

Approved SK/BS

TOWN OF NEW BOSTON

SELECTMEN'S MEETING MINUTES

July 10, 1995

A regular meeting of the Board of Selectmen was called to order at 7:00 p.m. by Chairman Pimenta.

PRESENT: Michael S. Pimenta, Chairman
Darlene M. Goodin, Selectman
Gordon A. Carlstrom, Selectman
Todd I. Selig, Town Administrator

The Selectmen approved the minutes of the June 12, 1995, Board of Selectmen's meeting. The Selectmen did not, however, have an opportunity to review the minutes of the June 26, 1995, Selectmen's meeting.

Police Chief Jim McLaughlin came before the Board for his monthly meeting. Chief McLaughlin informed the Board that he would be taking Thursday (7/13/95) and Friday (7/14/95) off from work for medical reasons.

Chief McLaughlin informed the Selectmen that he had solicited bids from four local contractors for finishing the booking room and downstairs entranceway at the Police Department. Two responses had been received: Jerry Kennedy & Sons, Inc.; Don Chapman. The Selectmen were concerned that only four local contractors were asked to bid on the project and instructed Chief McLaughlin to solicit bids from all of the applicable contractors on the Town's "Contractors List." In this manner, there would be no doubt that the Board had given all qualified local contractors a fair opportunity to bid on the work. Contractors will have until July 24, 1995, at 4:00 p.m. to submit bid estimates on the project.

Chief McLaughlin spoke with the Board about the emergency generator at the Central School. Originally, this generator was intended to be a mobile generator. However, Chief McLaughlin believes that it would be much safer to hot wire the generator to the Central School on a permanent basis. Chairman Pimenta agreed with Chief McLaughlin. Mr. Butch Johnston is currently working with Chief McLaughlin on pricing all of the possible options with respect to installing a new generator at the Police Department, as well as hot-wiring the old generator to the Central School.

Chief McLaughlin brought up the fact that it is often hard to get a contractor to develop specifications for needed technical modifications/adjustments/installations on Town property for free. Mr. McLaughlin therefore recommended that the Board budget

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for this purpose next year. Selectman Goodin wanted to know how much money would be sufficient for this type of line item. Chairman Pimenta felt that \$500.00 might be sufficient.

Selectman Goodin brought up the issue that part-time Officer Tom Fleming often works more than 40 hours per week for the Town in his various Police Department functions but does not receive full time benefits. She wondered how the other Selectmen felt about extending full time benefits to part-time employees such as Mr. Fleming when their average part-time hours equate to forty hours per week or more. The Selectmen decided to keep this idea in mind when they budget for 1996.

Chief McLaughlin told the Selectmen that the hiring process for the new part-time police officer is still proceeding. He is down to two applicants with a possible third. The two top applicants will undergo background, psychological, and polygraph examinations. The Board will be notified as to the outcome of this screening process.

The Enhanced E-911 system is now in effect. Chief McLaughlin reported that the Town may be able to discontinue the old emergency fire and police lines which would save the community a few thousand dollars. Fire Ward Dan MacDonald is looking into this possibility.

Chief McLaughlin explained to the Selectmen that he was concerned about the idea of moving the Police Department personnel files over to the Selectmen's Office for permanent storage and safekeeping. Issues of concern included: confidentiality, maintenance of files for Police Standards and Training, easier access at the Police Department, the cost of making a duplicate copy for both locations, etc. Chief McLaughlin is in the process of getting more information relative to moving the files from attorney Judy Silva at the New Hampshire Municipal Association. He is also waiting to hear more from Police Standards and Training regarding this topic. The Selectmen decided to wait until more information becomes available before moving the files from their current location at the Police Department.

