TOWN OF ALLENSTOWN Select Board 16 School Street Allenstown, New Hampshire 03275 June 19, 2017

Call to Order

The Allenstown Select Board Meeting for June 19, 2017 was called to order by Mr. Tardiff at 6:00p.m.

Roll Call

Present on the Board: Dave Eaton Jason Tardiff Ryan Carter

Allenstown Staff: Shaun Mulholland, Town Administrator Kathleen Pelissier, Town Clerk Ronnie Pelissier, Road Agent Jeff Backman, Sewer Department

Others: Michael Trainque, Hoyle, Tanner & Associates

Residents: Sandy McKenney Tom O'Donnell Elizabeth Sheehy

Citizens Comments

None were given.

Hearing-Thomas O'Donnell of 27.5 Cross St. in regards to petition for damages pursuant to the provisions of RSA 231:75.

Mr. O'Donnell began by explaining work that was done on the road at his property. Mr. Tardiff interrupted to remind Mr. O'Donnell that he has to address damages assessed during the time allowed, 6 months from October 2016. Mr. Mulholland affirmed that and asked Mr. O'Donnell to address the work from October 2016 and to tell of damages incurred from the work on that date. Mr. O'Donnell explained that on October 26, 2016 the highway department installed

risers at the roadway at his property that were then removed the next day because they were installed incorrectly. He explained ramps were installed on October 31st to prevent tripping and falling. Mr. O'Donnell went on to say there have been 11 floods on his property and the highway department did 8 repairs, of which none have held, he stated. He added he has pictures of the work that was done and the damage done to his house that he turned in to Town Hall. Mr. Carter asked to see the boards. Mr. O'Donnell stated he ended up in the hospital for 5 days with COPD. He showed pictures of the roadway before and after the work. He stated that there is a 'speed' bump 13 inches higher. Mr. O'Donnell explained that water flooding into his property has damaged his shed and wall. Mr. Tardiff asked Mr. O'Donnell to say what damages he has had. Mr. O'Donnell stated he has put in for \$120,000.00. Again Mr. Tardiff asked what is damaged? Mr. O'Donnell replied that his shed is damaged. Mr. Tardiff asked Mr. O'Donnell what damages occurred during the time since October 2016 to date. Mr. O'Donnell responded that he cannot say anything about that time, he can only say about what happened at first. Mr. Tardiff reminded Mr. O'Donnell that they cannot discuss about what happened at first, that they are there to discuss what happened since October 2016. Again Mr. O'Donnell stated he is there to see about his estimate of \$120,000. He restated that he spent 5 days in the hospital and he is on medication. Mr. O'Donnell added that there is a kid that regularly parks at the end of his driveway and harasses him about the water that comes over the wall. Mr. O'Donnell wrapped up by saying he will wait to see what the Board decides to do about the damage to his property and that he has done everything that he could. He stated that due to the predicament he has been placed in his car got totaled due to the easement, he lost his job and he ended up in the hospital. He went on to say right now he is on Social Security Disability and can't lift anything, he's supposed to stay off his feet, he eats medicine and lost his car and has no money all because of how they changed the road. He thanked the Board for listening to him and wished everyone a good 4th of July.

Mr. Tardiff stated that this was not a public hearing. He went on to say that Mr. O'Donnell did not present any damages and the Board can only take what Mr. O'Donnell said under advisement. Mr. Eaton agreed that there were no damages detailed since October 2016. Mr. Carter asked if the latest repairs were done to fix the issues the original damages that was caused from the work that had been done. Mr. Tardiff responded that he would have to turn to the Road Agent, but he believes yes. Mr. Tardiff explained to Mr. Carter that Mr. O'Donnell's property is 3 to 4 feet lower than Cross Street. Mr. Pelissier (the Road Agent) agreed. Mr. Pelissier stated that he believed everything was all set with the work that had been done, but then the highway department found out they did not like how it was. At which time the highway department went back to smooth everything out. He explained that Mr. O'Donnell's car was damaged when he was coming out of his driveway and got hit. At that time the highway department went back and regrade the work and the water was still going by the property. Mr. Pelissier went on to say that the work that was done three years ago did change the flow of the water so that it then went onto Mr. O'Donnell's property. He went on to say that the last work that was done addressed that by putting in a berm. Mr. Mulholland explained that the Board needs to look at the roadway and Mr. O'Donnell's property before making a decision. Mr. Tardiff stated they will go look. Mr. Carter stated his concern is that all the work that has been done up until October 2016 did not fix the original issue of water being

