

Selectmen's Meeting Minutes  
Monday, June 22, 2020

At the Selectmen's Meeting held on Monday, June 22, 2020 at 6:30 p.m. the Selectmen participated via Zoom:

Stanley Holz is at his home in Whitefield, maintaining social distancing  
Peter Corey is at his home in Whitefield, maintaining social distancing  
Shawn White is at his home in Whitefield, maintaining social distancing

Stanley Holz, Chairman, called the meeting to order at 6:32 p.m.

Old Business: Fred Davis & Dave Scalley water connection

Rob Larson said that there is no agreement for this water connection. We thought we had come to an agreement with the town waiving the hook-up fee, Fred was going to pay for the materials and Dave was going to do the digging. Maggie Davis, said Fred was working tonight, but that Dave contacted Fred and said he wanted \$8,900 for the digging. Maggie said that they have water and sewer that they paid for in 2006. Stanley thought the line was leaking. Stanley thought Dave was going to take care of the labor and Fred would pay for the materials. Maggie said that they had an easement in 2006, when they bought the property. Barbara and Ted Ingerson gave them easements and Ted did the digging on his property and provided them with water and sewer. Maggie said that they currently have water and sewer. Rob said we suspect there is a leak on that line there in that parking lot. Rob said the story he got was when Ted did that subdivision he gave the Davis an easement behind the log cabin and when Ted actually ran the line it was put where Dave wants to put his new garage in. The line was not put in where the easement says it is. Maggie said she has both easements and it gave them the rights to that. Ted put it where he wanted to put it. On the plot map that shows the subdivision it clearly shows the easement behind the log cabin. The map does not depict what happened. We have an approved subdivision that shows a specific easement. Peter Corey said everything we have discussed about this issue, since Dave Scalley decided to put up his garage, is that it is a private utility line on private property. Peter said the Town has done what it can to waive the connection fee. It is now, unfortunately, a civil matter between the two private property owners with respect to easements, placement of the water line, and repairs to the water line. Peter doesn't feel the Town can rule in this matter. We tried to come up with an equitable solution. Stanley said if the parties are not agreeable to that then it is a civil issue. Dave Scalley said the easement shows it was supposed to go on lot #5. Barbara's lot. It had nothing to do with it going through Dave's property, and Dave said it is black and white evidence that it is going through his property. Dave has a water line on his property where it is not supposed to go. Dave said he doesn't feel he has to pay \$8,900 in aggravation fees. Stanley doesn't feel there is anything else the Town can do. We can only go by what was recorded on the plat for easements. If Mr. Scalley is correct and the lines don't fall within the deeded easement, it is not a municipal matter. Peter said we have



beaten this to death, and we shouldn't spend anymore time on it. The Planning Board doesn't approve easements. Those are legal agreements between property owners. The Planning Board has no jurisdiction in approving or denying an easement. It has nothing to do with the planning board. It is between two private property owners. Shawn said he was hoping we could work things out, but it is a civil matter. Dave Scalley said that the curb stop that goes to his property that belongs to 105 Union Street, which Fred Davis is tapped off of. Dave said that he needs that fixed, and it is the owner's responsibility to repair that. He needs to change that curb stop so the water is not running all over. He has to dig that up and shut Davis's water off. Maggie asked if that is a temporary situation, and Dave said it is leaking under his parking lot and he has sink holes all over. Maggie is going to call their lawyer tomorrow. She said she feels we did all of this in 2006. She said one of the reasons it was hooked up that way it was, was because the Town was going to hook everyone up across the street, which never happened. They never would have bought the property if it didn't have town water and sewer. Maggie said it seems a little unfair. Dave said you did have the easement and had the right to hook up to the water and sewer. The water and sewer hook ups did not go where they were supposed to go. Dave said it is not the town's fault they didn't hook people up on the other side of the street. Dave said he was never going to pay for the excavation if they paid for the materials and the Town waived the hook-up fee. Maggie is asking not to shut their water off. Stanley said the Town is not shutting their water off. It is Dave's curb stop. Rob said this goes back to people doing multiple lines off of one curb stop. This creates these situations. When this was not done the way it was supposed to, it has to be worked out between Fred and Dave. Rob said the Davis's can connect to the Foster Way line that runs partially down to DOT. That would be a legally acceptable line to hook on to. Dave Scalley said that infrastructure on Foster Way is Dave's infrastructure. Other than connecting to Foster Drive, they have to go across Route 3. The curb stop is broken across Route 3. If that curb stop is not good then that water line is not good. Dave needs to shut that water off, and he can't shut it off until he opens up the curb stop. Once you open them up, you don't know what you are going to find. It is a process with costs. Stanley said anything else at this point is between the Davis and Scalley. Shawn White said he would like clarification--the line on Foster Drive is actually Dave Scalley's line and is not the Town's line. Shawn is saying there is no fee to waive. Dave said when he put the infrastructure in it was to be an expendable water line so more people could hook up. It is an eight inch line across the street. The Town should take that line over so it becomes a municipal line then it could have hook-ups. Shawn asked Dave how did he get a private line across Route 3? Shawn said usually the state won't let you do that unless it is owned by the municipality. Dave said that line has never been taken over by the town.

