

Minutes Selectmen's Meeting - August 14, 1989

The meeting began at 7:00 pm with Selectmen Mansfield, Dodge and Johnston present. Sandra Gendron took minutes.

Sandra Gallup, Recreation Director requested input from the Board regarding Crystal Speck returning to work with a jaw wired having sustained this injury in a moped accident. Sandy was concerned with regard to the liability of the Town should Crystal re-injure the jaw while working with the children in the recreation program. A call to Workmens' Compensation confirmed the Town's liability. The three Selectmen voted unanimously to allow Crystal to return to work with a Doctor's release and instruction to Sandy that she be kept as much as possible out of situations that might cause possible facial injury.

After opening bids for the McCurdy Road Project on July 28th and reviewing with D & S the bid that they had presented, being the lowest, the project was awarded to D & S Excavation in the amount of \$124,900.

A letter had been received from Herbert Scott regarding the possible purchase of the John Winslow property by Mr. Scott and Randolph Bauer. Mr. Scott wanted assurance that he could continue to operate the business as Mr. Winslow had done since the middle 1960's. This would include towing and sales of used cars. After discussion, the Board agreed that this could likely be done since Mr. Winslow was a non-conforming grandfathered use; however, it was decided to invite Mr. Scott in to the next meeting to make sure everyone concerned agreed just what Mr. Winslow had been doing on the site and what Mr. Scott intended to continue to do.

A Letter of Resignation was received from Building Inspector Kerwin Sizemore who would be accepting full-time employment elsewhere. This resignation is effective September 7th, an ad will be placed in the Community Times and local newspapers looking for someone to fill this position.

A complaint had been received by Selectman Mansfield that trucks had been seen leaving Harold Strong's gravel pit on Lyndeboro Road prior the the 8:00 am starting time on Saturday morning. His permit was reviewed and it was noted that 8:00 am was the designated starting time on a Saturday morning and Sandra Gendron was instructed to remind Mr. Strong of the stipulations in his permit with regard to starting times.

Elaine Lyons was in to discuss the Meals on Wheels Program which she co-ordinates for this county. She apologized for missing her last appointment which she completely forgot. She gave a very informative presentation on what this program entailed, what kinds of persons benefited from the \$660.00 requested from the Town of New Boston as its' share based on the numbers being served from our community. Some New Boston citizens are served daily in their homes while others are served at the congregate site in Goffstown. She explained that the monies from New Boston subsidized the Title III program which serves people 60 years of age and over regardless of income. They Selectmen voted unanimously to continue to support this worthwhile program.

The LCIP Committee Chairman Ed Gilligan was in with Betsy Dodge, Martha Brooks and Paul Doscher from the Society for Protection of New Hampshire Forests to discuss a parcel of land the committee is interested in purchasing from John and Anna King. The land was described as being located off Mill Street along the river and contained 15.75 acres. The monies for this proposed purchase would come from the Town's fund of \$30,000 already having been voted at the past two Town Meetings and a matching amount funded by the State of N. H. The topography of the site was discussed, along with the fact that it bordered the cemetery; however, as discussion ensued it was pointed out that this purchase had to be kept in conservation so there was little chance that this purchase could provide the Town with additional cemetery space for future use. The purchase would provide protection along the river and picnic and recreational use for the citizens of New Boston. The question arose as to the buildability of this site since if it was not a buildable site might the committee not need to purchase this land in order to protect the rivers edge. After reviewing the tax maps it was determined that there were buildable sites contained within this parcel. Further discussion ensued on the protection of the Great Meadow along the Francestown border. This committee felt that the PWA was pursuing easements for the Great Meadow which would provide for future conservation protection of this area. Selectman Dodge expressed his thought that the King's were at one point willing to donate this parcel to the Town and Mr. Dorscher explained, having worked with the King's on the dispursal of their many parcels on land in and around this area, that the King's have had

to review their decisions due to the failing health of the former Governor and the high costs of medical care. The Society would help our local committee by holding this parcel and making it available for purchase by the Town of New Boston when all the criteria had been met for the matching grant by the State. The LCIP has an October deadline for the State funds and is recommending this purchase and would like the support of the Selectmen before proceeding. The New Boston Task Force Committee is comprised of Ed Gilligan, Chairman, Alden Miller, Tim White, Cyndie Wilson, Candy Woodbury, Ray Wheeler, Martha Brooks, Jennifer Dodge, Michael Weed and Betsy Dodge representing the Conservation Commission. The Selectmen offered their support of this project and felt that the confidence of the Town had been offered when the money had been voted at Town Meeting for the potential purchase of a peice of land. They did suggest that the committee might offer the Townspeople an opportunity to walk this land when the particulars were being set-up to purchase this parcel and all agreed that this was a good idea.

