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APPROVED
BOARD OF SELECTMEN – MEETING MINUTES
October 12, 2021

CALL TO ORDER – Chairman Haverty called the meeting to order at approximately 6:05 pm.

PRESENT: Jaie Bergeron, Robert Haverty, Hal Lynde, Douglas Viger, Brian McCarthy Town Administrator

ABSENT: Kevin Cote

PLEDGE OF ALLEGIANCE

MINUTES REVIEW:

September 28, 2021

MOTION: (Lynde/Viger) To approve the September 28, 2021 meeting minutes as written.

VOTE: (3-0-1) The motion carried. Mr. Bergeron abstained as he was absent from the meeting.

OPEN FORUM:

No one came forward to address the board in open forum.

APPOINTMENTS:

QUANTUM ENGINEERING: Abbott Bridge project update

Jim Bouchard & Anna Giraldi came forward with a PowerPoint presentation to bring the board up to date as to where the project stands. They explained that Quantum Construction Consultants is a civil and structural engineering firm located in Concord, NH specializing in municipal bridges. They work with DOT bridge aid and don't contract directly with DOT, so this is their specialty. Quantum also worked with the town on Willow Street. The project is funded through the Bureau of Planning and Community Assistance at the DOT. It is bridge #109/081, DOT project #29450. The total project is funded 80% by the DOT and 20% by the town of Pelham. The project is currently programmed within the DOT for construction within their fiscal years 2022 and 2023. The money is available for construction beginning July 1, 2021.

They explained this proposed project is a relief structure to the existing historic arch bridge, which will be precast slabs placed on cast in place concrete abutments covering a 48-foot span, which is somewhat limited by the topography and terrain. Their presentation showed the old arch design and new relief structure. It was said that the existing arches can't handle anything above a 10-year storm, hence the flooding that has occurred over the years with the most recent major flooding being in 2006. Their firm has had meetings with the New Hampshire Department of Environmental Services, and they explained what has been requested by NHDES as far as what water the structure will handle. With anything over a 2-year storm, the water will go over a berm and through the new structure.

51 It was confirmed by Mr. Viger that the arch bridge is staying the same and they are creating a new bridge
52 next to it so water will flow. The arch bridge is remaining as is. Mr. Bouchard explained they can't change
53 the road surfaces because of the close proximity, and they are limited by the topography.

54
55 Chairman Haverly asked what the berm will be constructed of. Mr. Bouchard explained it will be a natural
56 stream back up to a certain elevation and then they will cut into the back of it and armor it so it will take
57 the water flow.

58
59 Mr. Bouchard went through the agencies they are dealing with and the permits required. The New
60 Hampshire Natural Heritage Bureau for Endangered and Threatened Species has reviewed the project and
61 said a flora study needs to be done of the area for a number of species. He noted they had done the same
62 study for Willow Street, and one is now being requested for the immediate project area. This is a historical
63 bridge.

64
65 Mr. McCarthy said the question had been brought up as to what makes it a historical bridge and when it
66 was declared and why it can't be touched. Mr. Bouchard explained that under the Division of Historical
67 Research anything prior to 1945 becomes historical, as well as the construction type of the bridge. Ms.
68 Giraldi said she believes this is the oldest, double arch bridge in NH. She explained that in 2016, when
69 they did the request to the Division of Historical Resources, it was declared historical. This makes the
70 project a little more complex but not as bad because they are not doing a lot of work to the existing bridge.

71
72 Ms. Giraldi said this project impacts two abutments next to the relief structure and easements are needed. She
73 explained that the town has the easement plans they have drafted, and the town will negotiate. Mr.
74 McCarthy explained one of the two properties has been sold and they are waiting to see who the new owner
75 is so they can be approached. They have been in contact with the owner of the other property.

76
77 Ms. Giraldi explained the schedule. They are hoping to have the complete design in 2022 and bid in the
78 fall of 2022, awarding the contract in early 2023, start construction in the spring of 2023 and complete the
79 project in the fall of 2023. This is a 6–9-month project. Mr. Bouchard said there will be 6-8 months of a
80 hard road closure.

