

MINUTES OF THE BOARD OF SELECTMEN'S REGULAR SESSION
APRIL 13, 2009 PAGE 1

Board members present: John R. LaCourse, Chairman; Frank W. Reinhold, Jr. and W. James Griswold.

Others present: Diane L. Guimond, Town Administrator; Caren Rossi, Planning & Zoning Secretary; Richard Babcock; Dawn Genes, Recreation Commission member; Seth Peters; James Carter Fahy; Laurel Cox, Land Protection Administrator; Robert Smith, Planning Board Chairman; Antoinette Hartgerink; Eric & Heather Porciello; Chet Murch, Police Chief; William Humm, Conservation Commission Chairman; Alan Eaton; Geoffrey Carlton; Noreen McCosker and Donna F. Eisenhard, Recording Secretary.

1. Chairman LaCourse called the meeting to order at 6:30 p.m.

Non-Public Session: Selectman Reinhold made a motion to enter into Non-Public Session. Selectman Griswold seconded. Chairman LaCourse polled for a vote: Reinhold-aye; Griswold-aye. LaCourse-aye. Motion passes. The Board entered into Non-Public Session at 6:31 p.m. The Board exited Non-Public Session at 6:42 p.m. and re-entered the Regular Session.

2. Due to illness, Welfare Director Heather Thibodeau was unable to attend and was re-scheduled for the April 21st Work Session.

3. Old Business:

A. Town Administrator Guimond informed the Board the Heritage Commission is currently working on a restoration plan for the "Tramp Shed" building behind the town hall.

Town Administrator Guimond said the tree chosen for the memorial area for firefighters is a Ginko Biloba, an ancient and honorable tree. She said the size of the tree creates a problem because nothing else could be planted within 40-50 feet of this tree. It was originally thought to plant two trees but this was not possible in that area. The cost of the tree will be in the area of \$295. After planting, a suitable type of memorial to fallen firefighters, such as a stone or plaque, will be need to be created, taking into consideration the size the tree will grow to. After a brief discussion, the Board agreed up to \$400 could be spent to include Pawtuckaway Nursery planting the tree. It was noted that Pawtuckaway guarantees the life of any trees sold for three years.

Town Administrator Guimond said James Banks wrote up a scope of work for electrical boxes for a generator on the Town Complex buildings and estimates are currently being sought.

Town Administrator Guimond said the selection of a Town Seal is currently on hold.

B. Highway Supervisor Randy Stevens met with the Board and said he had e-mailed them some information about what he would be talking about tonight to save time. He said he has the bid package ready for the summer paving program but wanted Board approval before sending it out. Estimates are for \$70.00 per ton this year, so far. Phase I will include Riverside Farm Drive and the shimming of Packers Falls Road. Phase II will include Garrity Road, Old Garrity Road and Randall Road. He said the Invitation to Bid is ready and due by April 27th.

Mr. Stevens said the almost new Cat loader has been using some engine oil since we got it. He said he thought the engine wasn't broken in yet but the problem has persisted so he called Cat and they are awaiting it in their shop but it has to be there by April 21st as that is the day the warranty expires. He said the cost to truck it to the shop will be about \$350-\$450 round trip and the warranty only pays for parts and labor, not transportation costs.

Mr. Stevens informed the Board M-R Excavating is scheduled to begin clearing the area behind the Highway Garage the first of next week in preparation for storage of material from the Old Mill Road project.

Mr. Stevens said Hartmann Enterprises should be making crushed gravel this week and he would be purchasing 300-400 yards for the towns dirt roads. He said Hartmann is by far the cheapest per yard if you figure in trucking.

Mr. Stevens informed the Board Quantum has scheduled borings for the High Road Bridge. DOT approved the Hydraulic Report and Preliminary engineering Study. The bridge will have to be 24' wide as compared to 20', which Quantum proposed. He said he felt once we have a decision on Stimulus Funding, a letter should be sent to all residents in the area of the bridge with an update on work proposed.

Mr. Stevens informed the Board that a resident to the school bus pull-off on James Farm Road would like to empty his basement drain in the ditch beside the paved area in the pull-off. He said he didn't see any problem as long as he restores the ditch to its original condition and place appropriate erosion control.

C. Land Protection Administrator Laurel Cox updated the Board on easements. She stated we would be closing on Misty Meadows tomorrow and presented easement deeds for Board signatures. She also informed the Board that the town received the PlanNH Grant which they applied for. She also informed the Board she would be attending a Community Block Grant Workshop.

D. Police Chief Chet Murch met with the Board and presented the application for a Highway Safety Grant for signatures. He said it is a DWI Grant for \$2,300 which allows an extra officer from June 1st until September 15th. A copy of the application becomes a permanent part of these minutes.

7:00 p.m. – Public Informational Meeting on the Old Mill Road Project.

