

BOARD OF SELECTMEN MEETING
August 22, 2023
MINUTES

Present: Shawn Talbot (Chair), Jason Somero, Lou Alvarez

Others in attendance: Steve Beaulieu, Jay Hopkins, Ron Stanley, Peter Somero, Jane Elwell, Ray Holmes, Ollie Niemi, Roger Somero, Don Poirier, Tammy Hannu, Lance DePlante, David Keurulainen, Bob Fasanella

5:00 Open Meeting with the Pledge of Allegiance

5:05 Fireworks Ordinance:

Present: Gary Somero (Fire Chief) and Mike Abel (Police chief)

Shawn stated we are discussing if there is a need for a permit because a lot of towns don't require one and what the value is for having one. Jason had done research and found most towns in New Hampshire don't require them. Chief Abel said he feels the permitting process pertains more to the Fire Department (the permits go to the Fire Chief first). The permittee is informed of the laws and rules regarding fireworks at the time of the request. It also allows the Fire Chief to let permittees know if there is a high fire danger on the date of the display.

Chief Abel continued by saying on the PD side, it's a time saving document because if there is a complaint, they can quickly look at the list to make sure they have a permit versus trying to find out where the display is coming from, if the weather conditions permit the display which all takes time. He also feels if the resident has a permit and they are aware of the rules, etc., it tends to make people behave better. He added if there is a permit required and a resident is lighting a display without one, a fine can be issued which goes directly to the Town. It's much easier to manage the complaint when there is a permit in place. Jason said the State RSA can be cited that allows fireworks. Jason asked if there has ever been a fine issued. Chief Abel replied there hasn't.

Jason said there are so many rules that make law abiding citizens not be law abiding citizens. There are already State laws in place so we shouldn't need Town ordinances to say the same thing.

Chief Somero added if there is a commercial display such as Hillfest, there is a whole different set of rules and it comes under the Fire Marshall's purview so the Fire Department can work with them. He added it's much better to know where residents are doing displays so they don't have to go chase things down.

Jason said most towns in New Hampshire don't have permits for fireworks and that was why he questioned us requiring it. The State has rules so we shouldn't have to have a permit.

Chief Abel said he likes the process because it's an easy reference if someone complains and the resident gets the education about safe fireworks when they apply for a permit. He doesn't think anyone should be prohibited from having a permissible display and wouldn't hinder anyone from getting one.

Chief Abel asked how we got to the point of having a fireworks ordinance, he assumed something was a catalyst for it.

Jay Hopkins said we all know when 4th of July is, plan ahead and get your permit. Lou said his concern is the resident wouldn't be educated on the safety factors if a permit wasn't required. Jason thinks we should remove the layer of bureaucracy from people's lives.

The fee of the permit was discussed. Chief Abel said he feels the fee is irrelevant. The fees collected from permits every year could be waived because it doesn't add up to much. Almost everyone agreed.

Jason made a motion to rescind the Permissible Fireworks Ordinance. Shawn seconded the motion for the point of discussion. He added he is not ready to rescind the ordinance. The motion failed 1-2.

5:33 Memorial Day Committee Discussion:

Jason stated he asked Ollie to come in to discuss the future of the committee. Don stated he's been working the parade for over 20 years. Ollie added Carl Toko and Bruce Aho have done an amazing job with the grave markers of the veterans.

Steve asked what the committee does. Don replied they usually start around April with trying to get Veteran's to participate in the parade, arrange the band, chorus, etc. He added there are a lot of Veteran's in town but not many participate in the parade.

Jason asked to hold a special meeting for the committee. Don suggested to put the word out and have a meeting during the winter.

Peter Somero asked how many meetings it usually takes. Don replied 2 or 3 because they're so used to planning it. Ollie said he usually meets with the music director early in the year for planning purposes. Roger said the earlier it can be organized, the better. Ollie stated the Keene band already has the town scheduled every year. Peter added it would be good if we could get more people to watch the parade also.

Don suggested we post this in stores, the website, etc...as many places as possible. Chief Abel suggested using the list of people who receive the Veterans Tax Credit to recruit. Tammy added we should put it on Facebook. Ollie said to put it in the Town Report. Shawn added the BOS can put the word out at the Budget Hearing, Deliberative Session and the March vote to generate interest. It was also mentioned to get the art department involved to make posters or flyers. Jason suggested Debbie and Susan post something on the website to see if there is any interest.

Jason added there is also a Patriotic Purposes budget and wondered who was in charge of it. Ollie said the Memorial Day Committee was.

Tammy said she would be happy to help out. She will put the word out to her homeschool group.

Shawn thanked everyone for coming in and for their service. Ollie gave Shawn a packet of information pertaining to the committee.