81
82 Mr. Bouchard showed a slide that showed the summary sheet for warrant article funds for the bridge. He
83 went through the costs, including the engineering design cost of \$336,000 and the total construction cost of
84 is \$1,949,000, which he explained has grown substantially, especially due to COVID and what the
85 pandemic has done to supply chains and the cost of materials. The total opinion of project cost is
86 \$2,283,000. The town has passed two warrant articles for funding. However, they have a shortfall of
87 approximately \$450,000. They are recommending a warrant article in 2022 for \$500,000. Mr. Bouchard
88 explained they are recommending a \$50,000 increase because of a notification of increase last Friday for
89 precast concrete, as well as trying to forecast ahead of 4-5% per year plus extra for the supply chain.

90
91 Mr. Viger questioned if the warrant article doesn't pass, where does it set the town back to in the state's
92 10-year project schedule. Mr. Bouchard explained it could potentially move the project back to 2033 or
93 2034 because the state has a dire need for the money and they will use it somewhere else and put the project
94 at the end of the chain. Mr. Viger explained that his point was if the \$500,000 was not raised now, the town
95 could be looking at million dollar increase 10 years in the future. Mr. Bouchard agreed that it would be at
96 least a million dollars, without a doubt.

97
98 Chairman Haverly asked to explain the cast in place. Ms. Giraldi explained that the structure would be
99 built in place.

100

101 Mr. Lynde commented that we won't see surface of bridge addition. Mr. Bouchard confirmed it will not
102 be an exposed concrete surface.

103
104 Mr. McCarthy said that looking at design, there is quite a bit of distance from the existing bridge to the new
105 structure and asked if there was a reason for it. Ms. Giraldi said that was as close as they can have it. Mr.
106 Bouchard said they don't have a good determination as to what is in behind the approaches to the twin
107 arches and they don't want to jeopardize them by being too close. They took a reasonable approach and
108 focused their work away from the bridge to move vibration and unknowns away from bridge. They don't
109 want to undermine the existing bridge abutment.

110
111 Mr. McCarthy asked what their confidence value is that flooding will be eliminated during bad rainstorms.
112 Mr. Bouchard said it is high and they have done the hydraulics and have had to satisfy DES. Ms. Giraldi
113 said there has been lot of correspondence with DHP and they have done the study. Mr. Bouchard explained
114 that there has been a lot of coordination with the DOT bridge division since the Willow Street project got
115 started and went into detail on the studies.

116
117 Mr. Lynde explained that he understands that the Main Street Bridge, which will follow, will adhere to
118 what they have in front of them so they won't have more waterflow than what they can take. Mr. Bouchard
119 said Mr. Lynde is correct. He said the NH Bridge Division is designing the Main Street bridge so the water
120 that passes through it won't exceed the downstream ones.

121
122 Chairman Haverty asked what it means to those down past the Willow Street area, Patriot Drive etc. as
123 they are accelerating the amount of water and passing more water through this. Ms. Giraldi explained that
124 according to HNH study, it should not increase the water surface elevations downstream. Mr. Bouchard
125 said the water was getting there and finding its way around bridge structures at private properties. He
126 explained they are taking the water and containing it to the river's channel. It will be passing same amount
127 of water but keeping in the channels.

128
129 Mr. Lynde said they need to keep in mind that if this project is not done, Abbott Bridge will deteriorate to
130 the point where it will no longer exist. It needs to be dealt with.

131
132 Chairman Haverty confirmed that Mr. Bouchard was saying they are allowing the same amount of water to
133 pass but keeping it within the confines of the brook and not allowing it to pass through private properties,
134 etc. Mr. Bouchard said he was correct. He explained how things downstream of Willow Street are affected
135 by the channelization downstream and went into some detail on that.

136
137 Chairman Haverty said he is concerned about the volume of moving water and then having a streamline,
138 open way to go and passing the water faster as opposed to going around and through private property. He
139 explained that he lived on Patriot Drive for almost 20 years and the brook overflowed its banks during the
140 wet season in the majority of the years and would wash out into his side yard. He asked if the problem will
141 be exacerbated for those living down there. Ms. Giraldi explained the water is not accelerating, but the
142 water velocity is going down. She said that the water going through the arches is currently going faster
143 than it will with relief structure next to it.

144
145 Mr. Bouchard explained the velocities of the water on Willow Street with the old versus the new structure.
146 He said they are not making dams but instead keeping it in and more controlled.

147
148 Mr. McCarthy explained there will be no sidewalks or anything like that attached to it or going around. Ms.
149 Giraldi said there is really no point to adding a sidewalk as they can't put one on Abbott Bridge so it would
150 have to end.

