

MINUTES OF THE SELECTMEN'S MEETING - August 13, 1990

Present for the meeting were Selectmen Mansfield, Johnston and Dodge with Sandra Gendron taking minutes.

Road Agent Lee Murray was in for his regular Monday evening appointment. Timothy Trimbur had been invited in during Lee's scheduled meeting to discuss a bid he had presented to do the necessary cutting to widen Beard Road in the amount of \$4750.00. Tim stated that he was assuming there would be no problem establishing a landing area which he felt would be located in the area of the apple orchards on land owned by Jay Marden. He told the Board and Lee that he looked at the project as mostly climbing for which he was qualified. He explained that he would provide traffic control and the longest he expected to have to halt traffic would be as he was yarding the downed trees to the landing site for which he would be using his skidder with the chains off to minimize damage to the road. He expects the project to take approximately three weeks, he will do the job in sections and clean and chip each section as it is completed. He will salvage wood where possible. Tim will take the responsibility of contacting Jay Marden to arrange what Tim hopes will be the landing site and Tim also realizes this will include restoration of the landing site. Selectman Dodge requests that Tim provide the Selectmen with any agreement he reaches with Jay Marden in writing.

Selectman Dodge questioned Tim regarding his prior experience with this type of project. Tim responded that most of his experience was gained while working for other people. He further offered that he could provide insurance of \$500,000 and asked if the Board wanted him to provide a binder increasing his insurance coverage to \$1,000,000 which he contended would be no problem. The Selectmen agreed they would want this increased coverage.

Discussion continued as to when Tim could expect to begin the project which he anticipated would be around the end of August. This estimated date brought up the whole issue of the apple picking season and how an influx of people and traffic might impede the project since the orchards on Beard Road allowed people to pick their own apples.

Tim has Workmen's Compensation insurance and will provide a copy, Lee stated that any subcontractors hired by Tim would also have to show proof of Workmen's Comp.

Tim went on to describe what equipment he owns and what equipment he intends to have to hire. Discussion turned once again to the time-frame for the proposed project and the apple season. The thought was expressed that another landing site might be chosen closer to the Sizemore's where a logging project had just been completed; however, after more discussion this site was discounted. It was decided to have Tim contact Jay Marden to propose his site as a landing and Lee would contact John Young to discuss what impact the project might have during the apple picking.

Method of payment was reviewed, Tim would like to keep his cash flow going and all felt a mutually acceptable plan could be arrived at.

Lee then brought the paving for Joe English Road up for discussion. Brox had been hired by the Town to do the paving; however, in the interest of their recouping some monies owed to them, a subcontractor was brought in. The job done by this subcontractor was less than desirable on many areas of the road to which Brox fully agreed and discussions were underway between the Town and Brox as to how to remedy the situation to the satisfaction of the Town of New Boston. Lee will be meeting with officials from Brox to discuss what portion if not all the new paving would be overlaid to rectify the uneven hot top that had been originally laid down. Lee is very confident that Brox will strive to satisfy the Town and the corrective work that is being proposed will be beneficial to the Town since it will take care of work that Lee was looking to have to do in the future. Selectman Mansfield questioned that overlaying the pavement was the correct solution for the problems as opposed to the possible use of an infrared machine and Lee expressed confidence that the overlay would indeed correct the situation and will push to have Brox do the entire stretch of new paving. The Selectmen told Lee that if Brox did not agree to overlay the entire stretch, they would like to discuss the matter with them and, once again, Lee contended that he did not expect any problems.

The next topic for discussion was the roads in the Jade Realty subdivision off Route #114. Lee had spoken with Ed Fillmore the owner of the subdivision regarding Ed's desire to finish the roads in the first phase of the subdivision and have them accepted by the Town. He would like to request that he only be required to bind the roads in the second phase and not apply finish pavement until all the gravel has been removed. Lee is in agreement with Ed's request since it seems practical not to allow continued use of a finished road by heavy gravel trucks. If the Town were to accept the roads in the first phase then they would be assuming responsibility of maintaining that road area which is most inhabited. Discussion ensued that this situation presents unusual circumstances and all agreed that the proposed solution was a common sense approach.

