

Selectmen's Meeting Minutes
Monday, June 26, 2017

At the Selectmen's Meeting held on Monday, June 26, 2017 at 6:30 p.m. the following people were in attendance: Peter Corey, John Tholl, and Wendy Hersom arrived at 6:40 p.m.

Nancy Comeau, Nuisance Black Bear Specialist, attended the meeting to discuss an ordinance to reduce human/bear conflicts in town. Nancy said a few years ago she met with the Whitefield Board of Selectmen and discussed adopting an ordinance, which was tabled. Nancy said in 2016 they took 700 bear complaints. Nancy said the improper storage of garbage remains a leading cause of annual bear-human conflicts in New Hampshire, approximately 38%, 25% from birdfeeders, and 23% from unprotected chicken/poultry. These are all easy fixes. They try to educate people and loan out equipment. Nancy said we have been tracking four northern towns that do have ordinance—Lincoln, Franconia, Bethlehem and Gorham all have wildlife ordinances. We have really been tracking Lincoln. Lincoln passed their ordinance in 2003 when they were getting over 25 complaints in the summer and what they had was all open dumpsters which the bears were getting in to. Tourists were waiting to see the bears in the dumpster. She said in 2004 it was still higher but slower and it started to go down when law enforcement started enforcing the compliance. She said in 2012 the calls were up again and that was the year there was no food for the bears in the woods. Pittsburg has an ordinance requiring commercial dumpsters that have metal tops and doors that can be securely shut. When properly enforced, the ordinances are very effective at reducing bear-human conflicts. Bear-human conflicts in Lincoln decreased 82% following passage of a wildlife-related ordinance in 2003. Peter asked what constituted a bear proof dumpster and Nancy said they have to have sturdy metal tops and doors that prevent access. Some have latches so the tops can't be lifted. Nancy said you need to make your garbage inaccessible. Nancy said having an open dumpster isn't just about bears, it is rabies and Littleton brought this up with West Nile Virus and EEE if you don't have a top on your dumpster then the water will collect. Edie said they have a small dumpster and she has not been able to get a bear proof top for. Nancy said a couple of the local waste haulers have the bear proof covers. They may need time to fabricate them. Edie said those motion detectors work. There are some other health and human concerns other than just bears in the dumpster. Nancy left some copies of the ordinances from the other towns for the Board to take a look at. Nancy said a survey was done a few years ago in Bartlett, Lancaster and Whitefield who didn't have an ordinance, and 84% of the people who participated in the survey said they would support the ordinance.

Nancy said Fish & Game does have a ruling that was passed in 2006 that deals with the control of nuisance black bears. Nancy said it says "no person shall use, place, provide, give, expose, deposit, scatter or distribute any material that results in attracting black bears after being noticed by the executive director or his designee to cease the activity because the activity might result in injury to a person, damage to property or create a public nuisance." Any local police department can enforce this.

Nancy said as far as Whitefield complaints go, it definitely follows the years there aren't a lot of natural resources. Residential garbage and bird feeders are an issue. There is also the Fish & Game ruling. John Tholl said it is his understanding that hunting guides are allowed to bait bears. That was a concern in Bethlehem.

Shawn said he lives in the bear belt—he has a path through his back yard and what the mother does is leaves the cubs and forges through the dumpster and the cubs and male bears walks through his yard. Shawn said it is because of a dumpster and all those areas due to a dumpster. Peter said he has a neighbor who leaves their dumpster top open and critters get in and drop the trash all over the place.

The Board said they would like some time to review and research this.

Department Head Meeting

John Ross, Jr. – Whitefield Fire Rescue

John had an estimate for Engine 2 to be rebuilt. It was pumping oil out. He had someone come take a look at it and found a lot of problems. John has a letter from him that describes what happened two years ago and a lot of parts didn't get put in that should have been put in. John said he is not sure what we want to do about that. The Board said we don't really have any choice but to repair it. The Board signed the price quotation from Jay Whitcomb for \$12,200.57.

Mossy said there are issues with the fire station parking lot. They need to install something that can be removed. John said something like plastic jersey barriers. Shawn thinks some type of removable post. Peter suggested something more on a pedestal type structure. Shawn suggested something like the split-rail fence out at the airport—the Board thought that sounded good. Shawn said it will take a little bit of time, but they can borrow the barriers from the airport until something permanent can be done.

Ed Samson – Whitefield Police Department

We have been talking about charging for report requests. Recently we have had a lot of log history requests, which are very time consuming. We are obligated to provide those, and Ed said he researched what other departments charge and came up with a Report Request and a fee for same. This does not include discovery requests. The fee is \$5 up to five pages and \$1.00 for each additional page. Peter Corey made a motion that we accept the proposed Report Request and associated fees presented by Chief Samson. The motion was seconded by John Tholl. All in favor 3-0. Motion passed.