151

152 Chairman Haverty asked if there were concerns for snow removal, etc. Mr. McCarthy said it will be no
153 more challenging than it already is.

154
155 Mr. McCarthy said the next step is working with Mr. Bouchard on the language to add it to the warrant
156 article for 2022. He is working on the verbiage and will have it before the board for their next meeting to
157 vote to get on it on the ballot.

158
159 Chairman Haverty asked what would happen if it were put on the ballot and the voters say no. He asked if
160 they would come back again next year and try to represent it. Mr. McCarthy said it will knock it out of the
161 state's timetable. Mr. Bouchard said there is sometimes some consideration by the department, and they
162 can say it's funded through 2023 but if a warrant article is not passed in 2023, the state could slide it back.

163
164 Mr. Viger asked if there was any reimbursement by state in the 80/20 demographic or it it's 100% by town
165 for the \$500,000. Mr. Bouchard explained this is 100% by town. He explained how the reimbursement by
166 DOT occurs and it occurs in two stages. He said that hasn't been figured into these numbers because the
167 project will not have enough money to be carried through construction before the final reimbursement
168 request is prepared. There was some discussion on the wording of the warrant article based on that
169 reimbursement.

170
171 Mr. McCarthy said that without the unanticipated, unexpected increase they were "shovel ready" to go and
172 had all their funding secured. Mr. Bouchard confirmed that was correct. He explained that when they
173 started, they forecasted based on 3% per year inflation and it didn't factor in what happened in last year and
174 a half.

175
176 **PUBLIC HEARING: Notice is hereby given in accordance with RSA 41:14-a, the Pelham Board of**
177 **Selectmen will hold two public hearings on Tuesday, October 12, 2021 & Tuesday, October 26, 2021**
178 **at 6:45 PM Sherburne Hall, 6 Village Green, Pelham, NH regarding a proposal to purchase the**
179 **following: #1 – 3 Conservation easements totaling approximately 202 acres. The lots are defined as**
180 **Map 6 Lot 4-161, Baldwin Hill Road, Map 6 Lot 4-162, off Jeremy Hill Road, Map 12 Lot 4-154, 8**
181 **Bowman Lane, Map 13 Lot 4-150, 146 Jeremy Hill Road, and Map 13 Lot 4-156, 139 Jeremy Hill**
182 **Road. In addition, Lots 208-18 and 202-1 in Hudson, NH on the Pelham/Hudson line will have a deed**
183 **restriction to prevent development or subdivision, in perpetuity. These will be easement properties;**
184 **ownership will remain with the current owners; the land will not be open to the public. #2 – Open**
185 **space totaling 85 acres. The lot is defined as Map 27 Lot 2-81, frontage at the intersection of**
186 **Mammoth Road and Bush Hill Road, along the class VI portion of Tower Hill Road and frontage on**
187 **the south side of Gumpus Pond.**

188
189 Al Steward, a conservation commission member, came forward to ask the board to approve the purchase
190 of a conservation easement at the Steck Farm. He gave his background on how he got involved in the
191 forestry committee and open space plan for Pelham and the conservation commission. He has worked on
192 the development of a data base of all lots over 15 acres that may possibly add to the open space in town.
193 The idea was to see if landowners had an interest in conserving some of their property. He explained the
194 one of the main aspects of the open space plan is the checklist of requirements so property can be considered
195 for purchase of a conservation easement, items that disqualify property and other considerations.

196
197 Mr. Steward went through the checklist for the Steck Farm showing it meets all the requirements. There
198 was nothing noted that would disqualify the property. He also went through the other considerations for
199 public benefit part of the checklist and some history on the property. He explained that this property falls
200 under a number one priority for the open space plan. This property consists of 7 parcels, 5 of which are in
201 Pelham (210 acres) and 2 in Hudson (33 acres). Mr. Steward showed an aerial, drone view and a street
202 view of the property and gave information regarding the property and surrounding properties.

