

TOWN OF JAFFREY
Jaffrey, New Hampshire

BOARD OF SELECTMEN
Meeting Minutes
June 14, 2010

Present: Chairman MacIsaac, Selectman Batchelder, Selectman LaBrie

Absent: None

Staff: Town Manager Hartman, Administrative Assistant Richard

CALL TO ORDER

Selectman MacIsaac called the meeting to order at 7:00 p.m.

MEETING MINUTES APPROVAL

On a motion by Batchelder, seconded by LaBrie, public meeting minutes for May 24, 2010 were approved (3-0).

PUBLIC HEARING

None

APPOINTMENTS

Thomas Rothermel HDC Chairman came before the Board representing the HDC regarding the Squantum Village Dam. The control structure of the dam is set to be removed in late July or early August as it is an abandoned dam and that no one wants to take ownership over. Rothermel did say that the dam has issues but it is the pond that has historical significance as far as Squantum Village goes and millpond. Rothermel said the HDC had completed a study on the Squantum Dam and stated that it does have a lot of history for the town. The HDC would like to see the millpond preserved if anything could be done. Rothermel presented a letter to the Board from William Mitchell Jr., an abutter, who is in England at this time but owns property on Prescott Road and is concerned about the loss of the pond.

Chairman MacIsaac asked Rothermel what alternatives Mr. Mitchell stated in his letter. Rothermel did not know of any alternatives if any.

Rothermel said that the understanding he had was that the dam was in the way of proceeding with the waterline installation. He met with Doug Starr and learned that the waterline is going through the road as it had intended to. He also talked with the Dam Bureau and found out that there are some issues with the dam, some sinkholes are there and they need to be addressed.

Rothermel said that Mill Pond appears on the District's oldest map drawn in 1850 and perhaps created by John Adams Prescott when he developed the village in the 1820's. He would like to at least see a plaque with the historical significance of the pond if nothing else comes about. The HDC will go forward in looking at grants to make Squantum Village become an historic district

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because it does seem to qualify.

Rothermel stated that the HDC had recently heard of the plans to remove the dam. He told the Board that he would like to see more communication between the Board and the HDC and other commissions.

Janet Grant said that the 2007 Master Plan identified Squantum Village as the earliest settlement in Jaffrey, which prompted HDC to get an area survey done. It was then found that we do indeed qualify for a State and Federal Historic District. The Mill Pond is something that one would hate to see disappear. Janet suggested that the town establish a demolition review committee to keep people informed. Janet added that the pond would dry up if the dam is removed and this would change the historic character of the Squantum Village.

Grant hopes that the communication can be broader and that the area is very important in Jaffrey and should be treated with respect since it is the oldest settlement in Jaffrey.

Selectman LaBrie said that the Board cannot take on the responsibility of the cost of repairing the dam as well as the liability after. The town already has five dams that they are responsible for and the liability is great. If someone came forward and was willing to put the money forward, the Board would be very happy.

Janet Grant said that this is a low risk dam after talking with Doug Starr. She said when she met with Town Manager Hartman he said that the water main installation is not dependent upon the demolition of the dam.

Brian Desfosses from the N.H. Dam Bureau said that the dam was owned by a Connecticut Corporation that went bankrupt. It was offered to the State in 1999 but they were not interested in ownership. Desfosses did an inspection of the dam in 2007 and sent the inspection report to the Town of Jaffrey. Desfosses sent a letter to the town asking if they were interested in taking over ownership of the dam and in 2008 a letter from the Selectmen was sent back to Desfosses saying that they did not want to own another dam. During that time there came to be some ARRA Funding for the town's waterline. After the inspection, he did put the town on notice that the State did have money to remove orphan dams in the State and potentially at some point, the dam may be removed. That being in mind, Desfosses said that the town might want to make some sort of long time plan to move the waterline because if the dam were removed, the waterline would be hanging in mid air.

