

## Selectmen's Meeting Minutes

Monday, May 11, 2020

At the Selectmen's Meeting held on Monday, May 11, 2020 at 6:00 p.m. the following people participated via Zoom:

Stanley Holz is in South Carolina

Peter Corey is at his home, maintaining social distancing

Shawn White is at his home, maintaining social distancing

A motion was made by Shawn White to enter non-public session at 6:03 p.m. pursuant to NH RSA 91-A:3, II(a), the dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted. The motion was seconded by Peter Corey. Roll call vote: White: Yes; Corey: Yes; Holz: Yes.

All in favor, 3-0. Motion passed.

The Board adjourned from non-public session at 6:27 p.m.

Stanley Holz called the meeting to order at 6:30 p.m.

Mr. Rob Larson, Public Works Director said we received notification from Bob Stiles that he wants to hook up water and sewer to a lot that he owns that does not border Route 3. He is on Fred's Way, and he wants to hook up on the Right of Way he has got. At the time he did that sub-division, Mr. Larson said he doesn't believe there was a water ordinance available at the time. He brought up a water line that stops at the Napa and he wants to tap off that to go to the second lot. That would now violate state ruling because he wouldn't be able to tap off a private line. Our water ordinance is woefully inadequate in this area, and it does not require that subdivisions to have a main line to tap into the other lots. The situation is going to continue not to the benefit of the town because of the old ordinance. The state does have some say in this if it is two or more connections then the state has to give approval. Shawn said he doesn't have much to add on this subject, but he does have some for the sewer hook-ups. Rob said he has to rewrite the water ordinance. It does not meet today's issues. Stanley asked if Bob ever got an easement from Napa? If he didn't, how could he possibly tie into that line without an easement? Rob said that Mr. Stiles should bring a main line up to that lot. Peter said when he got on the Board he and Fred worked on updating the water ordinance because it was evident one problem we had was this helter-skelter development and laying of water and sewer lines. We had people who wanted to do developments and the only way to get water and sewer was to tap on to your neighbor's lines. We had all these private lines with various type of materials all over town which kept springing leaks. The water department guys were always fixing leaks. Fred and Peter worked together on updating the water ordinance and made some significant changes to Whitefield's ordinance, which had not been changed since 1992. One of the things that was

changed was to intentionally stop the tapping of private service lines on to other service lines to prevent these sub-standard lines. Peter said that the ordinance was rewritten and it is not perfect. The ordinance established a service line has to go from the customer to a main. The line up behind Napa is not done to standards. What Bob is trying to do, does not go along with the ordinance. He should put in a main there. Fred says there are water lines that do run to the back of the property that were installed years ago without the town knowing. Shawn said what he has for developments, he is going to have to tap off the main line and put a main in the development along the right of way. That is the only way the town or state is going to allow it to happen. He has to create a main and each of those lots should have a meter and tap onto that line. That is the only way to do this. Fred said that water main is only a 6-inch line, and with the newer projects the minimum has been a standard of a 8-inch line with DES approval. He doesn't know if the state will allow a 6-inch main. We will have to find that out. He is going to have to run a main line up to that lot. Mr. Larson said another option is to drill an artesian well considering the way the ordinance is written, but we are trying to get more people on the system so the number of users is increased. By having a sub-division you need to create a main and then tap off the main. The way the ordinance is written now he can drill a well. Shawn said we shouldn't force anyone to hook up to town services. The sale of those lots will be hindered if he is not going to be able to have town water and sewer available. Rob wants to include a main in a sub-division as long as the highway or road has a main. You want to encourage the use of municipal water. Peter doesn't think we have a legal base at this day and age after 25 years to go back to the developer and say now you need to install that water main. Peter's experience on the planning board has been that there has been an unwillingness to throw a hard line in accordance with the regulations---you have to put in the utilities. They should make the developer take out a bond to ensure that this will be done. We don't have any legal basis to go back to a developer now and say you need to put in your utilities. He has to put in a line to Route 3 or drill a well. It is to his advantage to put a line in because it makes those lots more valuable. Rob will have to have discussions with Bob to get this moving in the right direction.

We also received a letter from Bob reference hooking on to the town 6" inch sewer line on Lancaster Road. Shawn White said that Bob Stiles about 30 years did put a sewer main up that side of the road. The east side of the road has a sewer main that comes from Maple Street all the way up to the salon. Bob did put that in and the town took it over. In the Salon parking lot, which is now part of Harvest Drive, there is a sewer manhole. Back in 2016-17, when Donald Gooden was putting in his house there was talk about utilities. The utilities would have to be in Harvest Lane to service those lots. Mr. Stiles can hook on to the line, but he will have to put a main up Harvest Lane that those houses could connect to. He has to fill out forms and get them approved by the Town and DES.