203

204 Mr. Steward explained they have been working with the Stecks for the last two years. They are not
205 interested in selling property but want to maintain the agricultural legacy. They have discussed
206 conservation easements, explaining that means buying the developmental rights of a property so it would
207 not turn into a subdivision. Mr. Steward explained an appraisal of entire property was done in January of
208 this year and it was appraised at \$2,695,000, with \$420,000 being the agricultural rights. The conservation
209 easement is worth \$2,275,000, which made the acreage worth approximately \$9,500. The house and 3
210 acres have been set aside in the appraisal. Because they are unable to buy the rights to the lots in Hudson,
211 they came to agreement to reduce the prior price by \$555,000 to \$1,720,000, which brought the average
212 price of an acre down to about \$8,500. They used the framework of the Smith property conservation
213 easement that Pelham bought a few years earlier. Mr. Steck came up with the opportunity that allowed
214 Pelham to restrict the development rights of the parcels in Hudson. Taking the Hudson parcels into
215 consideration would end up putting 241 acres into conservation with an average price of \$7,100. There are
216 two exclusion areas, one for the house, for 2 acres, and a 5-acre exclusion for the barns and work area.

217

218 Mr. Steward explained that with all this considered, with the current use tax fund of a little over a million
219 dollars, which is what developers pay when they take current use property out of current use and develop
220 it and 75% of it comes to conservation, which could be a major portion and it has been designed so they
221 could add open space to counteract properties that become sub developed. Mr. Steward asked the board to
222 consider the additional services that would become necessary if this property was allowed to be sub
223 developed. He highlighted there would be the possibly for more than 200 houses there, which could mean
224 as many as 400 students, with impacts to fire, police, schools, and administration for additional services
225 with the cost far exceeding the cost of the conservation easement.

226

227 Chairman Haverty opened it up to the public.

228

229 Wayne Morris came forward. He said he lives in Windham. He said he has been in discussion with Paul
230 Gagnon for several years and they have talked about this property. Mr. Morris said he is coming from the
231 angle of scenic area. He said he often parked at the fire tower and passed this farm. He explained he now
232 parks at the top of the field and watches. He said the town is fortunate to be able to put a conservation
233 easement on it, if the board decides, and it is not often that the opportunity arises to put a conservation
234 easement on this type of property. Mr. Morris said that from living in Windham, he knows it would easily
235 turn into 200 homes. He said he came in support of the conservation easement.

236

237 No one else came forward from the public and public comment was closed.

238

239 Mr. Viger commented that doing the math, 200- \$500,000 homes at the current tax rate would bring in over
240 \$2 million in tax revenue so they are measuring the \$2 million in tax revenue forever versus conservation.
241 He said people at home will question is it worth the conservation expense versus future revenue, which also
242 includes increases to police, fire, schools, etc. He said he personally thinks the land should be conserved
243 but wanted to bring this up.

244

245 Mr. Steward said that studies show the cost of service seems to always exceed the revenue. He said in an
246 average situation, it's 110%. Windham is at 105%. It can go up to 120%. He explained that if we were to
247 take the \$2 million in revenue, it would take a minimum of \$200,00 a year beyond that, an increased burden
248 on nonresidential property. Mr. Steward said he doesn't see advantages to the increased burden the excess
249 cost of services would put on nonresidential members of the community, which Mr. Viger said he
250 appreciates and wanted people to be aware of the valuable conversation. Mr. Steward highlighted that the
251 town has agreed to do upgrade on school system, and we know the costs of that. He said that adding 400
252 new students, there would be increases necessary on all 3 of the schools and that cost would be beyond the
253 cost of the conservation easement, which allows the town to keep the rural character.

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Dennis Hogan, a member of the conservation commission, came forward standing in for Paul Gagnon. He explained that Mr. Gagnon started working on this project in 2007. He explained that this deals with the next step in the approval process of the Zolkos' property, described as the Tower Hill Road in the board's packet. Mr. Hogan showed a map of parcel the parcel. He explained that the green area on the open space map is land under current protection, a little over 2400 acres but would end up being over 2800 acres being protected with the projects currently under consideration and final stage. They are proposing to pay \$655,00 for 85 acres, approximately \$7700 an acre. He explained the original parcel is 87 acres with 2 acres coming off for a single-family dwelling or duplex, and 5.3 acres are currently in use as a cell phone tower. As part of this arrangement, when the parcel is no longer being used as cell phone tower, it will revert back to the town for no additional cost. Mr. Hogan went through the checklist for the property. He explained it is all wooded acreage, except small meadow.

There were no questions from the board. Chairman Haverty opened it up for public comment.