Rocco Civiello from Cannan Enterprises was in to discuss a situation on Hopkins Road with regard to a decision made by the Planning Board not to allow Mr. Civiello to continue with phase III of his project until he had posted \$25,000.00 to bring Hopkins Road to Town Specifications including paving. The controversy seemed to be at the Planning Board's refusal to proceed with the phase III preliminaries for Canann Enterprises without the \$25,000.00 and Mr. Civiello's reluctance to put up the \$25,000.00 with no sense that if phase III was not approved his money would be returned. Selectman Dodge, current representative from the Board to the Planning Board, tried to provide background information for the other two Selectmen especially Selectmen Johnston who was unaware of the long and complicated history between Mr. Civiello and the Planning Board. The upgrading of Hopkins Road had at one point been agreed upon and a bid actually accepted for the work; monies to be provided by Granite State Concrete owners of a gravel operation on Hopkins Road and Canaan Enterprises. The economy at this point collapsed and Canaan did not pursue the subdivision of phase III so the project was dropped; however, Canaan has deeded the land necessary to widened the road and has put money into the engineering of the project. Selectmen Dodge went on to explain that the working relationship between Canaan Enterprises and the Planning Board has at times been to say the least strained and Mr. Civiello stated that he was willing to accept responsibility for a major portion of the problems that have created this ill will, but feels the past is being held against him whenever he tries to pursue this project with the Planning Board. He wanted to present his case to the Board of Selectmen because he was of the understanding they had authority over existing roads in Town.

Selectman Dodge believes that the time has come to look to the future of the Town and to getting Hopkins Road brought to specs and paved to better serve the neighborhood. He would tend to support the \$25,000.00 be put up when Phase III is ready for signature for final approval. Selectman Mansfield discussed what would happen if phase III did not come to final approval, then the \$25,000 would not be available for the paving of the road. It had previously been stated that Civiello's \$25,000 would basically be used for the paving portion of the project although this figure was somewhat dated. Mr. Civiello responded to Selectman Mansfield's query that the road would be brought to gravel with Granite State's portion of the money and that the engineering fees have already been paid. Selectman Mansfield asked Mr. Civiello exactly what he expected when he put up his \$25,000.00 and Mr. Civiello responded that Canaan Enterprises felt that they did in fact have preliminary approval for phase III and that there would be no major problems in getting final approval. He did concede that a vast amount of time has passed since he originally intended to pursue phase III of this project. Selectman Dodge did agree that Canaan Enterprise has been cooperative in giving deeds necessary to widen the road and giving access to road profiles for which Canaan paid. Selectman Mansfield contends that the Planning Board is probably and with reason gunshy. Mr. Civiello feels that the Planning Board is always ready to vote against them. It was agreed by all that the Selectmen would review the background material made available to them by Claire Dane, Secretary to the Planning Board.

Kevin St. John was in to discuss whether it would be necessary for the Baptist Church to seek a variance from the Zoning Board of Adjustment in order to construct an access ramp for the handicap on the front entrance of the church. The construction of this ramp would not meet the 50' set-back requirement from the right of way. In discussion before Kevin came in to present his case, Selectman Johnston expressed his feelings that this

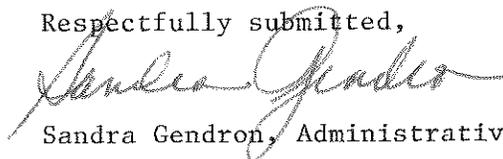
building permit should not be denied by the Board of Selectmen, it was his contention that to provide access for the handicap was not enlarging the building and common sense would be, in his opinion, to approve construction of the ramp as proposed. Kevin brought with him plans of what the church intended to do overall to plan for future growth of the church and this included construction of the ramp. The decision of the Board was Selectmen Dodge and Mansfield voting in favor of submission of the building permit for ZBA approval and Selectman Johnston opposed. The permit was denied.

James Dodge, Fire Chief was in with Harold Strong, Chairman of the Planning Board to discuss the Tardiff Cistern which is defective and has already been accepted by the Town. Jim provided information leading up to acceptance of the cistern in September of 1987 by the Fire Department. It was checked in February of 1988 and found to be leaking at that time. (Since this problem all future cisterns are "leak tested" before being accepted by the Fire Department.) In June of 1988 the Fire Department notified the Planning Board in writing of the problem. A firm specializing in sealing leaks for large concrete tanks was contacted, Tardiff could not be reached to discuss the issue and when the Planning Board notified Mr. Tardiff by certified mail that a hearing would be held to discuss the matter, he responded that he would be out of town for a length of time and wished a postponement. The Planning Board has notified Town Counsel of the background of the situation and has asked for advice. The Fire Department feels they have a right to expect a quality product constructed from good construction practices. This cistern has never held water. Selectman Dodge feels that this cistern was required as a safety factor and nothing will be gained by holding a lot as security or withholding a building permit. Discussion ensued as to whether we should repair the cistern and go after Tardiff to recoup the costs of repair. It was also suggested that the Planning Board have legal counsel review the wording in the Letter of Credit that the Board was making demand on to complete road construction which Tardiff had also failed to do in a timely manner to see if any of those funds might be available to help with the cost of repairs to the cistern. It was noted that there had been problems with the construction of this cistern right from the beginning. It was voted by the Selectmen to spend the \$350.00, that was suggested by the engineering firm contacted, to determine the exact problem with the cistern and proceed from there. We would rely on legal counsel to advise us as to whether we have a case or not.

In further discussion on the Letter of Credit that was being called by the Planning Board, Claire was contacted and instructed to go to the bank the following day to pick up the check for \$30,000.00 which she had been told would be ready and open an account for the same amount.

Checks having been signed, mail reviewed and Sandra Gendron instructed to gather figures to determine how much might be necessary to borrow in tax anticipation notes, the meeting was adjourned at approximately 11:45 pm.

Respectfully submitted,



Sandra Gendron, Administrative Assistant