A letter was also received from Shane Morton, Sara Dunn, Bob Dunn, Caroline Lack, Jennifer Hartshorn, Kenneth Hanson, in reference to repairs on a private water line off of Jefferson Road. Mr. Larson said that the line had been leaking for about a week and it took a week to find the

leak and Rob believes Fred contacted as many of the landowners as he could. We didn't hear back from some of them. The two we did connect with wanted their water repaired immediately giving us permission to do what we did. There was a single girl with an infant who was desperate for water. It is the town's responsibility to the water system as a whole to provide safe and reliable water to the town so we can make that repair if there is a threat to the system. There was also the issue with the swamp water running through there. Historically the town has billed landowners for this activity. This is a private system that goes through backyards all over the place. The judgement call was made. Fred talked with some of the landowners and Shane lists them all as signatories, and we know that several of these people have not been in this discussion, but he added their names.

Fred Ingerson said that he did go around today and he talked to Caroline Lack, Jennifer Hartshorn and Kenneth Hanson. Both Caroline and Jennifer have no acknowledgement of this email or the contents and Kenneth said the same thing. He was up this past week and nobody approached him. They all seem to be fine with the fix we did, and they have paid their portion of it. It was \$376 each. The whole job was about \$1500. What attempts did we make to contact the owners? Fred had talked to Caroline Lack. The day she repaired it Fred spoke to both Caroline and Jennifer who wanted it fixed. Fred did not talk to Shane about it and Bob was gone on vacation. Fred said that there is now an active leak on that line and Shane has been notified but the leak has not been fixed yet. Rob said we have a new water conservation plan that is mandated by the state and it has language how expedient we have to react to fix a leak. Rob said he needs to make amendments to the water ordinance. Fred said Caroline and Jennifer said Shane told them the leak would be repaired this week. Shawn asked Fred if Shane Morton, Sara Dunn, and Bob Dunn had been contacted on the original repair and where was that repair? Fred said no they had not been, and what was repaired was the main before all the residences. As of now there is a line to shut this water off to those residences. Shawn's recommendation is we don't have authority to go in and fix that private water line, but we do have the authority to send them a letter that it has to be fixed in a certain amount of time or the water will be turned off. Fred have you talked personally to Shane on this new water leak? Fred said yes on Friday he did. Stanley suggested to have Fred talk to Shane again, and if it is not going to be done quickly we should send a letter saying the water will be turned off. The letter can say we are acting in accordance with DES rules, and the department has to act to protect the water system. The Board also agreed that they have to pay the bill for the water line repair last fall, and offer them the option to meet with Selectmen via Zoom. Peter said we did already meet with them on this last fall and told them they needed to pay.

Peter said last year Shane dug a very deep trench and this trench went from that property over towards the trailer beside it. Fred said that there is a curb stop that sticks up between those two properties. That was a leak that Shane had on his property that took him over a month to repair and he put in a huge black plastic line over his property to the edge of Hazen Road. Fred said that there was also a leak on Jennifer's driveway and Bob Dunn fixed it during the winter time

and Fred was never notified. Peter asked why are people able to put black plastic in the ground when it is not allowed in the ordinance? There is no back-flow prevention on that line at all so that makes it even worse. This is where we the Town has allowed people to do whatever they want for way to long. Stan is in favor of getting the ordinance up to date. We have to deal with this as it comes up.

Shawn White said the Airport has not met since the last meeting. The air show scheduled for June has been cancelled.

Peter Corey said that the Planning Board has been busy with new development permits. Modifications are being made and homes are being built. It is mostly non-Whitefield residents modifying second home residences. Despite the Covid-19, people are moving forwards with plans and renovations. The Planning Board holds their meetings via Zoom.

Stanley Holz said WEDC has been quiet since last meeting as well. Stanley said he has spoken with Jared Cape and he wants to move forward with a feasibility study of putting in a park behind the Cornelia building and he wanted to know why the Board gave a negative response to that. Stanley told him mainly due to a lack of explanation on what the Town's responsibility would be with this project. Jason said that he will address these issues and make another presentation.

Rob asked to expend \$9,100 from the Sidewalk Capital Reserve Fund for the paving that was done on Union Street. He said it was for the paving in front of the Huntoon property and work that was done there for the sidewalk. Stanley asked how does that impact our future plans for sidewalk paving? Rob said it would be paid from his budget for the capital reserve fund. Shawn asked Rob how long was that repair? Rob thinks 120 to 130 feet, four feet wide. Shawn recommends to the Board that we start doing this by tonnage proposals. Shawn said this seems really high for what was done. Rob will get an itemized invoice for this.

A motion was made by Peter Corey to approve the minutes of the April 27, 2020 Selectmen's Meeting Minutes. The motion was seconded by Shawn White. Roll call vote: Holz: Yes; White: Yes; Corey: Yes. All in favor, 3-0. Motion passed.

A motion was made by Shawn White to enter non-public session at 7:23 p.m. pursuant to NH RSA 91-A:3, II(a), the dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted. The motion was seconded by Peter Corey. Roll call vote: White: Yes; Corey: Yes; Holz: Yes. All in favor, 3-0. Motion passed.

The Board adjourned from non-public session at 9:06 p.m.

The meeting adjourned at 9:06 p.m.