

MINUTES OF THE SELECTMEN'S MEETING - January 20, 1992

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

The first order of business was opening the only bid received for a fire truck which had been advertised for sale. The bid was from the Deerfield, N. H. Fire Department and was in the amount of \$3,660.00. Upon notification of the New Boston Fire Wards, the bid was ultimately accepted and the two fire departments would work out the details.

The first scheduled meeting of the evening was with Ray Cowan, representing Cowan and Cricenti an engineering firm who had submitted a bid for the engineering work on the proposed replacement bridge on Depot Street. Chairman of the Board of Selectmen Johnston explained to Mr. Cowan that the purpose of the meeting was to review the bid submitted. Selectman Dodge asked Mr. Cowan if he had ever engineered a bridge for the State of N. H. Mr. Cowan responded that he had not and reviewed his previous work experience stating that his firm was now on the state list of accepted engineering firms. Mr. Cowan was asked if he had any personal prejudice with regard to a timber frame bridge and he responded that he had none at all further stating that a number of this type of bridge were being purposed at various locations throughout this state and Vermont.

Discussion turned to the fact that the Board of Selectmen is assuming by the bid submitted that Mr. Cowan is expecting the existing abutments to be adequate for use. Selectman Dodge went on to state that the Board is expecting an engineering stamp on the proposed project so that the bridge can be replaced and asked if Mr. Cowan felt that any further tests on the abutments were necessary, stressing the importance for the Selectmen to know the status of these abutments.

Mr. Cowan responded that his firm will have to do their own investigation and will proceed immediately if awarded the job. Mr. Cowan was asked what added costs might be involved in making this examination, to which he stated the inspection of the existing abutments will be mainly visual and he went on to explain that he would be looking at the entire area and if he came up with any real concerns then the investigation would have to go further. His estimate of the cost if further tests were necessary, other than the visual examination, was \$750. to \$1,000.

Selectman Dodge stated that since the initial meeting with the engineering firms who would be bidding on the project, it had been determined and confirmed by Jim Moore, who was the State Supervisor for the project, that the fifty year flood factor would be accepted. Discussion on this ensued. Mr. Cowan stated that he had not included the time in his bid for the flow calculations; however, was confident that the state had information available that would be useful in this regard.

Selectman Dodge inquired as to how Mr. Cowan would be prepared to meet the state requirement that a drawing of record be presented for the project. Mr. Cowan responded that he was of the opinion that the drawing used for the project would be adequate and stipulated that he would meet whatever requirements might be necessary to satisfy the state. Mr. Cowan went on to state that it was his understanding that the Town of New Boston would be responsible for the engineering costs of the project and then the state would participate in the costs of

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construction on a reimbursement percentage. Discussion went on to what the state would be looking for from the engineering firm in addition to the final designs which would need review and approval at the state level this would include whatever inspections would be deemed necessary. Selectman Johnston asked Mr. Cowan at what rate the town would be charged for these additional inspections. Mr. Cowan responded that as principal engineer on the project, his time would be charged at \$75.00 per hour and any time for a staff engineer (which is noted as a structural engineer in the pay schedule) would be charged at \$45.00 per hour. Selectman Johnston went on to inquire as to how many meetings might be anticipated either with the town or the state and Mr. Cowan responded that he would give a monetary estimate of \$850.00 for any meetings and further stated that this estimate was likely on the high side. He went on to add that the inspections could increase the costs of the project by \$2,000. based on a six week time frame at one and one-half visits per week averaging four hours each. He added the total costs of the engineering aspect of the proposed project to be approximately \$10,142. He also estimated an added cost to that just stated of \$400. if his firm were asked to participate in the bid process once plans were ready and approved to go out to bid for the actual structure.

Discussion turned to the survey issue and the need for site work. Mr. Cowan commented that his quote for this had been received from the office of Bob Todd, a resident of New Boston, in the amount of \$1400. If the town chose to deal with Mr. Todd directly a small savings could be realized in the mark-up of fifteen percent by Cowan and Cricenti. It seemed to be the consensus of the Board that this savings would not be worth the town acting as the middleman between Todd's office and the engineering firm.