Lee then brought up the subject of current policy regarding annual sick days which accumulate at the rate of 1/2 day per month making a total of six sick days per year. Lee would like to propose that they be allowed to carry-over for one year allowing an employee to accumulate twelve sick days rather than lose them if not used in the twelve month time-frame. Twelve days would represent a maximum accumulation. This brought up the discussion of possibly initiating personal days. Discussion ensued and the Selectmen agreed to the possible accumulation; however, they stated the entire issue would be reviewed for permanent policy changes around the time of Town Meeting.

Lee told the Selectmen that Charles Byam terminated his position with no notice and had not reported for work on this day which he had indicated to Lee would be his last day of employment. Richard Foote, a former employee, coincidentally arrived this morning looking for work, having been laid off and it was agreed by the Board of Selectmen to re-hire Richard Foote.

Lee requested that the Selectmen set a date for an on-site inspection of the proposed project on Tucker Mill Road; however,

Selectman Dodge felt that matters were not resolved with Mr. Frouty and until such time as they are resolved that project cannot go forth. He agreed to contact Don Frouty to see where matters stood.

Robert Todd was in next along with Phil Waterman, representing Crotched Mountain Foundation regarding the removal of gravel on a piece of land on Bunker Hill Road owned by the Foundation and an adjoining piece of land owned by Edelweiss Development. Joe Foistner of Edelweiss had been expected to attend the meeting, but had canceled stating that he would be willing to co-operate with Crotched Mountain should they choose to pursue a gravel permit for such excavation. Robert Todd's firm had been hired by both parties to draw the necessary plans and pursue the necessary permits; where upon he had applied to the Town of New Boston for a joint permit. The Board of Selectmen wished to speak to both parties to more clearly understand the intent of the permit and the particulars before determining a hearing date. Bob commented that to date his dealings with Mr. Foistner had not been totally successful.

Phil Waterman discussed the possible project on behalf of Crotch Mountain. He explained that the land on Bunker Hill had been given to the Foundation several years ago, in the past most parcels of land such as this had been sold since the Foundation is not in the Real Estate business; however this parcel in New Boston as well as several in Weare had been kept. Originally these parcels were not terribly valuable, but their value has increased over the years and now the land is being looked at to determine its best return and still keep the best interests of the community in mind. The subdivision possibilities of this 150 +/- acres have been reviewed as well as selling the entire parcel as is. The idea of removing the gravel comes in when looking at the possibilities of subdividing two lots at the lower end that are extremely irregular, with the gravel removed the lots would be level and more attractive to sell. The major goal would not be to sell the gravel, but, rather, to enhance the value of the land. Bob Todd has drawn plans that would keep the slopes gentle and would also allow Edelweiss the opportunity to correct his slopes which are extreme. A concern of Crotched Mountain is that they would want to start and finish this project immediately, not in a piecemeal fashion, and would like reclamation of the land to begin within the course of one year. However, the relationship to date with Mr. Foistner has been such that the Foundation is now questioning the feasibility of the continuation of the project.

Joe Foistner has requested that the annual yardage to be removed from his pit be increased, a request that the Selectmen would only agree to if Crotched Mountain were involved in the project, since to increase his yards otherwise would only worsen his existing extreme slopes. Selectman Dodge encourages the Foundation to go forth with the project which would help correct the situation in the Edelweiss Pit; however, Phil Waterman explained that the Foundation is not prepared to tackle the project alone and they are also concerned by the lack of a market for the material to be excavated. He once again expressed the fact that Crotched Mountain is not in the real estate development business. If Mr. Foistner were to develop a market for the material, the Foundation would be interested, but only with a signed, sealed and delivered agreement with Edelweiss.

