

MINUTES OF SELECTMEN'S MEETING - September 17, 1990

Present for the meeting which began at 7:00 p.m. were Selectmen Mansfield, Johnston and Dodge with Sandra Gendron taking minutes.

Road Agent Lee Murray was in for his regular Monday evening meeting. The first order of business was to open the one and only bid received for the re-roofing of the Town Shed on Old Coach Road. After review of this bid received from Gary Lawrence Construction in New Boston it was determined that it was submitted for only half the intended project and must have been misunderstood by Gary. He will be contacted for clarification.

A second bid had been received for opening at this meeting and it was for the project on Tucker Mill Road which would replace the existing bridge with a culvert. Present for the opening were John Scott of H. A. Scott and Sons and David Bowen of David Bowen and Sons. Bids were received from Carl Houghton - \$19,740., A. J. Gomes - \$15,000., D. & S. Excavating - \$7,000., H. A. Scott & Sons - \$10,435, David Bowen & Sons - \$5,030.00 and Connie's Septic - \$19,800. The Selectmen determined that the bids received would have to be reviewed in detail since some did not include gravel in the bid price. Lee suggested and emphasized that action be taken prior to next Monday's meeting and the Selectmen agreed that they would take action as soon as possible. The Selectmen did take the opportunity to review the bids submitted by those bidders present.

Skip Gomes also interested in the above project having submitted a bid, discussed with the Selectmen a matter regarding the owner of the property abutting his gravel pit on Lyndeboro Road. Clayton Savoy wishes to move 7 to 8,000 yards of material in preparation for building a home on this lot. Skip would do the excavation work and would like to stockpile approximately 5,000 yards of material in his pit for later resale. The balance of the material would be used in site preparation for the construction of the Savoy home. Skip questioned whether Mr. Savoy would need a gravel permit for this one time operation. Skip described the material as mostly sandy clay fill and he proposes to truck it directly to his pit. He realizes that yards sold from his pit would effect his total annual permit.

Selectman Johnston contended that Mr. Savoy was not marketing the material but only moving to build and did not see the need for a permit. He further questioned Skip's responsibility for the total yardage and it effecting his annual total for his gravel permit; however, Selectman Dodge did not think the total would be substantial enough to adversely affect Skip's permit. Selectman Dodge suggested that the Selectmen review the situation before a decision was rendered and this was agreed to by the Board.

Bonnie Bethune manager of the Transfer Station was next on the agenda for the Selectmen and bids received for the baler were opened. Bids were received from Recycling Equipment and Service Co. in the amount of \$9,195.00 as the standard bid with options listed separately, Resource Technology Corp. in the amount of \$6,998. as a standard bid with options listed separately and an alternate bid of \$10,891., Gemini Industrial Products, Inc. in the amount of \$9,585. with options separate, and from the same company a second baler bid in the amount of \$7,885. with a separate option and the final bid was received from MM Solid Waste Equipment in the amount of \$9,040.

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with a separate option. Discussion and review of the bids ensued. Bonnie commented that she was still have a difficult time getting names of those who might be baling plastics. The above bidders contend that the equipment will bale plastics; however, Bonnie has not received any recommendations.

Discussion turned to our limited money available to purchase a baler. There is still a market for the loose material generated by New Boston, but the storage of plastics is difficult due to the space it consumes.

Mark Wilson, a resident of New Boston, sitting in on the meeting asked to speak and expounded on his knowledge of baling paper having hauled these bales to various mills. He also spoke of the different types of balers available and the types of bales he has seen produced. He commented that the market is constantly changing, but with the use of a baler we would be in the position of storing material and realize more profit from changing market conditions. He asked if the Board and/or Bonnie had thought about or looked into what might be available for good used equipment and he went on to further explain that frequently equipment is deemed too slow for a commercial operation, but is still very serviceable for a situation such as we have. Selectman Dodge suggested that Mark look into getting prices of used equipment and discussion turned to the criteria which needed to be met as far as the cost of a baler in order to receive the State Grant for which we had already applied.

It was agreed by all that more investigation and review would need to be done before a final decision would be made on the purchase of a baler for the Town.

Next on the evenings agenda were members of the Planning Board Harold Strong, Chairman, Brent Armstrong, Bruce Fillmore and Secretary Claire Dane along with Developer Leo Dumont representing the proposed development known as Juniper Hill to discuss with the Board of Selectmen the upgrading of both the Class V and VI portions of Wilson Hill Road leading to the proposed subdivision. Claire handed out copies of a document presented to the Planning Board listing the costs involved as presented by Mr. Dumont.

Bo began discussions by stating that current regulations regarding the upgrading of a Class VI road stated that it must be hot topped and he expressed the desire to stick by these regulations and further that improvements necessary to the Class V portion would be based on a Road Impact Study which has not been done. Bo did point out that there was some disagreement amongst members of the Planning Board with regard to obtaining money for the improvement to the Class V portion when the study has not been done and there was no way to predict what such a traffic study would produce.