diverted to Mr. O'Donnell's property. He added there was no notice that was sent out to the property owners of the grade change, which is required in the statute. Mr. Carter added that Mr. O'Donnell had sent in an estimate for the repairs to his shed in the amount of \$20,000.00. Mr. Eaton and Mr. Pelissier agreed that there was an estimate submitted. Mr. Mulholland stated that Mr. O' Donnell was told he would have to submit a petition and demonstrate that the damages incurred were in direct correlation to the work that had been done and the petition had to be submitted in a timely manner. He went on to say that Mr. O'Donnell has not said 'the damages that were done were as of a result of the work that was done'. Mr. Pelissier stated that the highway department went out to explain to the property owners the work that was done, even though they did not follow the letter of the law by sending out a notification. Mr. Mulholland commented that he provided Mr. O'Donnell with a copy of the statute applicable to grade changes to explain what he needed to do. He also explained the process to Mr. O'Donnell. He feels they did everything they could to help Mr. O'Donnell with the process short of doing it for him.

Meet with Elizabeth Sheehy of 45 River Rd. in regards to the paving of River Rd. and the entrance to her driveway.

Mrs. Sheehy showed some pictures of the roadway at her property. She stated that there is a gap in new paving in front of her home on River Road and stated that the new pavement should be covering the old roadway. She presented pictures of her two driveways that do not have new paving meeting the roadway. Mrs. Sheehy explained that other driveways on the road received new aprons, but both her main driveway and second driveway, as well as a neighbor's driveway did not get a new apron. She also showed a picture of the tar going right up to the base of a mailbox across the street that was not that way before. She added that a ditch was dug at the end of the driveway and now water goes in there. Mrs. Sheehy stated all she wants is the road to be completed paving in front of her property and to have an apron at the end of her driveway. She went on to say the day the aprons were being completed the workers skipped her driveway and told her the driveway was in poor condition. She added she does not want her driveway to be fixed she just wants an apron like every other neighbor. A male member of the audience stated it is worth the Board's time to go out and take a look. Mr. Pelissier (Road Agent) responded that the paving was done so that the level of the pavement is level with the ends of the driveways. He went on to say the highway department did as little paving at the end of driveways as possible for two reasons. The first being cost, he stated, and the second is to not cause drainage issues. He stated the digging done at the end of Mrs. Sheehy's driveway was done to divert water to the catch basin. Mr. Pelissier stated that they did the work so that there was as little impact to the Sheehy property as possible. He added they stayed in their right of way, they dropped the level of the road down and matched the height of the new pavement with the old pavement. Mr. Tardiff asked Mrs. Sheehy if her second driveway is a permitted driveway. What do you mean?, asked Mrs. Sheehy. Mr. Tardiff explained that all driveways are approved by the Road Agent and he asked if the driveway was approved. A male member of the audience responded that the driveway has been there 20 years. Mr. Pelissier stated it is grass it is not paved, they are driving on their lawn. Mr. Tardiff stated there is nothing wrong with driving on your lawn. Absolutely, replied Mr. Pelissier. Mr.

Tardiff added that it can't be considered a driveway then. Mr. Tardiff asked the Town Administrator what action should be taken. Mr. Mulholland stated there are no statutes regarding this and it is up to the Select Board to decide what to do. By statute it is up to the Road Agent to do the road work, however the Select Board can overrule him and have something different done. The Select Board members decided and agreed to view the River Road paving and driveway at 45 River Road in person and readdress this at the next Select Board meeting.

Approve Clean Water State Revolving Fund application for the Sewer Pumping station project.

-and-

Discuss pre-application for Clean Water State Revolving Fund for storm water asset management.

Mr. Trainque presented the application and pre-application, which the Select Board reviewed and signed. Mr. Tardiff asked what the next step will be. Mr. Trainque responded the originals will be presented to the NH DES and copies will be provided to the Town. NH DES will hold a public hearing on it in August.

Mr. Trainque reminded the Board that the Asset Management Project is 100% forgiveness of principal. He added he is not certain if there will be any subsidy on the Pump Station.

Mr. Mulholland stated that the Town would like to be informed when road work would take place on Library Street due to construction of the Sewer Pump Station. He stated the Town has work to do on that road and would like to plan that to be done concurently and that the Sewer Commission agreed to include that in the work to be done. Mr. Trainque responded that the funding agreement may not allow for that. Mr. Mulholland knows the Town needs to pay for a portion of the paving of that road.