6:05 Fire Chief:

Chief Somero stated Village Mobil asked what the fee is for a sign permit. There is nothing on the Building Department fee schedule. Gary added they want to put illuminated signs on their pumps. Gary has looked at the Zoning Ordinance and the signs would comply. Shawn said he would leave the cost up to Gary. Shawn said he wouldn't charge for this sign because there isn't one listed.

Chief Somero said he is requesting to get \$12,800 from the Fire Department Protective Expendable Trust for the protective clothing for the firefighters. Shawn instructed Chief Somero to speak to Debbie so she can ensure the Trustees of the Trust Funds will cover the cost.

6:15 Antique Fire Brigade:

David Keurulainen stated he has money invested in the fire truck that is housed in the building. He stated the hand pumper works. Both vehicles should be stored in a dry place and rehabbed. He never got any notice stating the Brigade was disbanded and he was part of it. Shawn said we had 2 public hearings regarding this and no one showed up.

Roger asked if the pumper had been in any parades and if it could be in the future. He also suggested asking for donations for the repairs. Chief Somero said they would need to be stored in a cool dry place because there is so much wood on them. Mr. Keurulainen said there are a lot of repairs that need to be done. Steve said he would be happy to help with the repairs. David said the water pump needs to be replaced.

Jason suggested either Building 2 or Building 3 could be suitable.

6:25 ZBA Appointments:

Shawn said Walker Farrey sent an email recommending 3 people for appointments to the ZBA: Jay Hopkins, Dwayne White and Brett Kivela.

Shawn made a motion to appoint the 3 above named people to the ZBA as alternates. Lou seconded the motion and it passed unanimously. Bob Fasanella asked when the appointments would be official. Shawn answered as soon as they are sworn in.

6:30 Non Public minutes law change:

Shawn stated the law has changed regarding nonpublic minutes. The law states any minutes that were sealed from 2013 to current need to be reviewed to potentially re-seal or unseal them. Shawn added we need to have a policy regarding nonpublic minutes. The law takes effect on October 3rd. Jason added if the minutes are not reviewed, they will automatically be unsealed.

There was discussion regarding the sealing and unsealing non-public minutes.

The Board will create a review policy/procedure when Debbie gets back from vacation and review the non-public minutes from 2013.

6:45 Round Table Discussion:

- There was discussion regarding the Brownfield/Ransom presentation on the agenda for next week. Lou questioned if there would be enough time allotted. Shawn said it was a presentation of their findings and recommendations going forward and there should be enough time.

- Shawn said Autumnfest is coming up on October 14th from 11am-4pm. In the past there was a bonfire at the end of it but for some reason it had stopped. Shawn asked the Board if they would be in favor of the bonfire (if weather conditions are ok). Jason and Lou said they would support it. Steve suggested they use the brush from the Transfer Station for the bonfire.

Steve said he has a commercial popcorn machine if they would like to use it. Shawn directed Steve to contact Heather Boucher. There will be vendors, bouncy house, games, food, etc.

- Shawn said the Rec department is trying to restructure and to make it more sustainable. Jason asked if there is a Rec Director yet. Shawn added Mindy Buxton is helping out for now and is doing a great job. He said we're missing out on senior events and would like to do something in that direction.

- Debbie had composed a letter suggested by MMANH regarding State funding for voting machines for the Board to consider. The topic was discussed and they decided not to sign the letter because they feel voting machines should be procured locally so there is no additional control or oversight by the State.

- Jason asked about the Master Plan progress. Shawn said he will get an update from the Planning Board. He and Jason again stressed how important having a Master Plan is.

- September 11th is the budget season kick-off meeting with the FAC and department heads.

- Jason asked what other information we were waiting on to make a decision regarding Old Beaver Road. Shawn said the meeting will be held on September 19th and there were questions on how to institute a Betterment Tax.

- Jason asked Lou if a mirror had been put up yet on Old Wilton Road. Lou replied he didn't think it had.

- State Reps will be attending the August 29th meeting at 7:00pm.

7:21 Non-public RSA 91-A:3, II (c):

At 7:21, Shawn made a motion to go into non-public session. Lou seconded the motion and it passed unanimously. At 8:53, Shawn made a motion to return to public session. Jason seconded the motion and it

passed unanimously. Shawn made a motion to seal the minutes. The motion was seconded by Lou and it passed unanimously.

At 8:55pm, Shawn made a motion to adjourn. Lou seconded the motion and it passed unanimously.