Kayleigh Ham attended the meeting via zoom re: her recent water/sewer bill. She owns a house on Brown Street and she has never had any problems with it until she got a \$4,500 water bill. She talked to the water works if there was a broken pipe or a meter issue. He explained that it was a problem from the meter into her property. She has not been able to find any leaking water. She did replace a hot water heater, but that seemed minimal. Fred Ingerson said when he did



read the water meter that he tried to contact the owner to let her know there was a leak and there would be a high water bill. He has read the meter again, and it seems like the meter is back on track for a normal meter read. What would have accounted for that usage? Kayleigh and Fred tried to troubleshoot, and her renters have not been running water. In order to test the meter it has to be sent out to be tested and if it gets sent out and gets tested then the homeowner pays for that. There is no explanation for this high meter reading. Peter can't imagine what would have accounted for all of that usage. Peter's said the water ordinance is pretty clear that anything that passes through the meter has to be paid for. If we think potentially the meter failed, why don't we send it out and see how it tests? The Selectboard could always waive the \$300 fee. Has the homeowner reached out to her insurance company to see if they could cover some of that bill? She has not reached out to them. She has never been through something like this. Her meter was put in when that water project was going on. When the company installs the meter they have a document of the installation and it says what the old meter reading was and what the new meter reading is. Shawn asked Fred do we know if the new meter was what showed the gallons used or was it the old meter? There is no possible way they could have mixed up the meter reading? Kayleigh said that she chose not to send the meter out because she didn't want to spend more money on it. Stanley said we usually find a leak that contributed to it. It would have been like a straw size continuous leak. She has had two contractors go and look at the house and couldn't find anything. Is there a compromise for this? Peter said we haven't in the past, and he doesn't know why it read so high. If that much water passed through the meter, it is the expectation it gets paid for. All the users have to pay for the water. If we forgive Kayleigh, then we pass that cost on to the other users. Stanley said if the leak doesn't enter the sewer system we have in the past waived the sewer portion of the fee. Shawn thought we should abate some of the sewer fee, and Peter said no because we haven't done it for others. We don't know where this water went. Rob said keep in mind the volume involves people living in the building so a portion of this is legitimately used water. The house typically uses 38,000 gallons of water. Rob said statistically a 1/8 inch leak which is not very big comes out to approximately 100,000 gallons a month. If it was leaking for 5 or 6 months, then it could get up to that usage. He is trying to make sense of where did the water go? A small leak in toilets could do this. If we waive some of this for the sewer, then it would have to be based on the regular 38,000 gallons total consumption in six months. We have to have a consensus to it. We don't know where it went. Rob would like the opportunity to investigate before the Board makes a decision. Kayleigh asked if we can figure out a payment plan because she doesn't have that kind of money to pay that large amount. Peter said we can work something out but it may be worth reaching out to your insurance provider. Stanley said he has had tenants in the past, and he has strong suspicions something went on that she is not aware of. We will delay a decision on this and see if we can figure out something. We can work out a payment plan. Rob will work with Fred on this. Dave Scalley said on this water issue he ran into this with his apartments, and he asked if the Town has considered reading the meters more frequently than every six months. Rob said that we are working on quarterly billing and are reading the meters more frequently.



John Ross, Jr. said that Ted Joubert, Assistant Fire Chief for the Town of Lancaster, couldn't make it tonight. We are looking at a different regional dispatch system. Lancaster is in pursuit of getting a regional dispatch center. Ted is going to bring in some information that hopefully we can discuss at the next meeting. We have to prepare for the future. Is there a risk we could lose our dispatch services? Shawn thought the sheriff's office was interested in taking that over. Has anyone contacted them. John said that they want nothing to do with that. Tom Ladd said perhaps Chief Samson answered his question does this affect both PD and FD? John Ross said it will mainly be law enforcement in charge of it. We will schedule Mr. Joubert for the next meeting.