Mr. Mulholland asked how the easements are coming along for the Pump Station. Mr. Trainque replied he has not done anything with that as the contract has not been agreed upon yet for the engineering work. He did explain the easements have to be in place before the work can begin. Mr. Trainque added that the Sewer Commission met last week and they were unclear as to whether the Select Board or the Sewer Commission will sign the engineering contract. Mr. Mulholland replied that the Sewer Commission would sign the contract as it is the commission overseeing the work.

Mr. Mulholland asked what page is the Town on for the Ferry Street boat launch. Mr. Trainque replied that they have gone round and round with the NH DES as to which application needs to be completed. With a full shoreline permit application a full study of the area has to be completed, which includes a grid of the land and trees. A determination was made that the full shoreline permit application is not needed. However, the NH DES followed up with an email that stated that if there is any tree removal within 150 feet of the property line then a full shoreline permit application has to be submitted. Mr. Trainque suggested the Town move

forward with a full shoreline permit application and hope that the survey of the land will show that a full shoreline permit application is not needed.

Receive Tax Deed list from the Tax Collector.

Mrs. Pelissier presented a folder of information on properties that have outstanding liens from 2015 and explained that there had been 21 properties that had liens from 2015 of which 9 applied for payment plans. She added that there was a new application for payment plan included for the Select Board to decide on. Mr. Pelissier also stated that she prepared deeding documentation on all the properties that are in lien from 2015. She explained of those that did not apply for payment plans there are some that have not had any activity on their account as shown in the activity reports provided to the Select Board. She went on to say that she included notes on a few special circumstances such as bankruptcy in one case and death of the property owner in another, in which the park is working with the heir to get the taxes paid off so they can take ownership of the property. A couple of the people on the list who haven't made arrangements assured Mrs. Pelissier they will be in to make payments by today and Mrs. Pelissier has not heard from them yet.

Mr. Carter stated it is awesome that the other property they had discussed sold so quickly. Mrs. Pelissier responded a number of properties in town have sold recently. Mr. Mulholland commented that of recent sales the most active market is Manchester at number 1 and Suncook is number 5 throughout the State.

Mrs. Pelissier explained that most people who set up a payment arrangement stick to it and get caught up. She went on to say that they often continue to make monthly payments even after they are caught up.

Mr. Mulholland suggested the Select Board use the same careful analysis that has been used in the past to consider deeding properties. He also recommended the Select Board not act on these until July 24th.

Mr. Eaton asked what is the criteria for setting up a payment plan? Mrs. Pelissier explained that she sets a monthly amount that will get the tax payer caught up with their liens within one year. She reiterated that they will continue to make monthly payments.

Mr. Carter made the motion to accept the tax lien payment application for property Map, Lot 411-006-004.

Mr. Eaton second the motion.

Mr. Tardiff asked for all in favor.

Mr. Eaton: Aye.

Mr. Carter: Aye.

Mr. Tardiff: Aye.

Review accounts payable process.

Mrs. Simmons began the discussion by stating that there seemed to be some confusion around the signing of manifests. Mr. Eaton stated he questioned the two manifests last week in the same amount of \$60,000.00. He explained that he did not sign it and sent it back to Cindy to determine which was the correct manifest. He went on to say he wants to know what happens if the Select Board signs off on duplicate manifests. Mrs. Simmons explained that when the Select Board signs the payroll manifests it goes to the Town's payroll service and they manage direct deposits, cutting checks and paying taxes. She went on to say that there are three ways that payables are paid. The first is via ACH, once the manifest is signed by the Treasurer, Town Administrator and at least 2 Select Board members Mrs. Simmons will set up the ACH online for the bank to pay it. Each ACH is approved by the Town Clerk or Deputy Town Clerk. Mrs. Simmons commented that ACH is the easiest way to make payments. She went on to say that the second way payments are made are through EFT, again after the Treasurer, Town Administrator and 2 Select Board sign the manifest. The third method of payment, Mrs. Simmons explained, is via cutting checks. Town Hall is currently cutting checks for the Town as well as for the Sewer Department out of the Town budget. The Sewer Department reimburses the Town on a quarterly basis for any payments made on their behalf. ACH disbursements are also done for the Sewer Department, she explained. The Sewer Department signs their own manifests. Mr. Mulholland explained that payroll has to go out so with those manifests the Select Board sign after the payment is set up online. He also stated that if the Select Board has issues with a payment they should let the staff know as they are ultimately responsible for any money that is paid out of the Town budget.