Chief Samson had a proposal to increase our detail rate. The last detail rate increase was in 2012. Chief Samson is proposing to increase the rate by \$5.00 for both the community and outside rates. John Tholl made a motion to approve the detail rates by \$5.00. The motion was seconded by Peter Corey. All in favor 3-0. Motion passed.

Ed said he has a gentleman who lives in Town that would like to work part-time with our department. He has offered to go through the part-time academy and get his certification on his own time. He did some ride-alongs in the past couple of weeks to be sure it is something he wants to do. He is still interested. John Tholl suggested that we get him to sign a waiver so he won't come back on the town with a request for back wages after completing the academy. Ed said it is something we are probably looking to do this summer.

Ed said a topic that comes up that we have had issues with is junk cars in yards and overall unkept properties and looking at ways of dealing with it. The state law allows for only two unregistered vehicles. Ed said he has recently gotten calls from neighbors who at their wit's end. Ed said one of the thoughts he discussed, possibly letters from the Board to at least a couple in town, stating this has become a problem—not sure what the Board's thoughts are.

Peter was asking about adopting ordinances. He said he recently read about Montpelier, Vermont adopting ordinances giving them the ability to do something about these situations. Ed said it is something we need to mull over, and sometimes it is not vehicles but it is just stuff.

The Hazardous Mitigation Plan is ready to be submitted to the state for review and approval. The Emergency Operations Plan is going to be finished up by the end of the summer. Both plans should be done and completed by the end of the year.

Fred Ingerson – Water Department

Fred said when he turned the water on at the recreation department building on Highland Street last week there was no back-flow preventer or meter in that building. Peter said it should have a back-flow preventer and a meter. Shawn said we can get someone to do it.

Fred said that the old hardware store building, when they did some hydrant flushing and went down in the basement of the building found pipes that were burst. Fred said he has looked for the curb stop numerous times but has not been able to find it so there is an issue with it getting turned off. Dave was going to put a stop back there but has not done it. It is something will have to be done before winter. Fred asked him about, and he told him that he doesn't have any plans for that building. We can send him a letter and tell him he will need to discontinue the service or put a meter and backflow preventer on it. We need to find where the shut off is and shut the water off. Peter said he feels it is private water line, and he can't have an opened ended water line without a meter and backflow preventer. If he is not going to do the building, he needs to deal with the water line. We can draft up a letter from the Water Department to Dave Scalley.

Fred said today and last week he met last week with Horizons and has been going around marking out curb stops for the Bray Hill system. One thing that came up is that on the Spaulding line there is a gate valve that goes in there. When they took the cover off it was leaking water—there was water coming out of the gate valve. There was an issue before so they don't shut that valve off in the winter time—hope nothing freezes in the basement. He doesn't know if it every got brought up to the Board. They never knew where the shut off was. They were under the impression it could hold off until the new water line came in. Peter said that it is a private water line that needs to be repaired like any water line. Wendy does not recall it being brought up before. They shut the water off where it goes in the basement, but no one dares to turn the gate valve. We should draft up a letter for them as well.

Fred said that Dalton Water line is getting worse and starting to run across the road. Some of the Dalton homeowners attended the meeting. They have been talking with Aaron Arsenault and the state is not going to let them dig the line and replace it unless the Town is going to maintain it. Aaron has been in contact with the state and they will allow him to get the line repaired but the town would have to retain ownership of the line. It has been there for 35+ years. Rexford installed the line. Shawn White said if that line was dug on the other side of that fence it would get you out of the roadway. The homeowners said Mr. Arsenault will not dig up the cemetery. Shawn doesn't see the Town putting a main line in the town of Dalton. Peter asked how many linear feet of the private line lies in the right of way? Fred said probably about 400 feet. The Town of Dalton doesn't have any funding to fix a water line because they don't have a water department. They can't move forward with fixing the water line until we resolve this issue. They would like to do something as soon as possible.

If it is a town owned line and built to town specs, then it would be very costly. Peter said our problem is for whatever reason why those lines, three lines that cross into Dalton—we have no jurisdiction in Dalton for any enforcement. If someone has a water bill, we can't put a lien on your property because you are not in our town. Peter said we don't know how this occurred what deals were made, but we find ourselves looking at the current situation and may in the future send all the customers on the line a letter saying you have got two years to find another water source. One of the homeowners said they feel it is grandfathered in their deed. The deed says the homeowner is responsible for any repair equally for the line. There is nothing in the deed saying that the water will continue.

