

Approved Minutes
Monday, January 30, 2023

On Monday, January 30, 2023, at 5:30 p.m., the Board of Selectmen met in Meeting Room A, at the Bow Municipal Building, 10 Grandview Road, Bow, NH 03304.

I. CALL TO ORDER

Chairman Bruce Marshall called the meeting to order. Present: Chairman Bruce Marshall, Vice Chairman Michael Wayne, Selectman Christopher Nicolopoulos, Selectman Matthew Poulin, Selectwoman Angela Brennan, Town Manager David Stack, Administrative Assistant Tonia Lindquist and members of the public.

II. PUBLIC COMMENT

III. DISCUSSION / ACTION ITEMS

1. Grant Permission to Bow Pioneers Snowmobile Club to use trails on Town Owned Property

As a follow-up to the January 24, 2023 meeting, the Bow Pioneers are seeking permission to use the trails on Town-owned properties. Town Manager Stack reported he had received an email from the NH Bureau of Trails stating the Bow Pioneers list of property owners seems to be in order, and of that list three (3) of the trails would be closed. Chairman Marshall clarified with the Club that the School District would have to approve the use of trails on school property.

Selectwoman Brennan shared her concerns that the list provided by the Bow Pioneers may not be accurate or true, as it has not been for at least five years. She questioned whether this list can be trusted.

The Board heard comments from Bow residents living on Eastview Drive, Heidi Lane who shared their concerns with the conditions of the trails, making the property list available to the public. Some also volunteered to assist the Bow Pioneers Club.

Kimberly Bacher, 19 Heidi Lane. Ms. Bacher, for the record, stated that she does not want the Bow Pioneers to use the large trail groomer on her property.

A MOTION was made by Selectman Nicolopoulos, and duly seconded by Selectman Poulin, that on an annual basis the town shares the list of citizens in Bow that have granted permission and access to the Bow Pioneers Snowmobile Club along with an updated map. MOTION PASSED 5-0.

A MOTION was made by Selectman Nicolopoulos, and duly seconded by Selectman Poulin, to authorize Town Manager Stack to write a letter to the Bow Pioneers Snowmobile Club letting them know they are not to use the groomer at 19 Heidi Lane but that a tow behind is permissible, with the understanding that if they do not comply with the Board's request, the Board may remove previous Board approvals to use any Town trails. MOTION PASSED 5-0.

A MOTION was made by Selectman Nicolopoulos, and duly seconded by Selectman Poulin, to require that the Bow Pioneers Snow Mobile Club, on an annual basis, to compile a complete spreadsheet using the NH Bureau of Lands Management form to include but not limited to, year that property owners granted permission, property owners name, property ID. number, whether the permission was verbal or written, and for how long the permission is granted for. MOTION PASSED 5-0.

A MOTION was made by Selectman Nicolopoulos, and duly seconded by Selectman Poulin, to grant permission to the Bow Pioneers Snow Mobile Club to use Town owned property, but not school property for a term of one (1) year, and to authorize Town Manager Stack to email that permission to the NH Bureau of Trails. MOTION PASSED 5-0.

A MOTION was made by Chairman Marshall, and duly seconded by Selectman Nicolopoulos, that until it is determined whether it is Town owned land, the portion of trail behind 25 Heidi Lane be closed. MOTION PASSED 5-0.

A MOTION was made by Vice Chair Wayne to grant Bow Pioneers permission to groom the sledding hill as needed. Motion failed there was no second.

2. Spruce Wheelock Property Clarification

As a follow up from previous Select Board meetings, Chairman Marshall clarified that Branch Londonderry Tpke W is a Class VI Road subject to gates and bars. Mr. Wheelock owns up to the edge of the road as written in his deed. The Town back in 1933 didn't specify what was given up and it would need to.

There was back and forth discussion between Chairman Marshall and resident Kevin McCahan on the interpretation of the opinion provided by Town Counsel in 1981 and the opinion provided by current Town Counsel. There was no agreed upon conclusion, Mr. McCahan can exercise his legal right to pursue the matter further.

IV. NON-PUBLIC SESSION - NH RSA 91-A:3, II(a)

Personnel discipline, promotion or compensation.

A MOTION was made by Selectman Poulin, and duly seconded by Selectman Nicolopoulos, to go into a non-public session pursuant to NH RSA 91A:3, II(a) Personnel discipline, promotion or compensation. A roll call was taken Chairman Marshall – yes, Vice Chair Wayne – yes, Selectman Nicolopoulos – yes, Selectman Poulin – yes, and Selectwoman Brennan – yes.

A MOTION was made by Selectman Poulin and duly seconded by Selectman Nicolopoulos to come out of the non-public session. MOTION PASSED 5-0.

V. ADJOURNMENT

At 8:44 p.m. A MOTION was made by Selectman Poulin, and duly seconded by Vice Chair Wayne, to adjourn. MOTION PASSED 5-0.