Review and approve Change Order #2 for River Rd. paving & reconstruction.

Mr. Mulholland explained that there was money left over that was encumbered in 2016-2017 for the River Road paving in the amount of \$29,256.91 and that money was earmarked for the paving of that road during 2016-2017. He went on to say the Select Board will have to approve moving that money to the 2017-2018 budget in order to cover cost for the continued paving of River Road, and they will have to agree to additional funding to meet the total projected cost of \$52,615. Mr. Pelissier (Road Agent) explained that it is the highway department's intention to continue paving on that road up to the bridge as the road is in bad disrepair. Mr. Eaton asked how long will the work take. Mr. Pelissier replied a couple of days.

Mr. Eaton made the motion to approve Change Order #2 for River Road paving and reconstruction and authorize the Town Administrator to sign.

Mr. Carter second the motion. Mr. Tardiff asked for all in favor. Mr. Eaton: Aye.

Mr. Carter: Aye.

Mr. Tardiff: Aye.

Vote to acquire of 1.37 acres of land from Allenstown Aggregate from the property located at Map 106, Lot 19 pursuant to a court order and authorize the Town Administrator to execute the necessary documents to include applying for a lot line adjustment with the Planning Board.

Mr. Eaton made the motion to acquire of 1.37 acres of land from Allenstown Aggregate from the property located at Map 106, Lot 19 pursuant to a court order and authorize the Town Administrator to execute the necessary documents to include applying for a lot line adjustment with the Planning Board.

Mr. Carter second the motion.

Mr. Tardiff asked that everyone knows what this is. General response: yes.

Mr. Tardiff asked for all in favor.

Mr. Eaton: Aye:

Mr. Carter: Aye.

Mr. Tardiff: Aye.

Town Administrators report

Mr. Mulholland explained that the MRI Highway Department study is going well.

Mr. Mulholland stated permits have been submitted for the solar project work at the fire department. He added that he spoke with the Highway Department about doing that as well.

The Town will be receiving an award with regards to the Community Center.

An RFP has been sent out for the road work that has been discussed.

Northern Pass has agreed to put down crushed stone to protect our roadways. Northern Pass stated that other towns do not have a problem with the hours they will be working (7AM to 7PM hours, 7 days per week). They did indicate they don't plan to go on Dowst Road, but they will be using helicopters. Mr. Tardiff asked if the Town should pursue the hours request. Mr.

Mulholland responded that town counsel stated they don't really have a lot of options. The Town can write a letter to the Site Evaluation Committee. Mr. Mulholland stated the Town should continue to push back as our requests are not unreasonable.

Mr. Mulholland explained that a Sewer Department personnel policy change was discussed at staff meeting. He will provide details to the Board.

Mr. Mulholland informed the Board that the 2018 Budget was also discussed at staff meeting. He stated his fear is the proposed operating budget will be higher than the default budget. And, should a higher proposed budget make it pass the Select Board and Budget Committee but gets voted down, cuts will have to be made in the first quarter. He added that the 2017 Budget will be at the halfway point at the end of the month and a presentation will be made on July 10th regarding the current year budget.

Mr. Mulholland reiterated at staff meeting it is the department heads' responsibility to get the personnel evaluations turned in.

Mr. Mulholland stated that the parking lot at 90 Main Street will be paved on Saturday.

Consent calendar, minutes and manifests Ratify Consent Calendar: June 19th, 2017

Mr. Eaton made the motion to ratify the Consent Calendar of June 19, 2017.

Mr. Carter second the motion.

Mr. Tardiff asked for all in favor.

Mr. Carter: Aye.

Mr. Eaton: Aye.

Mr. Tardiff: Aye.

Approve Payroll and Accounts Payable Manifests

Mr. Eaton made the motion to approve the Payroll and Accounts Payable Manifests as listed on the agenda for June 19, 2017.

Mr. Carter second the motion.

Mr. Tardiff asked for all in favor.

Mr. Carter: Aye.

Mr. Eaton: Aye.

Mr. Tardiff: Aye.

Minutes

Mr. Eaton made the motion to approve the minutes from the non-public session of the Select Board meeting held on May 22, 2017.

Mr. Carter second the motion.

Mr. Tardiff asked for all in favor.

Mr. Carter: Aye.

Mr. Eaton: Aye.

Mr. Tardiff: Aye.

Personnel Evaluation Reviewer Signatures.

The Select Board members signed a personnel evaluation as reviewers.