At this time Mr. Waterman stated due to the lack of co-operation the Foundation was receiving from Joe Foistner, the entire issue could be considered dead.

The Selectmen explained the Joe Foistner was requesting a large increase in the yards he could remove on an annual basis, which may require a public hearing; however, the Board was hesitant to take further action until discussions could take place with a representative from Crotched Mountain.

Bob Todd asked the Board if they felt the permit process should continue based on the lack of co-operation displayed to date by Mr. Foistner. The Selectmen offered the opinion that the Foundation should go ahead with the process and Mr. Waterman asked the longevity of the permit once it was issued and the Selectmen explained that it is renewed every year and can be rolled over if the conditions of the permit are unchanged at renewal time. Bob Todd stated that the state permitting was underway to which Selectman Dodge responded that he had reviewed the site with a representative from the state seeing no problems with waterways, etc. Mr. Waterman stated that Crotched Mountain Foundation will review the entire project and a decision will be made whether to continue with the proposed project as a joint venture or whether the Foundation will attempt to obtain a permit in their name only.

Discussion turned to the restoration bond that would be required and the Selectmen stated that \$7,000 per open acre is the current requirement and again Mr. Waterman stated that the Foundation would like to go in and out with a solid market for the material removed. The Selectmen told Mr. Waterman it would be up to Crotched Mountain what course of action they pursued once the permit were issued. The Selectmen did offer the opinion that a joint permit would be more desirable from the Town's perspective with a specific contact person designated for whatever issues might arise.

The meeting ended with Philip Waterman stating that Crotched Mountain Foundation would determine how serious Joe Foistner was with regard to the pursuit of this permit; if and if Mr. Foistner is willing to commit himself financially they will return to continue the joint permitting process. There was brief discussion on what the direction of traffic might be should the gravel permit be granted. Mr. Waterman asked the Selectmen if they would prefer two years rather than one for the completion of the project based on the potential truck traffic and to possibly lessen the adverse impact on the community. Selectman Dodge felt the length of the project would be determined by the marketability of the gravel. The final agreement reached by the group was that if Crotched Mountain Foundation and Edelweiss came to agreement, the next step would be for the parties to call the Selectmen's Office and schedule a public hearing.

The Solid Waste Committee was the next group to meet with the Selectmen. This committee was comprised of Robert Todd, Martha Brooks, Ellen Ruggles, Bonnie Bethune Manager of the Transfer Station, Mike Richards and Sheryl Maloney. Bob Todd assumed the role of spokesperson explaining the purpose of the group. They had scheduled this meeting with the Selectmen in the hope of having

the Board grant this committee the authority to work on a Solid Waste Management Program which would assist the management of the Transfer Station. Bob handed out a sheet explaining ideas that the committee is entertaining. Bob Todd alluded to the fact that there is enabling legislation to allow Town's to pass such an ordinance and once the ordinance is in place then work can commence with regard to education and public relations with rules to fall back on should problems arise. Discussion ensued on recycling, should it be mandatory or voluntary and the committee used this issue as an example of what they were looking to the Board of Selectmen for endorsement of areas that could be addressed by the ordinance. It was their hope that the Selectmen would appoint them as an ad hoc committee so that they might continue with their efforts. Selectman Dodge commended the group for their efforts to date and expressed the need for such a committee and for such a proposed ordinance; however, he did feel that the Selectmen should interview the committee in its final form. The committee did agree that if the ordinance did pass, then the committee or board established for enforcement of such an ordinance should be interviewed and appointed by the Board of Selectmen.

Selectman Dodge further commented that he, personally, was not a supporter of mandatory recycling, he would prefer to see how we fared with a voluntary effort. He feels this mandatory concept has failed in other communities, but also realizes that New Boston could come to mandatory recycling. Selectman Dodge supported the need for such an ordinance and a committee that would be advisory to the Selectmen; knowing that this committee would have it's power established by the passage of an ordinance at Town Meeting. Selectman Mansfield agreed with the thoughts of Selectman Dodge.