Chairman LaCourse opened the meeting at 7:00 p.m. and introduced Selectman Frank Reinhold, Jr. who is coordinating the project.

Selectman Reinhold said he would explain the project and then take questions after. He asked how many present knew of the restoration project. After a show of hands, he said the project started in August of 2007 following the town's purchase of 58.86 acres from Edward & Mary Kelley on Old Mill Road which included a cemetery and closed gravel pit. NRCS (National Resources Conservation Service) produced a plan for the reclamation of the gravel pit area which was reviewed by the Board and had Conservation Commission input as well. Public meetings were also held. He said we were here tonight to talk about implementation. He said this Wednesday the Board will meet with contractors who will bid on the restoration project according to the plan. It was previously supposed that 800,000 yards of material would need to be moved but that figure was now down to 200,000 yards. We need to remove the material to create additional wetland areas. He stated the impact to residents will be lots of trucks coming out of the pit, turning right on Pinkham Road and following it to Route 125. Trucks will enter the pit by coming off Route 4, going down Old Mill Road empty (because of the weight in relation to the Old Mill Road bridge) into the pit. Areas also affected in order to facilitate delivery of material to the Highway Garage and Little River Park will be George Bennett Road and Route 155 with some turning right and down Route 155 a short way into Little River Park and some turning left and up Route 155 a longer way to Recycling Center Road and the Highway Department. The project will start in June and take about two months. He said there could be as much as 100 trucks a day going by your house and most would be 18-wheelers. The town will have in place precautions regarding speed, air brakes and dust control. He said the end result will be a beautifully restored gravel pit open to recreational use. He said it should be finished by early September with the whole project done by October. He then asked if there were any questions.

Alan Eaton asked what about rain. Selectman Reinhold said they can haul in the rain. They will also have two large excavators and 10 18-wheelers sp should stay on schedule.

James Fahy asked whose houses they would be passing. Selectman Reinhold said residents of Pinkham and Old Mill Roads and some on George Bennett and Mast Road.

Dawn Genes asked if everyone got letters. Planning & Zoning Secretary Rossi said Yes, 125 letters were mailed out to residents in the project area.

Seth Peters asked about hours of operation. Selectman Reinhold said Monday through Friday from 6:00 a.m. until 7:00 p.m. If they come in with a letter, the Board could allow Saturdays from 7:00 a.m. until 6:00 p.m. It would be their decision.

Eric Porciello asked about money from the sand. Selectman Reinhold said there will be no cost to the town and we would be getting about \$75,000 worth of material free. Mr. Porciello asked if contractors would sell the excess. Selectman Reinhold said in all probability. In either case, the material will be removed from the property.

James Fahy said he remembered it was suggested to build playing fields there by ORSD but that was voted down and then house lots were threatened but that didn't materialize so now what. Selectman Reinhold said a permanent conservation easement in perpetuity. Mr. Fahy then asked why the removal of sand. Selectman Reinhold said to create a wetland area. LPA Laurel Cox said this plan is a nationwide model for reclaiming gravel pits and they will be creating a wildwood and white cedar swamp as well as planting blueberries and creating wetlands o about 20-30 acres. She also said restoration of the riverbank to prevent erosion is another separate project as they are going to stop dirt from the north end of the pit from washing into the river. Mr. Fahy asked how the Peters pit is affecting this. Mr. Peters said his doesn't.

Dawn Genes asked when the town purchased it, what was the plan and how was the decision made. LPA Cox said the decision was for a public access park. Conservation Commission chairman Humm said playing fields were defeated. LPA Cox said after that, it was to be sold for house lots if the town didn't buy it. Chairman Humm said one further thing, in reaching out to the public the town contacted people impacted by traffic but what about people going to the dump when they are hauling into the Highway Department or clearing the storage area for storage of material. he suggested this be put on the e-crier to notice residents. Chairman LaCourse said this was a good idea and thanked him for the suggestion.

Noreen McCosker asked if Old Mill Road would ever be paved. Highway Supervisor Stevens said he tried to do it years ago but the former Board of Selectmen said No. Selectman Griswold said sometime in the future it could be. Mrs. McCosker said there will be lots of dust when the trucks start rolling. Planning & zoning Secretary Rossi said they will have to water the road for dust control. Selectman Reinhold agreed you could see paving in the future. Police Chief Murch said if it is paved, then people will use it as a cut-off and traffic will increase.

Seth Peters asked if there would be road damage bonding. Selectman Reinhold said Yes.

Dawn Genes asked about Old Mill Road Bridge. Selectman Reinhold we are sending empty trucks over the bridge.