Respectfully submitted,

Debbie Deaton
Town Administrator

Minutes approved by BOARD OF SELECTMEN

Shawn Talbot, Chairman: 

Jason Somero: 

Lou Alvarez: 

TOWN OF NEW IPSWICH

661 Turnpike Rd New Ipswich NH 03071

Board of Selectmen



Town Ordinance: 15-00002

FIREWORKS PROHIBITION ORDINANCE

Sale, Possession and Discharge of Fireworks:

It shall be a violation of this Ordinance for any person to store or possess, to offer for sale, expose for sale, sell at retail, or use to explode any fireworks, except as provided in rules and regulations issued by the Fire Chief for the granting of permits for supervised public displays of Display Fireworks by the jurisdiction, civic organizations, or any other group. All public displays of Display Fireworks shall be arranged, located, discharged or fired in a manner that, in the opinion of the Fire Chief, will not be a hazard to property or endanger any person, and shall follow all rules set forth by the State of New Hampshire for Display Fireworks.

Any person who violates this Ordinance, in addition to any penalties prescribed in NH RSA 160-B and RSA 160-C, shall be subject to a fine of \$500.00 for each offense, and confiscation of any fireworks still in the person's possession. Any sworn law enforcement officer of the town, county or state, as well as the Fire Chief or his/her designee shall be empowered to enforce this ordinance. All fines shall be paid to the Town of New Ipswich.

NH RSA 160-C:6 Local Option. – Any municipality in the state, by action of its local legislative body or local governing body, may vote to allow or to prohibit, within that municipality, the issuance of permits or licenses to sell permissible fireworks or the display or possession of permissible fireworks. If the municipality has voted to prohibit the issuance of permits or licenses or the display or possession of permissible fireworks prior to the effective date of this section, such decision shall remain in effect unless subsequent action is taken under this section.

Source. 1999, 348:14, eff. Jan. 21, 2000

Dated: June 16, 2015

BOARD OF SELECTMEN


George H. Lawrence, Chairman


Rebecca M. Doyle

Woody Meiszner

**TOWN OF NEW IPSWICH
661 TURNPIKE ROAD
NEW IPSWICH, NH 03071
(603) 878-2772**

PERMIT TO DISPLAY FIREWORKS

Permission is hereby granted to _____ of _____
(Name of applicant)
_____ to conduct a display of Consumer
(Address of applicant)
fireworks on _____ @ _____ at _____.
(Date of display) (Time of display) (Location of display)
_____ is **SOLELY** responsible for any and all
(Name of applicant)

liabilities incurred during this display and the Town of New Ipswich is immune from all liabilities. **Hours of display are to be between the hours of 5 p.m. and 10 p.m. only!** Applicant is responsible for notifying all abutters in advance of the fireworks display. The permit fee is \$15.00, paid to the town office upon notification of the issuance of the permit.

By signing this permit, I hereby certify that I am 21 years of age or older. I have read and understand the town Fireworks ordinance 15-00003 and state RSA 160-B:1 and RSA 160-C:1 regarding Consumer Fireworks. Any falsification of age can result in criminal action and immediate suspension of this permit.

Applicant signature

Date

Phone number

Email address

Fire Chief or designee

Date

Police Chief or designee

Date

Selectman or designee

Date

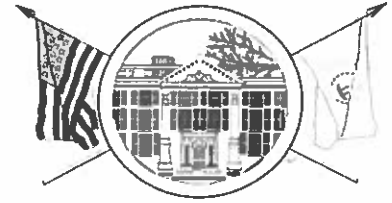
NOTE: This permit may be invalidated if weather conditions are deemed not suitable for public safety reasons by the New Ipswich Fire Chief. This permit is conditional based on the fire danger index for that time period. If the fire danger is Class 4, 5, or high winds, this permit is SUSPENDED. **Applicants shall contact the Fire Department for the current conditions on the morning of the display (603-878-1364)**

Fee paid : Cash _____ Check _____ Check # _____ Date _____

Original – Applicant copy, Cc: Police Department, Fire Department, Town Office file

TOWN OF NEW IPSWICH

661 Turnpike Rd New Ipswich NH 03071



Town Ordinance: 15-00003

PERMISSIBLE FIREWORKS ORDINANCE

Use, Discharge and Possession of NH Permissible (Consumer) Fireworks

Any person wishing to discharge NH Permissible (Consumer) Fireworks shall obtain a written fireworks permit from the Fire Chief or his/her authorized designee. A permit **shall** be obtained before any discharge of permissible fireworks is to occur.

Procedure to obtain a permit:

1. The applicant shall appear in person before the Fire Chief or his/her authorized designee, 7 days prior to the anticipated date of display. The permit shall also be approved by the Chief of Police or his authorized designee and a New Ipswich Board of Selectmen member or his authorized designee.
2. The applicant shall provide proof that he/she has the landowner's written permission.
3. The applicant shall provide a valid photo identification, which also identifies the applicant's address and date of birth.
4. The applicant shall be at least 21 years of age or older (NH RSA 160-C:11)
5. Fireworks shall be purchased from licensed Permissible Fireworks retails in New Hampshire only (copy of receipt required for permit).
6. The applicant shall only purchase the quantity of fireworks needed for the permitted display. Storage of Permissible Fireworks is prohibited.
7. Fireworks shall not be ignited or possessed by minors (anyone under the age of 21).
8. Fireworks shall be ignited a minimum of 50 feet from any structure, overhead utilities, woodlands, property lines or boundaries.
9. The applicant is required to have a means of fire extinguishment readily accessible.
10. The permit shall be valid only for the date it is issued.
11. Anyone discharging or igniting fireworks shall not be under the influence of any drugs or alcohol.
12. Permissible Fireworks shall only be discharged or used between the hours of 5:00 p.m. and 10:00 p.m. unless authorized with a Noise Ordinance Waiver.