Discussion turned to the subject of septage disposal which Bob Todd felt would have to be dealt with by a separate article which might propose the need for a feasibility study. Selectman Dodge agreed with the need for the study, but does not necessarily agree that monies need to be raised for such a study. Selectman Dodge further commented that people need to visit sites of successful septage disposal operations and Bob agrees that the committee might work on both projects jointly. Mike Richard offered informational paperwork on such systems and offered his assistance in implementing a septage disposal site. Selectman Dodge stated that these issues need investigation and this is what would be expected if the Selectmen approved this group as an ad hoc committee. Another issue to be investigated would be whether a town like New Boston should work alone or if more could be gained from a combination of Towns working together.

Bonnie expressed support for this group being established as an ad hoc committee and stated this was the first time any group of people had shown commitment towards the creation of an ordinance to be presented to the townspeople.

The Selectmen voted unanimously to name the assembled group as an ad hoc committee to present to the Board of Selectmen a draft of a Solid Waste Management Ordinance sometime in December for the Board's review. The Selectmen did not feel that there should be any expenses incurred by the committee involved in drafting a proposed

ordinance.

Next on the agenda was a meeting with representatives of the Community Times. In attendance was Janet Nixon, Cindy Coughlin and Lorraine Miller. Cindy Coughlin explained the growth of the community newsletter going from 700 to 1300 copies per month since her involvement with the publication as well as the increased workload and the increased costs of printing and postage. Cindy went on to explain how the project is handled each month and Lorraine Miller commented that she is hesitant to continue to ask the school for student volunteer hours since they also help with the PTA newsletter which is more directly involved with the educational system. The ladies stated that they were looking to the Board of Selectmen for direction since the publication has grown to it's current magnitude.

Selectmen Dodge and Johnston expressed support for the notion that monies might be requested at Town Meeting for the publication of the very worth-while newsletter. Selectman Mansfield felt that the Department of Revenue Administration should be contacted to make certain that funds could be requested for support of this project at Town Meeting. The history of the publication was discussed and the ladies felt there would be no opposition to financial changes being made if the publication received town monies in order to continue. The meeting ended with Jan, Cindy and Lorraine realizing that the Board of Selectmen could offer no financial assistance; however, investigation would be made into the possibility of requesting financial support via the Town Meeting process in 1991.

Representatives from the Recreation Commission and the Junior Athletic League were next in to meet with the Board of Selectmen. The group included Joel Daniel, Bob McDuade, Tim Knight, Karen Hall, Judy Knight and Sandy Gallup. The group reviewed with the Selectmen the meeting of the JAL and stated that a meeting has yet to take place with Steve Strand one of the originators of the JAL. This meeting was scheduled for next Thursday and the agenda would include the dissolving of the JAL with the five original charter members being invited. Discussion ensued as to the appropriate course of action to take to dissolve the JAL according to current RSA's. Once this is accomplished all the JAL efforts will be co-ordinated with the Recreation Commission. Representatives of the Recreation Commission discussed how they would appoint a standing committee as allowed by established by-laws to keep the programs of the JAL in tack and ongoing.

It was pointed out to the Board of Selectmen that there was an opening on the Recreation Commission, Blaine Gann having resigned and they would like the Selectmen to interview Ron Sweezey to fill this position, he would become the representative for the Athletics and the remaining members of the JAL would become affiliated with the Friends for Recreation. Funds of the JAL would then be turned over to the Town and there would have to be discussions to decide how these funds would be distributed to service the purpose for which they were originally raised. Similar action would be taken with regard to the sports equipment now owned by the JAL.

Checks were signed, mail was reviewed and the meeting was adjourned at approximately midnight.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sandra Gendron". The signature is written in dark ink and is positioned above the typed name.

Sandra Gendron
Administrative Assistant