Mountain Road Public Hearing

At 7:45 p.m. the Board of Selectmen held a public hearing in regard to posting Mountain Road "No Through Trucking." Chairman Pimenta called the meeting to order. In addition to the three Selectmen and Town Administrator Selig, the following individuals were in attendance: Nancy and Roland Cook (abutters), Ann and Dick Dilley (abutters), Jim Mills (abutter), and Brian Towne (representing Mr. & Mrs. Charles Townes who are abutters), Jim

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Mills (abutter), Kris Stewart of Francestown, Bob Rogers of Lyndeborough, Lem Bolles of Lyndeborough, Harold "Bo" Strong and George St. John of the New Boston Road Committee, Lee Murray (New Boston Road Agent and Road Committee Member), New Boston Police Chief Jim McLaughlin, Paula and Gardner Lebaron, Betsey Whitman, Walter Leach Jr. of New Boston, Cindy Romano who resides at the intersection of Lyndeborough Road and Hopkins Road in New Boston, Susan Regan who lives on the Francestown Turnpike in New Boston, Scott Cahill of New Boston, and Leslie Nixon (New Boston Town Counsel -- arrived toward the end of the hearing).

Nancy Cook and Ann Dilley spoke and explained the various reasons why they felt the road should be posted "No Through Trucking." Reasons which they articulated included: their property value would be reduced by approximately 10% if gravel trucks were allowed to use the road on an ongoing basis; the "enjoyability" of the road would be decreased for horseback riders, pedestrians, hikers, etc.; the Town's Road Committee favors posting the road "No Through Trucking"; the culvert on the road is 45 years old and is probably not safe to handle gravel trucks; even after widening, modifications, and improvements to the road, the grade or degree of slope would be too steep to safely handle gravel trucks; they fear that gravel operators utilizing the road would not abide by the operating time restrictions placed on them by Lyndeborough; the State Wetlands Board has given indications that widening the road to accommodate gravel trucks could cause siltation and turbidity within the surrounding wetland area, thereby harming the Piscataquog Water Shed.

Brian Towne stated that Mr. and Mrs. Charles Townes were opposed to posting the road "No Through Trucking." Mr. Towne explained that he uses the road from time to time when trucking gravel from the Townes' pit.

Mr. Kris Stewart said that he opposed the "No Through Trucking" posting. Mr Stewart stated that he would be willing to bring Mountain Road and the culvert located on the road up to whatever specifications the New Boston Highway Agent demanded if the Selectmen would allow gravel trucks to use the road.

Mr. Bob Rogers was opposed to posting the road "No Through Trucking" because this would mean that the gravel trucks would have to travel both ways past his home on the Lyndeborough portion of Mountain Road.

Susan Regan stated that she was in favor of posting the road "No Through Trucking." She said that she knows from firsthand experience how terrible it is to have gravel trucks running by her home at all hours of the day.

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Cindy Romano feels that Lyndeborough does a poor job monitoring its gravel pits which would mean gravel trucks could exit the pit via the New Boston stretch of Mountain Road at all hours of the day. She was in favor of posting the road "No Through Trucking."

Road Agent Lee Murray stated that the Road Committee deliberated for a very long time over what to do with Mountain Road before making a recommendation on this matter. He understood their ultimate recommendation to the Selectmen to mean "at the very most" Mountain Road should be posted "No Through Trucking."

Harold "Bo" Strong of the Road Committee stated that when the Road Committee voted to recommend that the Selectmen post the road "No Through Trucking," they did not know that Mr. Stewart was willing to replace the culvert on Mountain Road. Knowledge of this fact may have changed their ultimate recommendation to the Board of Selectmen.

Mr. Scott Cahill said that he uses Mountain Road for horseback riding.

It is estimated that approximately 140,000 yards of gravel will be brought over the road over a four year period.

Chairman Pimenta explained that although the Selectmen had originally intended to make a decision on the Mountain Road posting that evening, the New Boston Conservation Commission had requested that the decision be delayed until it had had a chance to inspect the site itself and make a recommendation to the Selectmen. The Selectmen therefore decided to delay making any decision on the matter until they receive a report from the Conservation Commission. Chairman Pimenta stated that a notice would be put in the Goffstown News as to when the Selectmen would make the final decision on this matter. The public hearing ended at approximately 8:45 p.m.

Regular Selectmen's Meeting Resumes

Town Counsel Leslie Nixon came before the Board of Selectmen to discuss various legal matters. Selectman Goodin made a motion to adjourn into non-public session pursuant to RSA 91-A:3II(e). Selectman Carlstrom seconded the motion. The vote was: Chairman Pimenta - yes; Selectman Goodin - yes; Selectman Carlstrom - yes. The motion passed.

