

Minutes: Selectmen's Meeting: Monday, December 9, 2013

Present: Chairman Daniel F. Devlin and Kenneth J. Leva, Clerk; Walter F. Alterisio, Procurement Officer and Member

Chairman Devlin called the meeting to order at 7:00PM with all members present and provided a brief review of the agenda planned. The Board met with Pat Flaherty who was appointed to serve as Temporary Town Engineer on the Rivers Edge project and the board explained the background of the project and the possible conflict of interest if Town Engineer, Jeff Rider were to serve in his normal capacity on that project as the company he works for Cuoco and Cormier, is the engineer for the project. Selectman Alterisio provided background for the property including the gravel operation that was functioning on that parcel for a number of years, explaining the features of a gravel permit, which included measurements of the high spring water table annually specifically to protect the provisions for septic systems in the future. Selectman Alterisio related some of the issues including excavation below required level from to time – town required them to provide fill to required height to maintain. He related on the issues the Board of Selectmen took with the development plan – which was within the 100 years revised floodplain; although it hadn't originally been included in the 100 year floodplain – the Selectmen and Planning Board challenged the development through land court with the land court finally finding in favor of the developer – put an earthen berm around the Nashua River to mitigate – Selectman Alterisio still has some concerns, have taken photos of it – often under water – opposition based on that concern – doesn't want to see the Town assuming responsibility of taking people out of there every 5 years or so when it floods. Selectman Alterisio continued to explain interpretations both on the developer's basis and the towns. Pat will be working under the direction of the Planning Board – board in support of Planning Board's request – he'll be the engineering authority for the town in the this project. Selectman Alterisio advised that Mr. Flaherty will be paid out of the 53G account for the project which is paid for by the developer as part of the special permit process. Selectman Alterisio confirmed that plans have been submitted to the Planning Board and will be made available to Mr. Flaherty.

Selectman Leva noted question about marketability when you have court ruling that allowed development of the parcel – Mr. Flaherty advised that financing could possibly be a problem when designated in floodplain – have to get flood insurance. Selectman Alterisio indicated the BOS whole interest is in how development will affect response to flooding issues and danger that may be created by building in that area. Pat's role working under direction of the Planning Board, and working with Building Inspector as needed. Selectman Alterisio advised the board will be looking for input from Pat if he sees issues that need to be addressed. Pat advised the only time he's ever built a structure in a floodplain has

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been a raised structure. Selectman Alterisio continued to explain his interpretation noting that his interpretation may be wrong. Pat remembers in the past working on some pits in town relative to elevations for gravel removal – last one being the Jeffrey pit under Jay Finnegan. Selectman Alterisio related on the history with Jay noting he was very good to work with. Pat noted this will be a long process – Conservation and Planning will be thorough with the process and Pat looked forward to working with them. Discussion continued on the process and reporting that Pat will provide to keep the town alerted on items coming forward in the project. Board is just looking to keep the community informed of things that are beginning to happen.

Road Commissioner Dana Kinne being present, Selectman Alterisio asked if Chairman Martin had spoken with him about a call he had related to Butler Kennels, the last house on Hall Street. Resident has an issue with a problem that's been created on her property where runoff from Hall Street now drains onto her property. Dana indicated he didn't feel the town did anything wrong, can't get into complications with everyone's driveway. Selectman Alterisio indicated problem with issue that is going to cause a problem – real kicker is that this happened before – the last time Hall Street was paved, and Ed Fahy took care of it. Need to take all concepts into consideration in the process of any projects, though clearly under Road Commission authority.

Selectman Leva while Dana is here, Selectman Leva advised he'd attended public hearing on Salmon Brook Bridge on Main Street, issues were addressed and one issue that came up was request for inclusion of a sidewalk in the project, even if there aren't sidewalks in the area, especially in consideration of the pedestrian accident in that general area a few years ago. All agreed, if going thru the process of replacing the bridge, this would be the time to include a sidewalk, especially since this a 40MPH area. Selectman Alterisio noted he'd prefer not using Oak Street only because Depot Street is more of a straight run, a little bit wider, feeling it would be more dangerous diverting down Oak Street over Brook as opposed to sending via Depot Street to intersect with Brook. Harold provided great input and expressed concerns as a 1st responder. Mr. Splaine has asked for a representative from the Board of Selectmen and Selectman Leva would like to serve in that capacity – next meeting will be to figure out if there's going to a sidewalk included in the project – need to at least have a conversation as to why or why not for the sidewalk. 28' of pavement – two 12' lanes – sidewalk makes sense while they're doing the project. The Board agreed with Selectman Leva providing representation for the Board of Selectmen and further agreed the Board of Selectmen would submit a letter or memo requesting consideration for inclusion of a sidewalk in the project, or at the very least inclusion of the option in discussions.

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Minutes of 12/2 were approved as written after motion by Selectman Leva, 2nd and unanimous vote of the board. (Secretary was applauded for catching all she did in the minutes). The board noted all look forward to dialogue with the Advisory Board on the subject of last week's discussion – moving forward is of concern, are some issues that need to be addressed.

NMCOG has provided text for RFP for the survey and Selectman Alterisio will get together with secretary to put together. Selectman Alterisio then addressed the special permit filed for Alexander Estates and some of the particulars in the application filed – hopes to have some more information by the hearing scheduled for January 11th. Selectman Alterisio referenced the dangerous situation with an exit onto Hall Street at the location originally depicted. Looking at the development, if residents have choice of Lake Street or Hall Street, most would probably chose Hall Street – Selectman Alterisio will take BOS copy of the application to NMCOG for copying.

Selectman Alterisio also suggested, not too far down the line, if want to do RFP for appointments – might want to think about bringing the process forward right after the holiday. He indicated he also thinks need to get together with Police & Fire to work out some arrangement via budget, etc., like Chief Rich's issue with a vehicle. Selectman Alterisio felt the Board may have inadvertently left Advisory with the interpretation that they have the final say when the Board directs individuals to Advisory for funding questions. All these years felt it a lot simpler to get it from the horse's mouth – need to focus on and not wait until March. Secretary will check to see if Police Chief's available for Thursday the 12th so can be posted. 10:30-11AM on Thursday the 12th.

Treasurer's warrants were reviewed and signed, and meeting adjourned at 8:00PM after appropriate motion by Selectman Leva, 2nd and vote.

Respectfully submitted,



Danice N. Palumbo,
Board Secretary