

Approved  
8-15-94

TOWN OF NEW BOSTON  
SELECTMEN'S MEETING MINUTES

AUGUST 1, 1994

A regular business meeting of the Board of Selectmen was called to order at 6:30 p.m. by Chairman Pimenta.

**PRESENT:** Michael S. Pimenta, Chairman  
Darlene M. Goodin, Selectman  
Harold C. Strong, Selectman  
Lorraine A. Cleveland, Town Administrator

**REQUESTED APPOINTMENTS**

Ernie Thibeault, President of New Boston Aggregate Corporation/Thibeault Corporation was present at 6:45 p.m. for the Board's final action on his gravel permit. The Board and Mr. Thibeault reviewed the final draft of the permit stipulations. Mr. Thibeault took exception to the second paragraph on page 4 which states that if a written complaint is filed to the Selectmen, the operation will cease immediately. This does not apply in paragraph one when non-written complaints are filed. Chairman Pimenta and Selectman Strong agreed that the whether a complaint is written or otherwise, the language in paragraph one adequately covers the cease and desist order procedure. Selectman Goodin felt this change should be reviewed by Town Counsel before the stipulations are signed. The other Board members disagreed as they felt paragraph one allows the Selectmen to issue a cease and desist order whenever there is the risk of irreparable harm so the Town is covered. Mr. Thibeault and the Board accepted the rest of the document as written.

Mr. Thibeault submitted a check for \$16,000 as security for the four private abutting wells. He, however, did not have the reclamation bond. The Selectmen and Mr. Thibeault agreed to sign the permit stipulations, however, Mr. Thibeault will not receive his permit or be allowed to begin operations until the reclamation bond is delivered to the Board. Ms. Cleveland said she would notify Mr. Thibeault when the bond arrives at the office. The documents were then signed by the Board and Mr. Thibeault.

Two members of the Bedford Town Council were in to meet with the Selectmen to discuss ways the two towns might foster more cooperative efforts together. The Hilltop Mutual Aid Fire Department is one such effort that has been very successful. They suggested there may be ways to save money in joint ventures such as purchasing and bidding.

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The Selectmen agreed that the ideas should be explored. Ms. Cleveland suggested that she meet with Bedford's Town Manager to create a list of ideas for the Selectmen and Council members consideration. The Bedford Council members invited the Selectmen to attend one of their meetings in the fall.

#### PUBLIC HEARING

A public hearing to consider a petition to layout sections of Dane Road as a Class V road, pursuant to RSA 231:8 was opened at 7:45 p.m. by Chairman Pimenta. All Selectmen were present. Abutters present were Liz Furlong and Jackie Kelly. Richard Messina, developer of the Dane Road subdivision was also present. Chairman Pimenta made note that the notice of hearing was posted July 1 at the Post Office, Town Hall, Library and Milford Coop Bank in New Boston. Abutter notices were mailed July 1 as well.

Chairman Pimenta read the following petition in the record:

We, the undersigned abutters to a parcel of land known as Dane Road, hereby request that the New Boston Board of Selectmen under the provisions of RSA 231:8 layout this parcel of land as a Class V road which is described as follows:

A parcel of land shown as Dane Road on Plat entitled "Subdivision Plat, Land of Richard and Vickie Messina, Map Sheet 7 Lot #9, New Boston, N.H. Sheet 2 of 2," dated August 13, 1990 with a latest revision dated August 31, 1990 by Robert Todd, Inc. and recorded in the Hillsborough County Registry of Deeds as Plan No. 24713, and a Plat entitled "Subdivision Plat Phase 2, Land of Richard and Vickie Messina" dated August 23, 1991 with latest revisions dated September 24, 1991 by White Mountain Design Group. Said parcel is situated on the Southerly side of Clark Hill Road in the westerly portion of New Boston, Hillsborough County, New Hampshire.

Chairman Pimenta then asked Selectman Strong to give inspection report on the conditions of the road. Selectman Strong reported that he and the Road Agent, Lee Murray, performed an inspection this morning. Three problems were found that need to be resolved: (1) an open ditch next to the transformer in the Town right-of-way; (2) brush in the Town right-of-way from two tree that were cut down recently; and (3) a wash out along the shoulder of the road next to the last house on the right near the temporary cul-de-sac.

Mr. Messina addressed the problems as follows: (1) The open ditch will be filled in once PSNH has finished the electrical service

connection to the house near the transformer. In the meantime, stakes with warning ribbon will be placed around the ditch. (2) The brush will be cleaned up tomorrow. (3) The ditch had been trenched by the homeowner. Selectman Strong said the area should have a swail so that the shoulder of the road will not be eroded. Mr. Messina said he will make these corrections tomorrow morning.

Jackie Kelly asked when the road will be accepted. Can it be approved pending these repairs. Chairman Pimenta said once the repairs are made, Mr. Messina can call the office and the Board will do another inspection. The public hearing was closed at 8:05 p.m.