Various legal issues affecting the Town were discussed.

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The Selectmen unanimously agreed to adjourn out of non-public session.

David and Steven Elliott came before the Board of Selectmen to discuss their proposed gravel pit operation on Map 4 - Lot 16 in New Boston. The Zoning Board granted a special exception to the Elliotts for the proposed pit on June 20, 1995. The Planning Board approved the site plans for the proposed pit as well on June 20. The Selectmen reviewed the plans which the Elliotts provided and set up a site walk with the Elliotts for Thursday, July 20, 1995, at 7:00 p.m.

Mr. Willard Dodge of 116 Tucker Mill Road came before the Board of Selectmen to discuss an item he had read in the Selectmen's Meeting minutes of June 5, 1995. In these minutes, Chairman Pimenta had indicated that he might do some heating & cooling work for Mr. Joseph Foistner of 9 Joe English Road. Mr. Foistner has threatened litigation against the Town for as yet undisclosed reasons. Mr. Dodge felt that Chairman Pimenta would be placing himself in a precarious situation if he did in fact do work for Mr. Foistner knowing that Mr. Foistner had already threatened a law suit against the Town. Mr. Dodge expressed his feeling that if Chairman Pimenta does do work for Mr. Foistner, he (Chairman Pimenta) should not take part in any discussions or deliberations regarding Mr. Foistner's threatened law suit against the Town. Only in this manner, according to Mr. Dodge, could Chairman Pimenta represent him properly as a Selectmen of the Town. Mr. Dodge also spoke with the Selectmen about the various allegations which Mr. Foistner has made against the Town and assured the Selectmen that Mr. Foistner's allegations of impropriety were entirely unfounded. Mr. Dodge encouraged the Selectmen and especially Chairman Pimenta to review the Planning Board files pertinent to Mr. Foistner's complaints to see for themselves that everything was done in a fair and unbiased manner during the time period in question. Chairman Pimenta said that he planned to do so. Mr. Dodge thanked the Board for listening to his concerns and left the meeting.

Mr. David Craig of 59 Jessica Lane came before the Selectmen to discuss his interest in the currently vacant Zoning Board of Adjustment alternate position in New Boston. Mr. Craig is currently studying to become an attorney at Franklin Pierce College of Law in Concord, NH. His specialty is land use law. Mr. Craig said that he was very interested in the position and wanted to give something back to the community. He feels that his legal background would serve him well in this capacity. Chairman Pimenta thanked Mr. Craig for his interest in the position and said that the Selectmen would consider his application in the near future.

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The Selectmen considered a request they had received from Patricia and Mike Backman of 173 Beard Road to treat the roadway in front of their home with liquid calcium as a dust control measure. A home such as the Backman's would not normally warrant dust control treatment due to its distant proximity from the roadway. However, due to the medical concerns raised by Mrs. Backman in a letter to the Board and interview with the Selectmen on June 12, 1995, the Board of Selectmen authorized the Highway Agent to treat this area with liquid calcium when the next shipment arrives in August.

The Selectmen received another letter from Nancy Nemeth of Francestown concerning the 35 MPH speed limit on the Second New Hampshire Turnpike. The Selectmen had considered a prior request from Ms. Nemeth at their last meeting regarding raising the speed limit on this section of roadway in New Boston and had decided to leave the speed limit at 35 MPH. The Board asked Mr. Selig to write to Ms. Nemeth and inform her that the speed limit on this section of roadway would remain 35 MPH. In this way the speed on the Turnpike would be consistent throughout the abutting communities.

Town Administrator Selig informed the Board of Selectmen that it had not yet received a letter from Judy Knight formally resigning from the Recreation Commission as per her discussion with Mr. Selig a few weeks ago. Selectman Goodin made a motion to remove Judy Knight from the Recreation Commission as per her verbal authorization to the Town Administrator. Selectman Carlstrom seconded the motion. The motion passed unanimously. Mr. Selig was instructed to advertise for the vacant position by placing the announcement on Channel 8 and by having Marie MacDonald put an advertisement in the Goffstown News.