Discussion then ensued on the time frame for the engineering to be done, should Cowan and Cricenti be awarded the job. The Selectmen inquired as to what might be done in order to present a dollar cost for the project at the upcoming Town Meeting so that that the financing might be voted. Mr. Cowan responded that the complete study would not be ready; however, a conceptual would be available which should meet the Selectmen's needs for Town Meeting.

At this point in the meeting Lee Murray commented that the engineering study would have to be completed to the point where the determination could be made as to whether a H20 or and H25 loading capacity could be installed on the site. The state would prefer the heavier capacity, but Lee is of the opinion that this might not be feasible with the existing conditions. Selectman Dodge commented that if an H25 cannot be installed the Board needed to know. It was pointed out that the H.S.20 was capable of handling the standard legal load and the H.S. 25 would handle the heavier certified loads. Discussion ensued on this issue.

The next issue to be discussed was that of guardrails. Mr. Cowan's sees these as an added expense, the type and design of installation to be dictated by the State of N. H. since the bridge will exit onto a State Highway and at this time he does not believe they have any hard and fast standards.

There was more discussion on the total cost of the engineering bid and Mr. Cowan noted that he was aware that his firm was not the low

bidder. Selectman Dodge explained the situation whereby a third bidder on the project had not submitted a dollar value for the engineering project, which was done according to current state standards; however, he added that at this time the town was not looking at this firm due to the lack of a monetary bid. His point was to make everyone aware that this might become an issue, although, he was of the opinion that the state knew where the town was headed and was in support of this direction.

Mr. Cowan left the meeting by stating that if his firm were awarded the bid, he felt the proposal should be rewritten.

The next scheduled appointment was with Ken Rhodes, representing Costello, Lomasney and deNapoli, Inc. the second firm having submitted a bid for the above discussed project. Mr. Rhodes presented to the Board an outline which was intended to state the Town of New Boston's present situation as it relates to the proposed bridge replacement and further to give his conception as to what his technical role will be as well as providing the Board with information that is intended to be helpful in assisting the Selectman in making a decision in this matter. The main point of Mr. Rhodes presentation was to make certain that the state committed to this project in writing to assure that the town would be eligible for the state percentage of reimbursement for the construction costs of this proposed project.

Selectman Olson asked Mr. Rhodes if there were any rules applying to bridges that were hard and fast that could be interpreted that the town of New Boston would be eligible for the above stated reimbursement even if the state commitment were not in writing. Selectman Dodge commented that his interpretation of Mr. Rhodes' comments was that the fact that the fifty flood plan was acceptable and the capacity of the bridge, i.e. H20 or H25 should it be feasible, should be in writing before the project continues. Selectman Dodge is of the opinion that the town has covered the issues discussed by Mr. Rhodes, but there is, to date, no written documentation to this effect.

Selectman Johnston inquired of Mr. Rhodes as he had of Mr. Cowan's as to what additional inspections of the project might cost over and above the cost of the two submitted with the bid. Mr. Rhodes responded that he would send a copy of the present rate schedule and went on to state that he, as Chief Engineer, would be charged out at \$80.00 per hour, with other engineers costing in the vicinity of \$50.00 per hour.

Selectman Dodge turned the discussion to the status of the existing bridge abutments and asked Mr. Rhodes what more, if anything, needed to be done to determine if these abutments were acceptable in their present condition. Mr. Rhodes responded that he had contacted another firm to give an expert conclusion and submit said conclusion in writing as to condition these abutments were in and what potentially might have to be done, if anything. He went on to state that this step was being taken on his behalf at no additional charge to the Town of New Boston. He went on to state that he anticipated the potential need to do a few borings to confirm the existing conditions, and commented, as had Mr. Cowan's, that there should be additional information available at the state level for the use of the engineers. Selectman Dodge commented that whatever information was on record at

the state level should be available since Town of New Boston monies had been used to ascertain this information. He went on to ask Mr. Rhodes if borings were necessary what did he anticipate the cost to be. Mr. Rhodes responded that the cost would be \$25-\$30. per foot as well as a potential cost of \$1500. to get an geo-technical opinion based on the findings. He totaled the above costs to be approximately \$2000. to \$2500.

Mr. Rhodes stated that he would assume the responsibility of having the abutments checked and also of having the state files reviewed. He went on to state he would need a letter to the Department of Transportation acknowledging what is acceptable for the Town to do and the fact that the fifty year flood factor can be used. The next step would then be to select a pre-manufactured bridge to be placed on the existing abutments and have the state participate in two-thirds of these construction costs, once again, he stressed getting the state approval in writing.