Desfosses stated that ARRA Funding came along and the Town of Jaffrey approached the Dam Bureau and said that they have funding to work on the waterline and told him where they proposed to work on the waterline and asked what he thought. Desfosses said that the Dam Bureau's position on the construction was that they did not have a lot of good information from when the road was installed that is right next to the dam. He said that this is a homogenous embankment and they need to consider the road and the dam as one structure. He told the Town

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that they would need to pull a dam permit to put the waterline in the road. As an alternative, they could partner together and remove the dam if that was an interest to the town. The cost of a dam permit is \$3,000. Desfosses said that the dam would possibly have to be upgraded to a higher hazard because on the left side of the dam, the wall there is failing. It is now a low hazard dam but will become a significant hazard structure. He said that this is a safety issue and that the cost to rebuild the dam would be between \$100,000 to \$500,000. This is now known as an orphan dam.

Desfosses said that there is state money available to remove the dam. He said that either the dam should be removed by the State or someone needs to come forward and take over the dam. He believes that having no responsible party of a potentially hazardous dam is not a good condition for anybody. Should a responsible party to the dam come forward, an analysis of the dam construction will be required, reconstruction of the embankments will be required, analysis of the discharge capacity of the outfall will be required, and confirmation of its hazard classification would be required. This work and any necessary reconstruction is estimated to cost between \$100,000 and \$500,000.

DPW Director Heglin stated that in 1984 a letter was signed by the Board of Selectmen indicating that the Town did not have any interest in taking over the dam. Heglin showed pictures of the dam. He showed the Board the wall that needs to be removed. The water main is sitting on the bed of the pond and should be buried underneath the roadway because now it has the potential to freeze. Heglin explained that this was originally included in the ARRA project and when it went through the initial environmental review by the Department of Historical Resources, there was a question raised in regards to the dam. We realized that the questions that came up and the some of the permitting that was involved would not allow us to make the timeline to get the ARRA Funding. At that time, the dam was eliminated out of the project and the water main project would stop in front of Mr. Mitchell's house. As the water main was proceeding, DPW began the permitting process to remove the dam and install the water main, as similar permitting would be required for both projects and to keep the project moving forward. If the dam removal does not go through, there are other options for the water main. No other town funds were to be expended related to the removal of the dam control structure.

Selectman Batchelder asked about the impact. She stated that whatever we do with the dam, it would impact the historical significance of the pond. If we leave the dam then the pond is there and is impacted by the naturally occurring filling in of the pond but if we remove the dam the pond is gone.

Emily Preston said that she thinks the pond will be gone whether we remove the dam or not because the pond will silt over and it is filled with weeds. Preston asked why can't we just leave it naturally and just let it go. Another resident, Katy Forry, agreed with Preston.

Edna Feighner from the NH Division of Historical Resources believes that the removal of the dam would affect the Squantum Village. All projects for funding of stimulus money do go

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through her department first. She stated that not going through her department would be a violation of the federal law and that they could say that the Town would have to repay the money.

Feighner said that how they get involved is through Section 106 National Historic Reservation Act is through Federal Permits, Federal Funds and Federal Licensing. The State will lend a hand if needed to talk about how you value your historic resources. She also said that Jaffrey is very in tune with their historic resources.

Desfosses said that the State can no longer turn a blind eye and has for years. He said that doing nothing is no longer an option.

Town Manager Hartman said that in 1984, 2005, 2006, 2008 and 2009 the Board of Selectmen declined all liability on the dam.

It was suggested that maybe the HDC could find grant money to help them with the dam.

After much discussion, Chairman MacIsaac said that the town will continue with the water main project and the town will not be doing anything to the dam and has no interest in removing or preserving the dam. He stated that anyone who is interested the fate of the dam should contact the Historical District Commission and they would be dealing with the State.

REGULAR BUSINESS

1) Payroll and Vendor Manifests

On a motion by LaBrie, seconded by Batchelder, the payroll and vendor manifests were approved (3-0).