Mr. Selig informed the Selectmen that they had not received anything new from Mr. George St. John of Butterfield Mill Road regarding his expired building and temporary trailer permits. The Board felt that Building Inspector Dennis Sarette should contact him to see what Mr. St. John's plans were for the site.

The Selectmen have received a letter from Granite State Concrete dated June 20, 1995, in regard to this company's gravel excavation operations which have crossed into New Boston from their site off of Lyndeboro Road (Map 13 - Lot 004). According to the letter, this site is a "grandfathered" existing excavation that does not require a town permit by virtue of the exemptions contained in RSA 155-E:2, I and III. Town Administrator Selig said that he would look into the situation more and would have additional information for the Selectmen at their next meeting.

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The Board of Selectmen has received a letter from Pastor John Williamson of the New Boston Baptist Church dated July 6, 1995, regarding the newly installed classroom facility which does not meet the New Boston Large Building Fire Code. The Baptist Church, according to this letter, has developed a plan which should bring the building into compliance with the Code. The Board was pleased to hear this news. The letter will be filed with past correspondence from the Baptist Church.

The Board considered Mr. David Nixon's June 12, 1995, request to re-name the River Road Spring after Mr. and Mrs. Roland Sallada. Town Administrator Selig reported that at one time, the Selectmen had considered naming the spring after Mr. Billy Mason, a former New Boston Road Agent and Selectman. It was decided not to do so at that time, however, because many people have contributed to the longevity of the spring over the years. The name "River Road Spring" was therefore attributed to the spring so as not to exclude anyone who had helped to maintain the spring over the years and because the spring was located on River Road. The Selectmen decided to leave the name "River Road Spring" intact, and asked Mr. Selig to contact David Nixon with this new information about the spring.

The Board of Selectmen decided to allow Tax Collector/Bookkeeper Karen Craven to join the Town's health insurance plan due to the fact that her husband recently lost his job and health insurance benefits.

Town Administrator Selig informed the Board of Selectmen that there would be a fire extinguisher training workshop held at the Highway Department on Friday, July 28, 1995, from 2-4 p.m. The Selectmen gave Mr. Selig permission to close the Town Offices at 3 p.m. on July 28 for this purpose.

The Selectmen authorized Town Administrator Selig to transfer \$1,000,000.00 from the Town's bank account at the Milford Co-Operative Bank to the Town's account with the N.H. Public Deposit Investment Pool (NHPDIP). The NHPDIP receives a higher rate of return on the Town's funds than the Milford Co-Operative Bank.

The Selectmen reviewed a letter dated July 8, 1995, from Brad and Susan Carr of 13 Roby Road in New Boston. The Carrs would like to have their address changed from Roby Road to Leach Hill Road, the Class 6 road on which they are physically located. Town policy in the past has been that a Class 6 road in New Boston must have at least three addressable buildings located on it in order for those buildings to reflect the name of the street on which they are located. Since the Carr's location on Leach Hill Road does not meet these criteria, the Board decided that the

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address would have to remain 13 Roby Road. The Selectmen instructed Town Administrator Selig to inform the Carrs of this decision.

The next department head meeting was scheduled for Wednesday, July 12, 1995.

The Planning Board has submitted three names for the Board of Selectmen to review as potential candidates for the vacant Alternate member slot on the Planning Board. They include: Ricky Riendeau, Edward DiPietro, and John Palmer. The Selectmen asked Mr. Selig to submit Mr. Jay Marden's name to the Planning Board for consideration. No decision will be made on the matter until the Planning Board has reviewed Mr. Marden's qualifications.

Mr. Selig informed the Selectmen that Highway Agent Murray was busy with his crew working on paving the Frankestown Turnpike (Second N.H. Turnpike).

The Board reviewed and signed payroll and accounts payable checks.

Chairman Pimenta signed pistol permits.

The Board signed intent to cut forms.

The meeting was adjourned at 12:30 a.m. on July 11, 1995.

Respectfully submitted,



Todd I. Selig
Town Administrator