Bob Lamoreaux, 28 Blueberry Circle, said he is glad this property is finally coming in front of the board. He said this is a great piece of property. He addressed the question on the tax part. He said that when he was on the master plan, he learned there is a huge negative impact for every house built. He said they will have that number as they are getting the master plan going again but plugging in the numbers would make it pretty idiot proof. He said the net results of permanently retiring building permits runs forever. He said the tax impact is not needed. The master plan will show those numbers, but he wanted to make sure the public realizes there is a huge disadvantage to developing it. He urged the board to vote in favor.

Chairman Haverty closed the public input as nobody else came forward. There were no additional comments or questions from the board. Chairman Haverty reiterated his is public hearing number one. The second will be on October 26, 2021 at 6:45. The public hearing was closed.

PUBLIC HEARING: Notice is hereby given in accordance with RSA 675:7 that the Pelham Board of Selectmen will hold a public hearing on October 12, 2021 at 7:15 PM in Sherburne Hall, 6 Village Green, Pelham, New Hampshire to consider acceptance of eight (8) subdivision roads as Class V public highways in accordance with RSA 674:40a. They include: Stagecoach Circle & Ladyslipper Avenue in the Lemieux Farm Estates Subdivision off Webster Avenue; Evergreen Avenue in The Pines Subdivision off Briarwood Road; Drummer Road & Piper Lane in the Bayberry Woods Subdivision off Poplar Hill Road; Waterford Way, Innisbrook Drive, and Long Pond Drive in the Waterford Estates Subdivision off Sherburne Road. Maps of the eight roads are available for inspection at the Planning Office and on the Planning Department page on the Town of Pelham website at www.pelhamweb.com

Jenn Beauregard, interim planning director for the town of Pelham, said she has been working with multiple developers to finish projects and with Keach-Nordstrom to get outstanding items cleaned up. They have been working with getting the final documents in place, draft road deeds, certification that all bounds have been set and have road as built for each of the projects. Ms. Beauregard explained they were all voted on at the planning board to accept as town roads.

She explained that the Pines is the one road that has not been wintered over but the land use regulation allows a 10% maintenance bond to be held for 1 year to be sure that the road holds up throughout the winter without any problems and then the bond would be released.

304 Ms. Beauregard said there were a couple of encroachment issues and they have worked with Brian
305 McCarthy and John Rattigan to come up with agreements with the homeowners to allow the structures to
306 stay within the town right of way but releasing the town of any liability if anything were to happen to the
307 structures. She explained that if anything were to happen to any of the town equipment while plowing, etc.
308 then the homeowner would be responsible. She said those agreements have been recorded at the registry
309 of deeds.

310
311 Ms. Beauregard explained that the Bayberry Woods subdivision was in front of the board in February and
312 there had been concern about how the detention pond was working in front of one of the Piper Road houses.
313 There had been a meeting with the homeowner and Jeff Burke, from Keach, recently and it was confirmed
314 that a second pond had been added to help with overflow and that is working correctly. The last item was
315 for the developer to loam and seed along the town road and Ms. Beauregard said she had been by today and
316 that was completed.

317
318 No one came forward from the public and public comment was closed.
319

320 **MOTION:** (Viger/Bergeron): to accept all the roads listed in this public hearing to be accepted
321 as town roads per requirements set forth by the planning board and in accordance
322 with RSA 674:40A.
323

324 **VOTE:** (4-0-0) The motion carried.
325

326
327 **JENN BEAUREGARD: CMAQ update**
328

329 Jenn Beauregard, interim planning director, and Greg Bakos from VHB, Vanasse Hangen Brustlin, the
330 consulting firm for the project came forward.
331

332 Mr. Bakos explained that CMAQ stood for congestion, mitigation, and air quality. He said that CMAQ is
333 the federal source of funds for the project.
334

335 They came forward with a PowerPoint presentation to give an update on the Mammoth Road at Sherburne
336 Road and Marsh Road intersections. Mr. Bakos explained this is a summary of the project development
337 process and they are about to make a transition from the preliminary phase into the right-of-way phase and
338 recently met with NHDOT about that. Mr. Bakos explained they have evaluated cultural & natural
339 resources, hazardous materials, air and noise impacts and cultural resources was one of the most significant
340 ones, which has added some delay.
341