#### Department Head Meeting

Rob Larson--DPW

--Has the Board had a chance to review the Foreman position job description? Stanley is ready to approve the last copy he got. Shawn said he hasn't received a copy since he sent in his last comments. Rob said all Shawn's comments have been incorporated. A motion was made by Shawn White and seconded by Peter Corey to approve the revised job description for the Foreman position. Roll call vote: Holz: Yes; Corey: Yes; White: Yes. All in favor, 3-0. Motion passed.

--Rob said he went to the Sheriff's office in Lancaster today to discuss the obligations of the Town of Whitefield's Public Works Department in the event of a civil disorder, notably ANTIFA.

--Rob said we can open up the recyclables again except for mixed paper and paper board boxes. Those will still go in the bags. There is no market for that, and there is none in the foreseeable future. We can take the rest of the recyclables. Stanley commented that we need to notify everyone. Our issue in the past we have not been communicating those things. Rob said he will work on getting the word out there.

--Rob said that the Town has allowed the department head personnel to take vehicles home, and Rob said he is going to take his name off that list. Rob said that there seems to be angst in me taking my vehicle home. He will just leave it at the town hall.

--The Silvermans are ok with paying the extra fees for the water meter change-out.

--Rob said that Dave Scalley talked about reading meters more regularly. Rob said he has been asking for that. That is why we hired Kyler, to read the meters twice a month and bill quarterly. We have to get our water loss down by 2021 and the only way to do that is to read the meters more frequently. Rob said we have a five-year waiver on the quarterly billing because that is an added cost and added personnel costs



--Tom Ladd is wondering if there is a time frame for changing the recycling. Tuesday, July 7th will be the kick-off and Rob will address getting the web site updated.

--Shawn White asked Rob if the bill for the paving for Parker Road includes everything? Rob said that is everything that has been completed so far. They still have to come back and finish aprons and side dressings, which will bring us to the total of \$175,000. Rob said we have been doing some of that work and we will work with Central paving. Shawn asked how many linear feet were paved. Rob said 1.4 miles was what was paved. That is one end to the other end. That is a base coat and a final coat. It also included removing two boulders that were under the road that were discovered. Shawn asked if we can ask them to break the billing down. Rob said he has got their estimate that Shawn can look at.

--Shawn White said that there are three sink holes on Elm Street where the poles were put in. Rob has addressed it with the engineer for the project and basically Eversource has told us they are going to fix it. He is working on that. Shawn said it doesn't take away from the Town's liability, and maybe we should just do it and send them a bill. Stanley and Peter suggested we notify them that if they don't fix it that we will do the work and bill them for same. Shawn suggested putting cones on them until they are fixed.

Edward Samson - Police Department

--Ed said that Recreation program opened up today downstairs in the community room. The playground equipment can be opened up again. We are waiting on the next round of guidelines for Covid-19 and we will see where things go.

--ED said that the PD has been busy. Chief Ross spoke about the dispatch and it is something we have discussed in the past. We have had this free service from DOT, and it is time looking forward to come up with an alternative.

--The Speed signs have been ordered. We have not received a shipping or delivery date. Once those arrive Ed will work with Rob to get them installed. Our new hire started the end of May, and he is 2/3 way through the FTO process. He is a great addition to the department. Activity has been up. We have had an increase in overdose related deaths in the past month to month and a half.

--Shawn asked how the Town's Emergency Management Plan addressed those anti-government events? Ed said he doesn't know off the top of his head, he will have to go back and read it again. He would think it would follow a lot of the same guidelines as the pandemic. The number of parked vehicles in the town parking lots was discussed. Ed said we did address those a couple of months ago, but it is probably time to do it again.

--Peter asked Chief Samson if campers are considered vehicles if they are not registered? Ed said he will double check on that. Peter said he has seen a lot of places clamoring to get police



officers out of schools. Have we got any word for the SRO's in our school district being discontinued? Ed said that we have not seen that on the local level. It is actually the complete opposite. This school district is continuing to be supportive of the program.

John Ross, Jr. - Whitefield Fire-Rescue

--John Ross said Fire-Rescue continues to monitor COVID-19 updates. There are a couple of people interested in the Old Mack tank truck. Peter was approached today by a private citizen who was interested in purchasing the fire truck.

--John asked if the exit for the meeting room will be built this year? Rob said we have not moved forward with that, and if it becomes a priority for John or the Board he can move forward with that. John said that the Town Clerk and Tax Collector don't have an emergency exit at this time. Rob will start looking into that and see if we can fit it in the budget. John said that at the last safety meeting Rob talked about putting in another exit off the meeting room.

--John said he has worked with the library and the recreation, and they should have their guidelines and PPE to work with.

--John asked Rob when they will be able to pave the apron and put up a permanent barrier where the temporary barrier is. Rob said that he needs to get with John Ross, Jr. and Ed Samson to come up with a plan, and determine what the selectmen want for a barrier.

