Nelson
Selectmen's Meeting
2:00 PM**

June 22, 2022

Executive Board Attending: Brenna Kucinski, Maury Collins, Al Guida, Edie Drinkwater, Admin. Assist.

Others attending: M. Tarr

Site Visit: D. Upton property on Center Pond Road

Others present: D. Upton, D. Hazelwood

At 2:00 PM Brenna Kucinski opened the June 22, 2022 meeting of the Nelson Select Board.

At 2:02 PM Brenna moved to recess the meeting to attend a site visit at property owned by D. Upton on Center Pond Road.

Al seconded.

The motion carried 3-0.

Site Visit Minutes June 22, 2022

The Board consisting of Brenna Kucinski, Maury Collins and Al Guida, along with Mike Tarr met with David Upton regarding his complaint that the town had buried a stone wall on his property due to grading and plowing of Spaeth Road. A neighbor, Dave Hazelwood was also present. According to Mr. Upton Mr. Hazelwood had better recollection regarding the condition of the road and subsequent changes over the years.

The Board reviewed the area and listened to David Upton's belief that his property line had been changed due to widening of the road over time. Al Guida asked him if the road was better now as it was only a foot path years ago. He agreed it was but contended it was widened in excess. It was obvious that his property line in this area is below the slope and runoff would be a fact of nature. He also believes that the northwest corner pin to his property is now buried in the roadway.

He reported that the last time the wall was obvious was 25 to 30 years ago. His neighbor attested to the fact that at one time a wall had been evident. Al Guida asked if the boundary line was really the issue or whether there was more to it.

Mr. Upton also complained that some of the trees had died along the roadway. Mike Tarr was given permission by Mr. Upton years ago to cut the trees and deliver them to him for firewood. Mr. Upton had removed a significant portion of the wall himself in this area to access a landing for the wood.

Mr. Upton insists that the town remove any dirt that has flowed downhill onto his property, expose the pin buried in the road, and uncover the buried wall.

The Board was skeptical of his beliefs and requested remedies, but agreed to take it under advisement and get back to him with a decision at a later date.

At 2:37 PM the Board returned and reconvened their regular meeting.

- Following a review and discussion of their site visit, the Board unanimously agreed that Upton did not provide compelling evidence of a stone wall on his property that has been buried by the Town's Highway Department over a 25-30-year period. No photographs, surveys indicating stone walls, or other forms of documentation were provided by Upton. It was noted that Upton, at some point, had removed part of a stone wall in that area to create a landing for firewood.

The Board agreed to send a letter to Upton advising him of their conclusions based on what they viewed at the site visit.

- It was brought to the Board's attention that the "Food Pantry" at the church is under utilized and may be due to the lack of open hours. It has been requested that a small "Food shelf" be placed in the Town Hall/Library entrance during Library hours. This will be stocked by volunteers and the food is free to anyone in need.

Maury made a motion to approve the space for the "Food Shelf" to be available during regular open hours of the Library.

Brenna seconded.

The motion carried 3-0.

- Maury made a motion to approve the minutes for June 15, 2022.

Brenna seconded.

The motion carried 3-0

- Maury made a motion to approve the manifest for June 22, 2022 as presented.

Brenna seconded.

The motion carried 3-0.

- Maury made a motion to approve a Building Permit for R. Lenox for the installation of a roof mounted Solar array.

Brenna seconded.

The motion carried 3-0. Solar exemption application form will be sent to property owner.

- Brenna made a motion to approve a Building Permit for J. Newcombe for the installation of a roof mounted Solar array.

Maury seconded.

The motion carried 3-0. Solar exemption application form will be sent to property owner.

- Maury made a motion to approve the Report of Cut and Certification for J. Putzel.

Al seconded.

The motion carried 3-0.

- Maury made a motion to approve the final contract with Bergeron Construction for repairs to the safety building.

Al seconded.

The motion carried 3-0.

- Maury made a motion to approve the annual "Dog Warrant" of unlicensed dogs in Nelson. (only two dog owners remain in violation)

Al seconded.

The motion carried 3-0.

- Maury agreed to draft a letter to J. Duesenberry to thank him for his bid submission for the safety building repairs and advise him of the award to a lower bidder.

- Brenna made a motion to advise the DRA that The Town of Nelson will not be using Form PA-28 (Inventory of Property) for 2023 FY.

Maury seconded.

The motion carried 3-0.

- Brenna made a motion to approve a change order for repairs to the West Shore Road Bridge regarding the anchor system for the guardrails.

Al seconded.

The motion carried 3-0.

- The Town Buildings Committee is currently considering future projects including additional solar arrays. One location under consideration by the committee is the Town Hall roof. The Selectmen have many concerns about this location and agreed to draft a letter to the TBC encouraging them to seek an alternate location with long term possibilities for expansion including the Town's property located behind the Highway Barn.

- Brenna, having noted the extensive work done to improve the condition of the Colonial Garden, suggested the Board look at the improvements and reconsidered its previous ruling to relocate the garden. If agreed the following conditions could be presented to the Agricultural Commission: Leave the garden in its present location, add a rock barrier along the foundation of the building, no plants against the building, fence may be used on three sides but not on the building side, the area must be kept clean and well maintained. These terms would be for a period of one year only. After one year the project would be re-evaluated. Al and Maury agree to view the garden before deciding.

- Brenna reported that at the last meeting of the Conservation Commission an agreement was made to share the cost of the signs that indicate the location of trail parking off Old Stoddard Road. The Trails Committee, the Conservation Commission, and the Select Board will split the cost 3 ways.

In a discussion of the possible closure of a section of Nubanusit Road in Nelson (non-maintained portion leading thru Harrisville to Hancock) there was some conjecture that the Dellagrecas are in favor of the road closure. The section of road being considered is next to their home. Brenna will contact them to find out their feelings about the proposal.

- Following a brief discussion with the Board, Maury Collins resigned his position as Selectmen and left the meeting.

- Brenna made a motion to accept his resignation that is to take effect immediately.

Al seconded.

The motion carried 2-0.

● Following a discussion of options, Brenna made a motion to appoint Mike Blaudschun as Selectman if he is willing to accept the position.

Al seconded.

The motion carried 2-0.

Brenna agreed to speak to Mike and if he agrees he can be sworn in by the Town Clerk when she opens in the morning.

● With nothing further, Brenna made a motion to adjourn.

Al seconded.

The motion carried 2-0.

Meeting Adjourned 4:26 PM

Next meeting July 6, 2022 at 3:00 PM.

For June 22, 2022

Brenna Kucinski, Chair

Maury Collins, Selectman

Alexander Guida, Selectman