Discussion turned to a proposal presented by Leo Dumont that would upgrade the Class VI portion of Wilson Hill to town standards thru crushed gravel and would make improvements to the Class V portion and lastly an asphalt surface treatment would be applied to the entire stretch of road. Lee stated that he had done some research on the liquid asphalt and a sealer would need to be applied for winter maintenance. Lee further offered a thought that we ask Leo

Dumont to hot top the Class VI portion, which Lee estimated to cost approximately \$22,000 and proceed with the improvements to the Class V section short of pavement, it was then Lee's suggestion that the town could arrange the funds necessary to pave to Bedford Road. Lee also stated if his thoughts were not feasible then could binder be used instead of penetration which he does not favor. Selectman Mansfield stated that the Board was willing to listen to possible alternatives since they did not feel having a hot topped section of road turn back to gravel was ideal for the town especially from a winter maintenance standpoint. Selectman Dodge asked Lee if he could estimate what it might cost to use binder on the entire section of road under discussion and Lee estimated \$29,953. Selectman Mansfield contended that the portion to remain gravel would require much more to maintain and would receive many more complaints from the general public, again, he stated that black top all the way was the most ideal situation for the town.

Discussion turned to the fact that any work done on Wilson Hill Road as a result of this subdivision was still two to three years away, decisions still had to be made on phasing the proposed project. The development, if approved, would begin on the Byam end of the parcel off Route #13 and starting the project would depend on the economic studies.

Bo further offered the thought that Leo should be granted approvals only to the first loop which will give 20 lots and would include the cistern; Bo did not want to leave the road at a dead-end. Should anything happen to the subdivision once it has begun, Bo did not feel it was in the best interests of the Town to have a dead-end situation to deal with.

Selectman Johnston questioned Lee's previously proposed figures, did these figures include penetrating binder. Lee responded still supporting that the Town could phase in the hot top for the Class V portion of Wilson Hill Road if the developer were required to bring the road thru crushed to Bedford Road.

Selectman Johnston commented that although he did support the Road Impact Study, he was not sure that it would ultimately prove too helpful for the Town because a short-cut road would be created which the developer's Road Study would not show; so, in Selectman's Johnston's opinion, the most benefit derived from the study would go to the developer.

Discussion turned to the areas of the road which would be black topped. Selectmen Dodge and Johnston did not support only 1/2 the roadway being paved they wanted to see black top the entire distance of Wilson Hill Road from the entrance of the development to Bedford Road which would include both the Class VI and Class V portions. Selectman Mansfield commented that the Board had been willing to listen to Leo Dumont's proposal with regard to the liquid asphalt because the Board was only sure of getting the Class VI portion of road paved and the Class V would only receive what improvement was recommended by the study, most likely this would not include pavement and he supported the other two Selectmen in feeling this was not a desirable situation for the Town. Selectman Dodge contended that he could support an alternative that would be

beneficial to the Town even if the alternative was against current rules. He again commented that tar back to dirt was a bad situation that could only cause more problems for the community. He further agreed that liquid asphalt was not the route to pursue, but supported the use of binder where other developers could contribute. This contribution would only be to a certain point, however, since binder with a sealer is only good for two to three winters.

Discussion turned to the Road Impact Study which Claire commented would only cost in the vicinity of \$5,000.; however, Selectman Dodge still expressed concern that the Town could be on the losing end since we would have to take the results of the study and would only receive a few thousand dollars towards the improvement of that Class V section of road since this study would take into consideration the potential future development in the area and Leo Dumont's portion would be prorated. What is not taken into consideration by the study is that the Town would have to open and maintain a thru road.

Discussion ensued as to the amount of paving that should be required and the fairness to all involved with regard to the expense. Everyone present was in agreement that the liquid asphalt would not be an acceptable alternative. The Selectmen support the binding, while Leo questioned whether we were putting ourselves in an undesirable position with future subdivisions since we would be deviating from current requirements. It was Brent Armstrong's contention that it would have to be shown that the benefits derived from such an agreement far outweighed strictly adhering to current regulations. Selectman Mansfield wanted to clarify that if the binder was used the entire length of the roadway under discussion, the Town would be accepting this in lieu of the finish on the Class VI section; his intent is also to be fair to the developer. Selectman Dodge offered his support for the above proposal. Selectman Mansfield suggested that the Selectmen counter propose the binder course which they all agreed should cost an estimated \$11,000 more; a small amount, in their opinion, since Leo contends to want the entire stretch of road black. Leo also wanted to point out at this time that the road specs shown on the sheet presented by Leo were not correct and all agreed to this statement.

Discussion continued as to the worthiness of any further study since the town would probably get support of road improvements only thru crush and then because there is so much potential future development on the road in question, Dumont's impact may only be 25% which would not yield much money for road improvement. Discussion then turned to the need for the Planning Board to decided how this project will be phased. Once again, Bo proposed a loop road and opposed a straight dead-end road. It appears that this theory would be supported by the Police and Fire Departments as well as the Road Agent.