2) Selectmen's Reports

MacIsaac

None

Batchelder

None

LaBrie

None

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3) Town Manager's Report

None

4) Boat Warrants

a) Sixty-eight (68) Boat Registrations \$783.71– received 5/21/10

On a motion by Batchelder, seconded by LaBrie, Sixty-eight (68) Boat Registrations \$783.71– received 5/21/10 was approved (3-0).

b) One hundred fifteen (115) Boat Registrations \$944.64 – received 5/28/10

On a motion by Batchelder, seconded by LaBrie, One hundred fifteen (115) Boat Registrations \$944.64 – received 5/28/10 was approved (3-0).

c) One hundred seventy-six (176) Boat Registrations \$1,695.08 – received 6/4/10

On a motion by Batchelder, seconded by LaBrie, One hundred seventy-six (176) Boat Registrations \$1,695.08 – received 6/4/10 was approved (3-0).

5) Request for Water & Sewer Abatements

a) #10-32 – Hichame Laassal – 88 Squantum Road – Sewer Abatement Request \$42.00

On a motion by Batchelder, seconded by LaBrie, #10-32 – Hichame Laassal – 88 Squantum Road – Sewer Abatement Request \$42.00 was approved (3-0).

b) #10-33 – Beneta Hadley – 7 Duval Trailer Park – Water Abatement Request \$71.50

On a motion by LaBrie, seconded by Batchelder, #10-33 – Beneta Hadley – 7 Duval Trailer Park – Water Abatement Request \$71.50 was approved (3-0).

6) Notice of Intent to Cut Wood or Timber

a) #10-233-04-T – Map257/Lot23/1 – Prescott Road – Richard & Edith Grodin – signed

7) New Members for the ad hoc Open Space Committee

a) Tom Doane, Carolyn Garretson, Michael George, Bill Graf, Charlie Koch, Mark Kresge and new members Cush Moore, Lee Sawyer, Gail Therriault, Carol Thompson

On a motion by Batchelder, seconded by LaBrie, New Members for the ad hoc Open Space Committee – Cush Moore, Lee Sawyer, Gail Therriault and Carol Thompson were

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approved (3-0).

8) Requests

a) Jaffrey Parks & Recreation is requesting that the road closing at Lake Contoocook Beach take place effective Monday, June 14, 2010. The road will be closed for the remainder of the summer and will be reopened Tuesday, September 7, 2010.

On a motion by Batchelder, seconded by LaBrie, Jaffrey Parks & Recreation's request that the road closing at Lake Contoocook Beach take place effective Monday, June 14, 2010 and the road to be closed for the remainder of the summer and will be reopened Tuesday, September 7, 2010 was approved (3-0).

b) Jaffrey Firefighters Company Inc. is requested to hold a 5K run/walk on or around the second week in September. The event is planned to take place with the starting line on Union Street the new field continuing down rails to trails, follow a path through Children's Woods and loop back out to Union Street.

On a motion by Batchelder, seconded by LaBrie, Jaffrey Firefighters Company Inc. request to hold a 5K run/walk on or around the second week in September and the event planned to take place with the starting line on Union Street the new field continuing down rails to trails, follow a path through Children's Woods and loop back out to Union Street was approved (3-0).

c) Team Jaffrey is asking permission for the use of the bandstand or in case of inclement weather, the Meetinghouse in Jaffrey Center for the Jaffrey Summer Concerts on the Common series. The series will series will kick off on July 4th with the Keene American Legion Band with concerts on the following dates: July 14th, 22nd as part of the Civic Center's Cupcake event, July 28th and August 11th. Also, waive the fee associated with the usage.

On a motion by LaBrie, seconded by MacIsaac, Team Jaffrey's request for permission for the use of the bandstand or in case of inclement weather, the Meetinghouse in Jaffrey Center for the Jaffrey Summer Concerts on the Common series with the kick off on July 4th with the Keene American Legion Band and concerts on the following dates: July 14th, 22nd as part of the Civic Center's Cupcake event, July 28th and August 11th and to also waive the fee associated with the usage was approved (2-0). Batchelder abstained.

d) The Woman's Society of The First Church in Jaffrey is making a contribution of \$450.00 to support our philanthropic program serving the community and beyond.