Chairman LaCourse said this Wednesday at 9:00 a.m. there is a public meeting and contractors will be taken to the site, including vegetative contractors, and given

details of the excavation and vegetative plan so they can submit their proposals. On April 27th, bids will be opened. Richard Babcock asked how long plans have been out. Planning & Zoning Secretary Rossi said four weeks in several areas.

Eric Porciello asked if the contractor hired would answer to the Board of Selectman or NRCS. Selectman Reinhold said NRCS coordinates the contract between the contractor and town so would handle answers for the engineering part as they do the technical information for the town. Mrs. McCosker asked if there were any samples on line for NRCS. LPA Cox said this is a pioneer effort. Selectman Griswold said, nationwide, we have not done a good job restoring. Areas have been left with only sand and close to the water table. People post insufficient bonds, haul away all the good material including the loam needed for good restoration and sell it and the areas lay vacant and unattractive. This project looks at a whole new way to do it and is one of twelve projects nationwide. The end result will be that Lee will be one in the nation that did this reclamation well. Chairman LaCourse said habitat will be created too. Mr. Fahy asked how this started politically. Selectman Reinhold said the National Conservation Service and LPA Cox parlayed it into something special. LPA Cox said the town got a subsidy to buy the pit plus it could be a future water supply.

There being no further discussion, Chairman LaCourse closed the meeting at 7:31 p.m.

Following this, Selectman Griswold made a motion to accept funds from the NRCS Project to be paid and to expend said funds to the awarded contractors. Selectman Reinhold seconded. Chairman LaCourse called for a discussion. There being none, Chairman LaCourse called for a vote. Motion passes.

4. New Business:

- A. The Board signed the acceptance for the PlanNH Grant.

5. Town Administrator:

Correspondence:

- A. *McNeill, Taylor & Gallo, dated 3/18/09, re: Old Mill Road.*
- B. *State of NH Department of environmental services, dated 1/23/09, re: Wetlands violation for Lee Farm works, LLC.*

- A. Town Administrator Guimond said both the Personnel Policy and ABC schedule need doing.

Town Administrator Guimond said she was unsure where we were with the Cell Phone Policy. She said IT Director Buslovich called the Local Government Center

and what we had was within the confines of the law but the search factor is a problem. She said it should be ready by next Tuesday.

Town Administrator Guimond said she was at John's Auto getting her car serviced and happened to speak with him about the fire command car. She said he gave her an idea of cost estimates which were considerably lower than expected. Selectman Reinhold asked if it addressed the electrical problem. Police Chief Murch said there was also a fire in the car during a response. Town administrator Guimond said she did not think either of these problems were addressed in the estimate. Following this, she was directed to have Chief Blake come to the next work Session with an itemized list of repairs needed for the command car.

Town Administrator Guimond said she is having a tentative meeting with Highway Supervisor Stevens and Transfer Station Manager Rice regarding employee Peter Hoyt's wages. She said Transfer Station Manager Rice wants to hire someone to pick up Mr. Hoyt's hours once he moves full-time to the Highway Department on July 1st. She asked how the Board wanted to proceed. Selectman Reinhold responded as he sees Highway Supervisor Stevens a lot. He said Mr. Hoyt's hours are still 50/50 but we ought to do a job description for a person at the Transfer Station. A discussion followed after which selectman Reinhold said Mr. Stevens and Mr. Rice will be asked to come in with a plan for workers until July 1st when Mr. Hoyt goes full-time for the Highway Department. It was agreed to bring this up at the next Department Head meeting.

The Board discussed having a site inspector on hand to oversee the removal and delivery of the town's gravel from the Old Mill Road Project. After discussion, Selectman Griswold made a motion to authorize Selectman Reinhold to hire a site inspector for five weeks at \$20.00 per hour to oversee the town's interest, up to \$4,000, from encumbered funds set aside for this project. Chairman LaCourse seconded. Chairman LaCourse called for a discussion. There being none, Chairman LaCourse called for a vote. Motion passes.

Town Administrator Guimond presented a spread sheet on the four successful candidates for the final review for the Town secretary position for the Board's perusal. Selectman Reinhold suggested doing a 1 to 10 point method to see who comes out on top. It was agreed to meet with the candidates in Non-Public Session.

6. Town Secretary – manifests, minutes, etc.

Manifests presented were reviewed and authorized for payment.

Manifest #36 for 3/21/09 totaled \$54,768.76

Manifest #37 for 3/28/09 totaled \$57,045.90

Manifest #38 for 4/4/09 totaled \$619,026.12

Manifest #39 for 4/11/09 totaled \$346,044.50

Approval of minutes was postponed.

7. There being no further business, meeting was adjourned at 8:20 p.m.

Minutes recorded by:

Donna F. Eisenhard, Recording Secretary

Minutes accepted by:

John R. Lacourse, Chairman

W. James Griswold

Frank W. Reinhold, Jr.
Lee Board of Selectmen