Claire brought up the subject of the Economic Impact Study which she has discussed at length with Jim Tethers from SNHPC. Jim supports the need for the Town to do such a study because it would give the Town a negotiating tool using the developer's figures not our own. Once the study is done we could choose not to use the results, we could use the results to determine how the development should be

phased based on impact to the community, or the development could be declared scattered and premature if the developer were not willing to negotiate. Jim cautioned not to deny the development based on the Capital Improvements Program, but rather show plans for multi-years and further stipulate that no guarantees can be given that the Town Meeting will vote to accept the CIF as proposed. By doing this the Town is left open and the Impact Study can be evaluated to determine how it fits the Master Plan. There is a chance that our local factor could be different from the national average and this could be proven over a period of years. Jim suggests that tactics be used that can be negotiated. Claire went on to discuss school children multipliers and a booklet put out five or six years ago by the Office of State Planning. Again, Claire stated we can only make assumptions when it comes to looking at multipliers, but we could take our figures to a firm of our choice that will provide a viewpoint based on figures that we submit. Discussion ensued on Economic Impact Studies as they relate to 1-50 lot subdivisions or 5-10 lot subdivisions. The end result of this discussion seemed to be that the group supported the need for the Economic Impact Study, regardless of Leo Dumont's feelings, as being very necessary.

Discussion returned to the issue of "phasing" a matter yet to be dealt with by the Planning Board. It was pointed out that when the process begins the Board would need to be careful not to phase too finely making it unprofitable for the developer thus allowing him to curtail the development and leaving the Town with the many problems that would arise from such a situation.

Selectman Dodge queried as to whether the Impact Study would only look at this particular subdivision as opposed to the potential subdivision that could still occur in New Boston. It was the feeling of the Planning Board members present that the study would only include the current subdivision, but felt that potential subdivision figures should be kept in mind to see how the Town could ultimately be effected. Selectman Johnston commented on findings of the space needs committee for the school of which he represents the Board of Selectmen, stating that indications are that the needs of the school are safe for three years, but no proposed subdivisions were taken into consideration.

In finalizing this meeting, it was agreed by the Board of Selectmen to counter Leo Dumont's proposal with one that would include the widening, draining and graveling (including crush) and the application of the base asphalt on the entire length of Wilson Hill Road, from the development to Bedford Road and if this should not meet the approval of Leo Dumont, then the current rules and regulations would remain in effect including the Road Impact Study; however, the door would be left open for Mr. Dumont to offer other suggestions. The counter proposal will be made in writing from the Board of Selectmen to the Planning Board with a copy of the letter going to Leo Dumont.

On a final note the Planning Board requested that \$7500. be withdrawn from the Water Supply Trust Fund to be put into a separate account. This is being done with the approval of Town Counsel.


The Selectmen agreed to review the Tucker Mill Road Bridge Replacement bid with Lee tomorrow morning.

John Palmer was in to discuss with the Board of Selectmen that he is an opposing abutter to the Tingley gravel operation on Rte. #13. John does not wish to pursue his previous request to remove gravel from property he owns on Rte. #13 to property he owns on Hooper Hill Road, but will consult an attorney rather than argue with the Tingley's. The Selectmen felt that the situation with John wanting to remove 10-15 loads of gravel was not an issue that would affect the Tingley's and was something they could approve as long as the slopes were reclaimed and John was willing to either place a bond or complete before an occupancy permit was issue for the house that was intended to be built on the lot in question. The Selectmen would like to meet with both John and the Tingley's to discuss gravel matter at the property line.

James Dodge Fire Chief was in to discuss the issue of withdrawing the \$7500. from the Water Supply Trust Fund as had been requested by the Planning Board. At the present time the account was approximately \$1581.61 short since \$2000. had been withdrawn to reduce the cost of the tanker voted to be purchased by the 1990 Town Meeting in a special article. Jim further explained that an additional \$400. had been spent on a Pitot Gauge and related paraphernalia. The \$7500. would also need 5 1/4% interest to be deposited in the new account relating to the subdivision of Brockman Associates. Discussion ensued as to how to bring the Water Supply Fund back to an amount whereby the \$7500. plus interest could be withdrawn and still leave enough money so that the Trust Fund would not be closed. The question arose as to whether a special article could be overspent and a subsequent phone to Ed Rainville, DRA was made and affirmed that it could be. This being the case a check was drafted from the Town which would overexpend the special article for the tanker truck by the \$2000., this was deposited in the Water Supply Trust Fund and the \$7500. plus interest was withdrawn and a separate account established.

Mail was reviewed, checks were signed and the meeting was adjourned at approximately midnight.

Respectfully submitted,



Sandra Gendron
Administrative Assistant