Tom Ladd said he has heard of this happening in other towns—how do other municipalities handle it? Wendy said we are not unsympathetic. Is there another company who would dig in the cemetery? The homeowners said if the town is going to shut them off in two years then they don't want to put in a big investment. Is there some type of inter-municipal agreement we could do with the Town of Dalton? We have to control back-flow preventers to protect the system.

Peter said for the long-term he feels the well might be the best route to go for the homeowners. You remove that clause in your deed that says you are responsible for the water line. Shawn's old house is going with the well. Peter suggests that they contact a well company and see what it would cost. Dalton is a long shot. We have to see if it exists if we can own a water line in another town. Wendy said we could see if they will sign amended deeds giving the Town the ability to lien them.

Wendy suggested going to talk with the Town of Dalton. Peter said he will call DES. We can talk to the Town Attorney to come up with some kind of creative agreement so we can lien their property. It was suggested to the homeowners that they contact the Dalton Board of Selectmen and speak with a well company. This would be the cleanest solution. Shawn said it is hard water so people have to put in some type of treatment.

Josh Welch – Wastewater Treatment Plant

The generator for the UV building has been ordered. It will be here in August.

One of the pumps up by White Mountain Auto is not working, and we will have to rip it apart and see what is wrong with it.

We received a letter from DES about the dam at the treatment plant. Shawn said that deals with trees, brush and shrubs, we started that two years ago and the bank has grown back up again. If the sewer project goes through that won't be classified as a dam. This is a good reason to get rid of the lagoons because this is one of the issues that would go away so this would remain an annual requirement. They talked about keeping one of the lagoons. It grows up because it is not something you can keep bush-hogged. It is not possible to keep it bush-hogged. Josh can get some prices to cut the trees. The Board signed the intent to complete repairs to return to DES.

Josh said as far as wanting to keep the lagoons is we have problems with monitoring wells around the lagoon every time we test for them. Only a matter of time before they request new test wells to be dug.

Shawn White – Department of Public Works

Shawn discussed the Community Room grant. We need to get a different refrigerator and stove to be ADA complaint. Lowe's will take the ones we have now back. There is an issue with the number of

cabinets we have up high and down low, which Shawn said he can take care of. The Board agreed to go ahead with what he needs to do to finish the requirements for the grant.

The sewer extension project across the street is going on and they will put everything back the way it used to be. Peter forwarded Shawn an e-mail for Mr. Pons about getting lighting to the sign. Shawn said we would need to get a new meter to put on the pole which is another meter cost. The only other feasible way is to go to the fire department and this would not be the time to put it in. Ed said we could look for something solar.

The sidewalks are moving along. On Jefferson Road we are waiting for the state maybe August to complete the sidewalks up there. Other side of Main Street will be ripped up and then move up to Highland Street. The curbing is going to be reused.

Shawn said that Pierce Road when you turn on to it from Parker Road is very narrow. The landowner is amicable to us widening the road at that area. Looking to do that project this summer. In a couple of weeks we will start on Kimball Hill, and we talked about paving Main Street this year but to do it correctly we will need to take up the pavement up, which we don't have enough money to do both projects. We are going to grind up View Street this year. Do they want to see Main Street done this year or do they want to do Kimball Hill? The Board thought it would best to finish up Kimball Hill.

Street lights are going to be done starting July 10th.

The Town properties, the one on Brown Street and that small house on Highland Street. Shawn suggests taking both of those houses down. Shawn is not sure if his crew can do the blue house or not.

A motion was made by John Tholl to approve the Loan Resolution with USDA for the Water Main Replacement project in the amount of \$3,610,000 and to accept a grant in the amount not to exceed \$2,864,442. The motion was seconded by Peter Corey. All in favor 3-0. Motion passed.

A motion was made by Peter Corey to approve the minutes of the June 12, 2017 Selectmen's Meeting. The motion was seconded by John Tholl. All in favor 3-0. Motion passed.

The Board reviewed the information from Bond Counsel on the Post Issuance Compliance Guidelines and decided not to proceed with establishing guidelines.

The Board reviewed a letter in reference to the cemeteries and referred the matter to the Cemetery Trustees.

The Board discussed the water/sewer bill for the town-owned property at 11 Highland Street. A motion was made by Peter Corey to abate the sewer portion of the bill (\$1,087.25) as the water pipes burst in the home and the water washed out the Brown Street bank rather than going through the sewer system. The motion was seconded by John Tholl. All in favor 3-0. Motion passed.

The Board discussed a request for a road name, Bob's Way, for a building permit for a lot up behind Shear Destiny. Peter Corey said state statute says you cannot build a structure on a piece of property that does not have any road frontage, which this lot doesn't have. John will go back and discuss this further with the Planning Board.

The meeting adjourned at 9:10 p.m.