Melissa Farrow - Recreation Department

Melissa said today was the first day back. Melissa has concerns with the doors downstairs in the community room. They need a clear exit. The side doors don't always open. Rob said they did a band-aid repair. Rob has a door company coming in to replace those doors downstairs and upstairs. Both sets of doors do not work properly and they need to be replaced. Melissa does have a key to the side door, which she is using for the primary entrance/exit. If we are going to have the program at the town office, what is the status on the water situation at the legion field. She thought it was going to be completed last fall. Rob said we have not done that because of cost constraints. That will be fairly expensive. Peter said we could not put in a small leachfield rather than trying to run a sewer line that distance. Shawn said we did discuss this the summer before he left. The sewer is the easier portion. The Legion has offered some water last year. Melissa may want to reach out to him. Peter said he has seen communities get really creative with this Covid program, and there may be some funding available through those programs.

Fred Ingerson - Water Department

--Parks Construction is moving up Jefferson Road. Two sections of the line are tested. They had an issue with Bray Hill well. Fred had that pump and motor well replaced. Today they had initial flushing done and had problems with how much it drew down.



--Rob said the new sewer facilities are on schedule and Hebert is doing a great job. They are a pleasure to work with. Rob said that we are having an issue with masks, wipes and diapers clogging up the sewer lines. Rob said that the diapers are coming from the Summit. The Summit is talking about putting in a screen system. Rob's long-range plan is when we have a sewer department to clean out those catch basins regularly. He does have an applicant for the position. We need to come up with wage rates. We will need two to four employees in that department. Shawn White asked Rob to contact Littleton to see who they contract with to run their Treatment Plant. Rob said he spoke with the Welch's about that plant but they were not interested. Josh said Utility Partners runs the treatment plant in Littleton. Josh said he would be more than happy to put in a price to operate the new plant. We would need to go through what you are looking to accomplish. Rob said that the state requires two full-time personnel. Rob said last time they talked Josh didn't know if that was feasible. Josh said it is feasible if we wanted to go down that road. He is not going to hire more people if we aren't going to hire them to do it.

#### Josh Welch - Sewer Treatment Plant

Josh said we need UV bolts for the current UV system. The wipes are everywhere with this pandemic and not just in Whitefield.

#### Peter Corey - Planning Board

Peter said the Planning Board has been quite busy. We are seeing a lot of development permits. It has been busy with planning, nothing unique or unusual.

#### Shawn - Airport

Shawn said with grant funding for the airport, the trees that are located from the tree to the pond are on town land and they are in violation of the air space and need to be trimmed down and they need permission from the town to do that. The Commission asked Shawn to come and speak with the Board about that. They are nuisance trees. Shawn made a motion to allow the airport to take some trees down on town property that are violation of the air space. The motion was seconded by Peter Corey. A roll call vote: Holz: Yes; White: Yes; Corey: Yes. All in favor, 3-0. Motion passed.

#### Stanley Holz - WEDC

The director of CEDC was a guest speaker at the last Zoom meeting. The treasury has a balance of \$5086. There is discussion of maybe combining the park project Jared is working on with the parking lot project. CEDC does have beautification money, which may work for the signage project.

There was discussion to not take the WEDC money this year and let it roll over to the Town.



There are three projects that the Planning Board discussed imposing the After-the-Fact Permit Penalty of \$500. They referred these to the Board of Selectmen, as the Selectmen are the enforcement authority of the Development Code. They are looking for the Board of Selectmen to determine what the penalty should be. Peter Corey made a motion to reduce the After-the-Fact Penalty so the total fee is equal to 2x the normal application fee. Shawn seconded the motion. Roll call vote: Holz: Yes; Corey: Yes; White: Yes. All in favor, 3-0. Motion passed.

A motion was made by Shawn White to authorize Wendy Roberts, on behalf of the Mt. Washington Regional Airport Commission to apply for the CARES Act Grant in the amount of \$30,000 and to authorize Stanley Holz, Chairman of the Board of Selectmen to execute the contracts with the State of New Hampshire. The motion was seconded by Peter Corey. Roll call vote: Holz: Yes; Corey: Yes; White: Yes. All in favor, 3-0. Motion passed.

A motion was made by Peter Corey to approve the minutes of the June 8, 2020 Selectmen's Meeting and the June 15, 2020 Selectmen's Work Session minutes. Roll call vote: Holz: Yes; Corey: Yes; White: Yes. All in favor, 3-0. Motion passed. Rob Larson stated that contract for the generator maintenance was with Power Up Generator Service.

The meeting adjourned at 8:45 p.m.