342 Mr. Bakos said they had to study a handful of properties in depth that have the potential to be considered
343 historic resources. After their study, it was determined that the 93 Mammoth Road property is. It is at the
344 corner of Mammoth Road and Sherburne Road. The determination was that it is eligible for the National
345 Register of Historic places and therefore there is a lot of scrutiny placed on impacts to the structure. He
346 explained that the design has been advanced enough to know that there are no direct impacts on the property.
347 There are visual impacts in the form of tree clearing along the state right of way, not within the property,
348 and the roundabout will change the visual character of location. Mr. Bakos said they have submitted
349 documentation to the Division of Historic Resources explaining that they believe the visual impacts are not
350 really contributing to the historic character of the property and they are waiting on response. If they agree,
351 they are prepared to wrap up historic evaluation phase.
352

353 He explained there are a number of natural resources within the project area, but improvements have
354 minimal impacts. Mr. Bakos said the biggest impact is they are increasing amount of impervious area,

355 adding pavement, but they have no direct impacts on wetlands, and to their knowledge, nothing on
356 endangered species, flood plan or contaminated soils. He feels they are in a good place here as well.

357
358 Mr. Bakos showed an overview of the two roundabouts. He noted the advancement of the design in the
359 plans. They know how stormwater is being handled and what their grading is around the roundabouts and
360 where their slope impacts are, etc.

361
362 He explained that an important part of the plans being advanced to this stage is to understand what property
363 impacts might be. He said the right of way impacts on the southern roundabout, Mammoth at Sherburne,
364 are entirely on the eastern side, partially on town property and partially on private property. He said a
365 drainage easement is needed and there is an adjustment of the right of way in the vicinity of the roundabout
366 itself.

367
368 Mr. Bakos said that the Marsh Road intersection has a fair amount of right of way impact. He said the
369 white home at the corner, in the split of two roads, will see the biggest impact on their lawn. This is
370 currently at the corner of the stop sign controlled intersection. Mr. Bakos said the house has a septic system
371 and leaching field in that corner, but they have determined that replacement will be possible without any
372 real experienced harm to the homeowners. He said access will still be provided to the home and it is mainly
373 eliminating part of their property to the corner. Mr. Bakos explained that to the west side, there is impact
374 to an area that is currently non-buildable and on the east and south side, there are slight impacts along the
375 frontages.

376
377 Mr. Bakos explained that the next step is to hold one on one meetings with the property owners, and they
378 want to start arranging them soon so the abutters understand what is being proposed and so they can get a
379 read on how they feel about it. He said they will be told they are entitled to just compensation and there is
380 federal money involved, which requires a formal process to compensate them. He explained they will be
381 hiring approved appraisers to do appraisals and a second round of appraisers to check the first appraisals.
382 NH DOT will be involved the process and reviewing everything. Mr. Bakos explained the intent is there
383 will be no harm made by the project and they will be made financially whole as part of the project. He said
384 they cannot talk about compensation until DOT gives them the green light that the preliminary design and
385 environmental process has been completed, which they expect to happen in early 2022.

386
387 Mr. Bakos noted that much of the project is on state right of way. If eminent domain is needed to do the
388 acquisitions, the town is not able to do that on behalf of state. He said the state would get involved to run
389 the right of way process. The northern intersection appears to be more complicated than the southern
390 intersections from a right of way perspective.

391
392 He said that through discussions with state, they are going to break this into 2 projects in early 2022. They
393 expect the southern intersection to be able to advance through final design, minimal right of way and
394 permitting by this time next year in order to go out to bid at this time next year. Because of the right of
395 way impacts, the northern intersection will probably be pushed into 2023. Mr. Bakos said they won't know
396 when until they get through the right of way process. He said there is lots of logic to splitting the project
397 and it also makes sense to do it in two different years as the traffic impacts of both being done at the same
398 time will be pretty significant.

399
400 In regard to funding, the latest construction and right of way estimate is considerably higher than seen in
401 the study phase. Mr. Bakos showed a slide of the summary of all components. He explained that when
402 more detailed engineering is done, more is learned. They feel the cost estimating now is very solid
403 considering more factors. He also explained the construction industry has been very volatile and prices
404 have really gone up. They will update the numbers again at final design. Currently, the total estimate is
405 \$2.83 million, which includes the right of way phase.