On a motion by Batchelder, seconded by LaBrie, The Woman's Society of The First Church in Jaffrey's contribution of \$450.00 to support our philanthropic program serving

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the community and beyond was approved (3-0).

e) Request from Mary Drew, Welfare Director to accept Allowable Level of Assistance Payments

On a motion by Batchelder, seconded by LaBrie, request from Mary Drew, Welfare Director to accept Allowable Level of Assistance Payments was tabled until June 28, 2010 meeting.

f) Request from Mary Lou Long for reimbursement of renewal registration on 1990 Volvo station wagon in the amount of \$71.00

On a motion by Batchelder, seconded by LaBrie, request from Mary Lou Long for reimbursement of renewal registration on 1990 Volvo station wagon in the amount of \$71.00 was approved (3-0).

9) Suggested Traffic Control Signs – Intersection of Gilmore Road and Ingalls Road

On a motion by Batchelder, seconded by LaBrie, vote to install a Yield sign at the intersection of Great Road with Gilmore Pond Road for traffic heading in the southbound direction on Gilmore Pond Road was approved (3-0).

On a motion by Batchelder, seconded by LaBrie, vote to install a Stop sign at the intersection of Great Road with Gilmore Pond Road for traffic heading in the northbound direction (toward Jaffrey Center) on Gilmore Pond Road was approved (3-0).

Chairman MacIsaac asked Heglin to check into the speed limit on Ingalls Road and if we need to add additional signage.

OTHER BUSINESS

Three residents from Ingalls Road came before the Board to talk about the condition of the road. John Brum said that at the Planning Board Meeting regarding the road conditions of Ingalls Road, he was disappointed that after talking about this for four months which included the road conditions, safety of the road, safety of the people on the road and the Fire Department driving emergency vehicles down the road, that the meeting was closed within ten minutes and he felt that half the Board did not know what was in their files.

Chairman MacIsaac said that at the meeting he had asked Heglin and Chief Chamberlain to get together. MacIsaac asked the Town Manager to respond.

Town Manager Hartman said that the Fire Chief has never indicated that the road was not passable. His memo said that he has one area that he is concerned about. Hartman said that we are

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addressing this issue.

Chairman MacIsaac told Mr. Brum that we have heard your opinion, we asked the question and he wanted him to understand that Heglin and the Chief Chamberlain got together and what was missing discussing the letter, it talked about potential and at no time was the road unsafe. What the letter talked about was the potential in an area to look at.

MacIsaac explained that the process is if you went to the Planning Board and you had an issue with the Planning Boards decision, then the appeal process is to go to the Zoning Board. The timeframe would be within thirty days.

Mr. Brum asked regarding that particular section of road, if the Town was going to deal with bringing that section up to meet their standards. If not, maybe there should be signage there that says caution pass at your own risk.

MacIsaac repeated “the road is safe”. The process is we recognize there is one portion of the road and Heglin is aware of the issue and that it needs to have some work done. This is on Heglin’s agenda and list of priorities. We as citizens vote on how much money goes into the budget for road repair. Heglin works within the budget to decide, can I do this project. Safety is number one in his book. If the road should ever come to the point where it is unsafe, he is going to fix the road. If he has the ability within his budget to fix the road, he will fix the road. This is Heglin’s responsibility.

Donna Sites asked if this had anything to do with the 30 percent increase of more traffic on Ingalls Road. MacIsaac’s response was no.

MacIsaac stated that you could put more money in the budget for roads in a petition warrant article for the Town Meeting in March.

NON-PUBLIC SESSION

On a motion by MacIsaac, seconded by Batchelder, the Board of Selectmen adjourned to non-public to discuss the consideration of the acquisition, sale or lease of real property – (RSA 91-A:3; sections a and c) at 9:10 p.m. (3-0).

After discussing non-public items, on a motion by Batchelder, seconded by LaBrie, the Board returned to public session (3-0).

ADJOURNMENT

On a motion by MacIsaac, seconded by Batchelder, the meeting adjourned at 9:45 p.m. (3-0).

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Submitted:

Attest:

Sue Richard
Administrative Assistant

Donald MacIsaac
Chairman
Board of Selectmen