Chairman Pimenta asked the Board members for their opinion on the road acceptance. Selectmen Strong and Goodin said they were in favor of the road layout once the problems have been corrected. Selectman Goodin made a motion to accept the layout of Dane Road, station 00+00 to 30+50 and station 41+50 to 53+71 (except for Phase II-E which has not been built yet) as a Class V road contingent on the completion of the stated repairs. Selectman Strong seconded the motion. The vote was unanimous.

Mike Richard, Coordinator of the Household Hazardous Waste Day, was in to give an overview of this year's collection day. Eight tons of waste were collected. Ten percent of New Boston's households participated this year. Frankestown had a very positive turn out as well. Mr. Richard feels they should have their own day in Frankestown next year due to the turnout and minimal savings of a joint day.

Mr. Richard said for the most part the day went very well. One participant brought over 100 gallons of paint which posed a major dilemma not only in cost but potential safety hazard if it was turned away. Limits must be set so this situation will not occur again.

Plans for the waste oil collection program are still pending and will require approval from the Fire Ward. The Solid Waste Committee will set the policies of the program operation.

Mr. Richard suggested that the Selectmen meet with the Solid Waste Committee in the fall to discuss not only the Consumat Sanco contract but other solid waste concerns in town.

#### ADMINISTRATIVE

The Board reviewed and approved the weekly payroll and accounts payable.

Driveway permits for the following parcels were approved by the

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Black Brook Builders, Map 7, Lots 59-1, 59-3, 59-4, 59-5, 59-6, 67-2, and 67-4.

A Class VI road release was approved for Jan Mousseau. Her driveway access will be from Beard Road instead of State Route 77.

Chairman Pimenta offered the following corporate resolution to the Board regarding the acceptance of the Section 125 Flexible Benefits Plan for Town employees:

WHEREAS, the Town of New Boston offers its employees a Flexible Benefit Plan providing for pre-tax treatment of group medical insurance premium contributions, and;

WHEREAS, the Town of New Boston offers its employees the choice between medical insurance coverage or cash back in lieu of medical coverage, the plan entitled the Town of New Boston Flexible Benefit Plan has been prepared and submitted to this Board with a recommendation of adoption.

NOW, THEREFORE, BE IT RESOLVED that this Board of Selectmen adopts the Plan bearing an effective date of January 1, 1994 and directs the management to implement the Plan in accordance with their terms.

Selectman Strong made a motion to adopt the resolution as read. Selectman Goodin seconded the motion. The vote was unanimous. Chairman Pimenta then signed the resolution and plan documents. Ms. Cleveland said she will schedule an employees group information meeting in November to go over this new benefit plan.

A letter to Hillsborough County 4-H Foundation granting them permission to hold the 1994 County Fair in September was signed.

Intent to cut forms for Map 12, Lot 2 and Map 4, Lot 17 were approved and signed.

Certification of yield taxes for Map 5, Lots 21, 21-001, and 22 were approved and signed.

Chairman Pimenta signed approved pistol permits.

The Board took action on a letter from Steve Allen which requests payment for general appraisal consulting services in April, May, and June and for 55 hours of work he performed on the revaluation update. The Board approved payment in the amount of \$1,090 for general consulting services performed in April and May only. Work requested for general consulting services in June was never done by Mr. Allen. The Board denied Mr. Allen's request for

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payment for the work he performed on the revaluation update as it was not done according to industry standards. The sales analysis can not be used by the Department of Revenue Administration which is now conducting the update. Ms. Cleveland said the Board's letter will be sent tomorrow by certified mail.

#### APPROVAL OF MINUTES

Selectman Goodin made a motion to accept the July 18 minutes as amended. Selectman Strong seconded the motion. The vote was unanimous. Selectman Goodin then motioned to accept the July 20 and July 25 minutes as written. Selectman Strong seconded the motion. The vote was unanimous.

#### UNFINISHED BUSINESS

Ms. Cleveland presented a request by Roger Gagnon to reconsider his abatement application decision. He did not feel that the Town's assessor consultant treated his application properly. Ms. Cleveland said that Dave Bolton inspected the property in question and reviewed the assessment card. He determined that in fact an error was made in the calculation of the building value assessment. He recommended that the Board rescind their decision of May 16 and grant an abatement of \$10,600 in assessed value. The Board reviewed the information and agreed the abatement was justified. The Board signed a revised decision on Mr. Gagnon's case.

In reference to the deadline of the Fillmore cease and desist order, Chairman Pimenta said he would speak to Dennis Sarette in the morning about the status of the property. The Board will hold off on any action until the next meeting.

#### NEW BUSINESS

Chairman Pimenta made two requests to Ms. Cleveland. He requested that the town hall security system code be changed. He would also like to have copies of minutes from other Town boards filed in the Selectmen's office. Ms. Cleveland said she will send out a memo to notify the various boards.

The Board reviewed a proposal to implement a Section 457 deferred compensation retirement plan for Town employees. The plan would provide an opportunity for Town employees to set up a retirement plan through pre-tax payroll deductions. This plan would be administered by the Public Employees Benefit Services Corporation. There will not be any cost to the Town for establishing this plan. The Board said they would review the materials and make a decision at their meeting.

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The meeting was adjourned at 10:00 p.m.

Respectfully submitted by Lorraine Cleveland, Town Administrator

*Lorraine Cleveland*