406
407 Mr. Viger asked who is responsible for the increase in the dollar amount. Mr. Bakos said that through their
408 recent discussion with the state, there is a good possibility that the state will be able to increase the amount
409 of CMAQ funding. He believes the 60/40 split ratio would still remain the same, but the expectation is that
410 DOT will have more CMAQ money. Mr. Viger noted that he felt it was funny that a grant the town applied
411 for to help reduce some traffic became ownership of the state and that the state now wants the town to pay
412 more money for a grant the town won in order to help the state offset the project, but he understands the
413 whole aspect.

414
415 Mr. Bakos showed the schedule for the 2 separate projects. He said the expectation on the Sherburne Road
416 intersection is they would be out to bid this time next year with construction in 2023. He said he
417 conservatively showed Marsh Road out to bid in the fall of 2023, but conceivably could be sooner, with
418 construction in 2024.

419
420 He said they are currently completing the NEPA process, the environmental documentation process, and
421 are about to submit preliminary plans to DOT before end of the month. They ready to engage abutters and
422 will hold a public hearing for right of way. Once they are through the public hearing the projects will
423 advance on their own.

424
425 Chairman Haverty asked where the public hearing would be held. Mr. Bakos said it is at board's discretion.

426
427 Chairman Haverty asked to refer back to the northern most roundabout. He said he sees an awful lot of
428 asphalt on Marsh Road on both sides approaching the roundabout as far as driveways, parking lots, etc. and
429 feels this is going to be a daunting problem to solve and may be a difficult negotiation. Mr. Bakos said that
430 they are not denying access to anyone. He explained they will be modifying at least one of the entrances
431 to where they will only have right in, right out access. He said the benefit is they will hopefully be
432 improving their ability to get out of their drives. Chairman Haverty said he is interested to see how one
433 particular driveway will be solved as it is in the roundabout. Mr. Bergeron explained they have had added
434 second driveway to the duplex so there are now two. Mr. Bakos said he was unaware of that, and it is not
435 on their survey.

436
437 Mr. Lynde asked if it is fair to assume there is a 2-year delay. Mr. Bakos said overall it is probably close
438 to that. He explained that the historic process was the main culprit but is essentially done.

439
440 Mr. McCarthy noted they are anxiously awaiting information from Congressman Kuster's office as her
441 office has forwarded this project for federal infrastructure funds. He explained that his understanding is
442 the town is on the threshold of receiving \$1.2 million for the project from the infrastructure bill. He
443 explained that in discussions about two weeks ago, he was told it hadn't gone to vote yet, but they are
444 optimistic that it was going to happen. He said the town may end up with another \$1.2 million even though
445 there is a 2-year delay. Mr. McCarthy said he will let the board know once he hears. He has heard the
446 project scored very high for reimbursement.

447
448 There were no further questions or comments from the board.

449
450
451 **DISCUSSION:**

452
453 **DRAFT TOWN WARRANT REVIEW**

454
455 Mr. McCarthy said he had just given the board a printed, updated version of the draft articles. He went
456 through them as follows.

457
458 Article 1, Mr. McCarthy said he is awaiting information from the town clerk as to the terms for the offices.
459

460 Articles 2 and 3, he is waiting to see what comes out of the planning board with respect to 2 articles in
461 zoning. He explained Ms. Beauregard is confident there will be at least 2.
462

463 Article 4 is the town budget and is in the process of being reviewed by the budget committee. He said
464 compensated absences remain unchanged and he has a number from the finance director for Mr. Viger as
465 to what the liability is and will get it to him.
466

467 Articles 7, 8, 9, 10 and 11 are conservation and are unchanged and have been reviewed by the conservation
468 committee chair.
469

470 Article 12 is for the forestry. Mr. McCarthy explained this is up in the air and he has spoken with Attorney
471 Rattigan as to whether or not this can happen. He said he spoke with Attorney Rattigan again before the
472 meeting and he is still awaiting a phone call from the state as to whether or not the article can come to
473 fruition.
474

475 Article 13 from the forestry is unchanged.
476

477 Article 14 Mr. McCarthy added. It is the elderly exemption based on the presentation by assistant assessor
478 Sue Snide and is the language that she forwarded and discussed at the last meeting.
479

480 Article 15 will be the Abbott Bridge article consisting of a half a million-dollar expenditure. Mr. McCarthy
481 mentioned the board could consider writing an article to take it out of the unassigned fund balance,
482 removing the tax impact. The language is to be determined.
483