Selectman Dodge inquired as to whether enough of the preliminary work would be done so that a cost package could be put together for presentation at Town Meeting. Mr. Rhodes responded that it would. Selectman Dodge asked if the site drawings with the bridge in place would meet the requirements of the state having a drawing of record and would these be included in the design package, to which Mr. Rhodes responded that their drawings should be close to acceptable by the state, if more was required it could cost in the ballpark of \$1500.

Selectman Dodge asked of Mr. Rhodes as he had of Mr. Cowan, did he have any prejudice with regard to a timber frame bridge. Mr. Rhodes responded that he had no feeling for or against and stated that he was not against this type of bridge. Selectman Dodge made Mr. Rhodes aware of the situation with the third bidder as he had with Mr. Cowan.

There was some discussion with David Wilson who was present at this time awaiting a meeting with the Board of Selectmen with regard to the type of bridge that might be placed on this site. Mr. Rhodes commented that the state warns towns against so called "fly by night" outfits and went on to discuss the issue of liability that the Town might become involved in confirming the need for the use of an engineer of record. Lee stated that he had contacted four different companies with regard to the product that they had to offer and the Selectmen were satisfied with these contacts.

David Wilson, a resident of Laurel Lane, was in to discuss with the Board of Selectmen the ongoing matter of silt being washed down the river especially during heavy rains that appeared to be originating from the construction site of Yankee Trust, developing an area off River Road. Mr. Wilson was of the opinion that no follow-up was being done and that the people in charge were not doing their jobs. He stated that he wanted the problem cleared up and was putting pressure on everyone he could think of in an attempt to get results. He went on to state that he wanted to see the bond that had been put in place by this developer with regard to erosion control pulled and he contended that fines should be imposed against the developer.

Selectman Dodge explained to Mr. Wilson that the road had been constructed with methods of erosion control in place and went on to state that the town could not pull the bond until they were ready to correct the existing problem. He continued by stating that attempts

were being made by those involved to correct the problem and these have been ongoing. He pointed out to Mr. Wilson that he was blaming the entire problem on one project when contributions to the conditions were coming from the Scott and Byam gravel pits. He stated that he had, as a Selectman, refused to sign the Scott Gravel Permit based on Mr. Scott's lack of taking charge and putting methods of erosion control in place that would eliminate the silt from entering the river from his site, further stating that presently this situation appears to have been remedied. He went on to state that Mr. Wilson should look at all the culverts in the area to see that others were contributing; and continuing, he contended that with every downpour the same condition occurred in the river and only a few complaints have been received. He went on to state that this has been an ongoing problem for years and to date there have been no answers for a remedy. Mr. Wilson gave, what he considered to be a solution to the problem in detail and feels that it could be accomplished by spending the existing bond. Selectman Dodge asked if this proposed solution did not work, then what and he went on to state that the Planning Board has been involved in the matter. Mr. Wilson commented that he feels he is being "sandbagged" by everyone. Selectman Dodge responded that the state does not know what to do.

Mr. Wilson expressed his wish to use the Public Information Channel to get his message to the citizens of New Boston. He went on to state that he had put a sign up in the area of the site listing the state numbers to be called if people were concerned about what was happening to the river. He stated that MAM (Mad About Mud) an ad-hoc committee for a clean river had been formed and wished to broadcast the information and telephone numbers to be called on the public channel. Selectman Dodge agreed that it would help to apply pressure at the state level and again gave four sites that were contributing to the problem. He expressed understanding for Mr. Wilson's motives, but did not support the Mr. Wilson's message on the public channel as being appropriate. He contended that a situation such as this was not what the channel's original use was to be; however, agreed that it was available for public information. Selectman Johnston commented that he did not see a problem with Mr. Wilson's request to use Channel B to which Selectman Olson agreed. Mr. Wilson stated that he could not understand Selectman Dodge's lack of support for publicizing this information on Channel B. Selectman Olson responded that Mr. Wilson had the majority of the Board in favor of his use of the channel.

Mr. Wilson presented a letter from the PWA and expressed his belief that it was the job of the Board of Selectmen and the Planning Board to get answers and expressed appreciation for the decision that his message be allowed on the public information channel.