PERMISSIBLE FIREWORKS ORDINANCE

13. This permit may be invalidated if weather conditions are deemed not suitable for public safety reasons by the New Ipswich Fire Chief. This permit is conditional on the fire danger index for that time period. If the fire danger is Class 4, 5 or high winds, the permit is SUSPENDED. **Applicants shall contact the Fire Warden or Deputy for the current conditions prior to the display (603-878-1364).**
14. Permissible Fireworks permit does NOT cover the discharging of cannons. A separate authorization is required/issued by the New Ipswich Police Chief or his designee.
15. A permit fee of \$15.00 shall be paid to the Town of New Ipswich at the time the permit request is issued (cash or check).

Enforcement:

1. The Fire Chief and/or his/her authorized designee, reserves the right to inspect the permitted location and fireworks to be discharged at any time during the period for which the permit is issued. Failure to allow such an inspection shall result in the immediate revocation of the permit.
2. Failure to comply with any provision of this ordinance shall result in:
 - a. First Offense: Written warning and /or revocation of permit.
 - b. Second Offense: \$250.00 fine and revocation of permit.
 - c. Third Offense: \$500.00 fine and revocation of permit. Persons violating this Ordinance for a third time will be prohibited from any further Permissible Fireworks Permits.
3. All fines shall be paid to the Town of New Ipswich.
4. Any warranted complaint received by the Town of New Ipswich as the result of an issued permit shall be grounds for the revocation of the issued permit following an investigation conducted by any enforcement authority.
5. The applicant shall be responsible for reimbursing the Town of New Ipswich for all costs associated with the mitigation of any fire or other emergency which is the result of the applicant's use of fireworks.
6. Any sworn law enforcement officer of the Town, County or State, as well as the Fire Chief and his/her designee shall be empowered to enforce this Ordinance.
7. Persons found in possession of, or discharging Non-Permissible Fireworks shall be subject to the penalties outlined in NH RSA 160-B. This section shall not apply to those individuals that hold valid Certificates of Competency issued by the NH Department of Safety and hold a valid Display Fireworks Permit issued in accordance with RSA 160-B and SAF-C 5000, or any other Ordinance. Nothing in this Ordinance shall preclude any sworn police officer from enforcing any section of NH RSA 160-B or NH RSA 160-C.
8. It is the responsibility of those persons who are issued Permissible Fireworks Permits to notify their neighbors at the time of submitting their application for said permit, or at least two weeks prior to the date of display.

PERMISSIBLE FIREWORKS ORDINANCE

NH RSA 160-C:6 Local Option: Any municipality in the state, by action of its local legislative body or local government body, may vote to allow or to prohibit, within that municipality, the issuance of permits or licenses to sell permissible fireworks or the display or possession of permissible fireworks. If the municipality has voted to prohibit the issuance of permit or licenses or the display or possession of permissible fireworks prior to the effective date of this section, such decision shall remain in effect unless subsequent action is taken under this section.

Source: 1999, 348:14, eff. Jan. 21, 2000

Revised: April 5, 2022

(Signatures on file at the Town Office)



TOWN OF NEW IPSWICH

661 Turnpike Rd, New Ipswich, NH 03071

Board of Selectmen



August 23, 2023

The Honorable Senator, Kevin Avar, District 12
The Honorable Representative Diane Kelley, District 32
The Honorable Representative Jim Kofalt, District 32
The Honorable Representative Shane Sirois, District 32

RE: New Voting Machines

To the members of the General Court representing the citizens of New Ipswich:

We are writing with regards to the upcoming decisions that will be made to replace all of the electronic voting machines currently used in the State of New Hampshire.

Although we agree that upgrades are sorely needed (and long overdue), we feel very strongly that the resources required to purchase these units should come from state and federal funds. Accordingly, we respectfully request that the Legislature designate an alternative revenue source other than property taxes to be raised by cities and towns for the purchase of these state mandated voting machines.

Your consideration of this plea will be greatly appreciated.

Regards,

The Town of New Ipswich Board of Selectmen:

~~Shawn Talbot, Chair~~

~~Jason Somero~~

~~Lou Alvarez~~

We will not sign off on this and actually feel the opposite that the voting machines should be procured locally and not additional control over oversight be requested for by the state.