484 Article 16 is from the fire department. It is from Chief Midgley regarding raising \$190,000 for a forest fire
485 fighting vehicle, which will replace a 2005 forestry vehicle currently in the department.
486

487 Article 17 is regarding an increase to the ambulance replacement account. Mr. McCarthy explained that
488 Chief Midgley needs to adjust some of how the account gets funded. Mr. McCarthy read the article.
489

490 Article 18 is the citizens' petition.
491

492 Mr. McCarthy said he plans to have this to the board for the next meeting so they can vote. It is due to the
493 budget committee on November 4. He explained it will be fully vetted from town counsel when they get
494 to board. He asked board to reach out to him if they had any questions or concerns.
495

496 Mr. Viger asked Mr. McCarthy to word the warrant article for the bridge in two different ways, one as a
497 regular warrant article and one as taking it out of the fund balance, so they can have the wording on both
498 when they decide. Mr. McCarthy said he would have that done.
499

500 Mr. Lynde said they used to have all they money articles up front and this year they seem here and there.
501 Mr. Viger said he thought by statute the zoning and planning articles have to go first, which Mr. Lynde said
502 he understood. Mr. McCarthy explained this is a draft form and the alignment is typically at the direction
503 of the DRA. He said he can set up any way the board wants. Mr. McCarthy said the current order is how
504 the articles came in and it is just a draft document.
505

506 Mr. Lynde noted he still doesn't understand warrant article 12 for forestry. Mr. McCarthy said his
507 understanding is the forestry management committee are the only people that can expend the money, but it

508 is typically done by a warrant article. They are asking for ability to spend the funds, release funds without
509 having to go to a town warrant. Mr. McCarthy said this is under review by legal to see if it can happen. He
510 said there was discussion that there was a similar scenario with the schools years ago and they made the
511 modification. He believes they are trying to make it easier to expend money, if needed, without having to
512 go to a warrant article each year.

513
514 Mr. Lynde said on the elderly exemption, he saw increases and feels they are a little on high side. He said
515 he feels that changing the net income from \$54,000 to \$250,00 is extremely high and he doesn't understand
516 why it is being done. He said he has already reached out to Sue Snide. Mr. McCarthy said he will ask her
517 to reach out to Mr. Lynde.

518
519 Chairman Haverty noted there are 17 articles on the warrant. He said he had an opportunity to look at very
520 old town reports and old warrants and, in some years, there were 50, 60 or more articles on a warrant.

521
522 Chairman Haverty said there may be one coming forward from police department. He explained that BOS
523 had put 2 officers into the budget and the budget committee balked at the yearly cost. He said the BOS
524 estimated the cost to be \$105,000, not including equipment, uniforms etc. He believed the budget
525 committee's TCT, total compensation threshold, was \$97,000 so they are pushing for a warrant article. He
526 said the BOS is saying it's a 39-week year from April 1 to December 31, but the budget committee wants
527 to apply a 52-week year into the cost of the employee for their threshold. Chairman Haverty said there is
528 a budget committee meeting on Thursday where they are voting on budgets and depending on what happens,
529 they may be coming back with a warrant article for 2 police officers.

530

531 **SELECTMEN/TOWN ADMINSTRATOR REPORTS**

532

533 **Mr. Bergeron** nothing to report.

534

535 **Mr. Lynde** nothing to report.

536

537 **Mr. Viger** no report.

538

539 **Mr. McCarthy** reported that with respect to the building inspector candidates, they have 2 finalists in
540 background. Once that is completed, he will be recommending one candidate to the board.

541

542 **Chairman Haverty** no additional report.

543

544

545 **REQUEST FOR NON-PUBLIC SESSION**

546

547 **MOTION:** (Lynde/Bergeron) Request for a non-public session per RSA 91-A:3, II, (A, E)

548

549 **ROLL CALL VOTE:**

550 Mr. Bergeron - yes

551 Mr. Lynde – yes

552 Mr. Viger – yes

553 Mr. Haverty - yes

554

555 (4-0-0) The motion carried.

556

557 It was noted that when the Board returned, after the non-public session, the Board would not take any other
558 action publicly, except to seal the minutes of the non-public session and to adjourn the meeting. The Board
559 entered a non-public session at approximately 7:52 pm.

560

561 **ADJOURNMENT**

562

563

564

565

566

567

568

Respectfully submitted,
Jill Atkinson
Recording Secretary