Discussion turned to the fact that Mr. Wilson had nailed a sign to a tree which was not allowed under State Statue to which Mr. Wilson responded that he would not mind being arrested.

Mr. Wilson presented to the Board the message he wished to have put on Channel B and it was reviewed for its content. Mr. Wilson stated that he wanted to work with the Selectmen and left the meeting on friendly terms.

Brent Armstrong, member of the Planning Board, and who had come in with Mr. Wilson remained after Mr. Wilson left the meeting. He

supported the Selectmen's statement that the bond could only be pulled by default. Selectman Olson reviewed the entire matter as he saw it and that was that Yankee Trust had tried to put an entire road through in an effort to get the base coat on prior to November 1st and had not succeeded in this endeavor. He stated that in his opinion the Board of Selectmen should be cautious in establishing a final road bond making sure that it will be a sufficient amount to cover the existing problems.

Brent offered the opinion that pressure should be put on Leo Dumont, manager of the Yankee Trust Project to do all that was possible to remedy the matter prior to the spring run-off and offered the opinion that the Planning Board could issue a cease and desist in conjunction with one already issued by the State of N. H.

Brent questioned that any damage being done to the river has yet to be determined. Selectman Olson did contend that he has, in the past in connection with his former job with the state, shoveled large quantities of silt from the culvert on the site of the Scott gravel pit and he further contended that tests have proven that the silt has had a major impact on the river.

The Board of Selectmen continued with other matters that needed their attention and decisions during this meeting. On the matter of establishing an amount of a bond required to be in place as part of the the Scott Gravel Permit, Selectman Dodge offered the opinion that the wells had proven over the years not to be an issue; and based on this contention did not feel it was necessary to continue to require Mr. Scott to post a \$20,000. bond to protect these wells. Selectman Olson disagreed with Selectman Dodge stating that there were letters in the Scott file from abutting property owners who had expressed concern and the bond was originally established based on the contents of these letters. He was of the opinion that these abutters should be notified of a change in the status of the bond requirement since it was a part of the public hearing process. Selectman Dodge stated that he felt it was within the Selectmen's authority to make a change in the bond requirement. Selectman Johnston supported changing the bond requirement after walking the site with the other Selectmen and seeing the configuration of the pit. Selectman Dodge agreed that the abutters should be made aware of the change and it was agreed by the entire Board of Selectmen that Mr. Scott would be required to post a bond in the amount of \$14,000. to cover the potential reclamation of the two open acres, if need be. Letters will go to the abutters.

Ed Moran was appointed to fill the unexpired position of John Reeves who had resigned as auditor.

The Board of Selectmen also agreed after investigation had been made into the costs involved to accept a \$1,500. bond from Yankee Trust to cover whatever costs might be necessary with regard to the placing of mulch and seed along the edges of Wilson Hill Road in the spring of this year as it relates to the upgrading of a section of that road by Yankee Trust from a Class VI to a Class V. Yankee Trust will be notified of this decision as will the Planning Board so that they may take whatever action is necessary on their part based on the above decision.

Selectman Olson related to the other two Selectmen the status of the

Banking Committee. At this point in time, the Milford Co-operative Bank is actively pursuing purchasing the existing bank building with the FDIC in an effort to return banking to the New Boston Community. This pursuit has the support of the Banking Commissioner's Office. Since this is the only bank engaged in this pursuit and one of the only banks that would be supported by the Commissioner's Office to be in a position to expand its branches, Selectman Olson is recommending at this time, that the committee take a backseat and allow the Co-op Bank to move forward. Selectmen Dodge and Johnston were in agreement with this recommendation and should the situation with the Co-op Bank fall through, then the committee could re-group to investigate alternatives.

At this point in the meeting, as was mentioned previously in these minutes, it was decided by the Board to accept the bid from the Deerfield Fire Department for the purchase of the truck advertised for sale. It was also decided based on the request of James Dodge Fire Chief that the Fire Department would be reimbursed the costs of advertising the truck and the balance on the monies would be deposited to the general funds of the Town.

Checks were signed, mail was reviewed and the meeting adjourned at approximately 11:15 p.m.

Respectfully submitted,



Sandra Gendron
Administrative Assistant