Non-Public Session in accordance with the provisions of RSA 91-A:3 II(a)

Mr. Carter made the motion to go into Non-Public Session in accordance with the provisions of RSA 91-A:3 II(a) at 7:56pm.

Mr. Eaton second the motion.

Mr. Tardiff asked for all in favor.

Mr. Eaton: Aye.

Mr. Carter: Aye.

Mr. Tardiff: Aye.

Mr. Tardiff announced the Select Board re-entered the public meeting at 8:07pm, as motioned by Mr. Carter, seconded by Mr. Eaton and all present board members in favor.

Mr. Eaton made the motion change the hourly rate for Alan Turcotte to \$17.50.

Mr. Cater second the motion.

Mr. Tardiff asked for all in favor.

Mr. Carter: Aye.

Mr. Eaton: Aye.

Mr. Tardiff: Aye.

Non-Public Session in accordance with the provisions of RSA 91-A:3,II(a).

Mr. Carter made the motion to go into Non-Public Session in accordance with the provisions of RSA 91-A:3 II(a) at 8:07pm.

Mr. Eaton second the motion.

Mr. Tardiff asked for all in favor.

Mr. Eaton: Aye.

Mr. Carter: Aye.

Mr. Tardiff: Aye.

Mr. Tardiff announced the Select Board re-entered the public meeting at 8:13pm, as motioned by Mr. Carter, seconded by Mr. Eaton and all present board members in favor.

Mr. Eaton made the motion change the hourly rate for Dave Campbell to \$17.59.

Mr. Cater second the motion.

Mr. Tardiff asked for all in favor.

Mr. Carter: Aye.

Mr. Eaton: Aye.

Mr. Tardiff: Aye.

Non-Public Session in accordance with the provisions of RSA 91-A:3,II(d).

Mr. Carter made the motion to go into Non-Public Session in accordance with the provisions of RSA 91-A:3 II(d) at 8:14pm.

Mr. Eaton second the motion.

Mr. Tardiff asked for all in favor.

Mr. Eaton: Aye.

Mr. Carter: Aye.

Mr. Tardiff: Aye.

Mr. Tardiff announced the Select Board re-entered public meeting at 8:30pm, as motioned by Mr. Carter, seconded by Mr. Eaton and all present board members in favor.

Mr. Eaton made the motion to seal the minutes of the non-public session as it could have an adverse effect on someone other than a member of the Select Board.

Mr. Cater second the motion.

Mr. Tardiff asked for all in favor.

Mr. Carter: Aye.

Mr. Eaton: Aye.

Mr. Tardiff: Aye.

Non-Public Session in accordance with the provisions of RSA 91-A:3,II(a).

Mr. Carter made the motion to go into Non-Public Session in accordance with the provisions of RSA 91-A:3 II(a) at 8:31pm.

Mr. Eaton second the motion.

Mr. Tardiff asked for all in favor.

Mr. Eaton: Aye.

Mr. Carter: Aye.

Mr. Tardiff: Aye.

Mr. Tardiff announced the Select Board re-entered the public meeting at 8:40pm, as motioned by Mr. Carter, seconded by Mr. Eaton and all present board members in favor.

Mr. Eaton made the motion to seal the minutes of the non-public session as it could adversely effect on someone other than a member of the Select Board.

Mr. Cater second the motion.

Mr. Tardiff asked for all in favor.

Mr. Carter: Aye.

Mr. Eaton: Aye.

Mr. Tardiff: Aye.

Adjourn

Mr. Eaton made the motion to adjourn at 8:41pm.

Mr. Carter second the motion.

Mr. Tardiff asked for all in favor.

Mr. Carter: Aye.

Mr. Eaton: Aye.

Mr. Tardiff: Aye.



TOWN OF ALLENSTOWN OFFICE OF THE SELECT BOARD 16 SCHOOL STREET ALLENSTOWN, NH 03275 603-485-4276

BOS MTS Glight

ATTICIDANCICLIST NAME (PLEASE PRINT) CAPACITY (E.G., RESIDENT, OTHER OFFICIAL) ٦. Brekman Jest Staver . doll. ż. Mckenny Ol. 3. Q. A David 4. Hoyce, TANNER & ASSUR. FOR SEARCE DETT. MICHAEL TRAINOUS 5. Sheeh Busident 6, Perlisin 1643 Tax 7. 8, 9. 10.

TOWN OF AUL/28YOWN, NEW HAMPSHIRE

TOWN OF ALLENSTOWN SELECTBOARD PUBLIC MEETING MINUTES

June 19th, 2017

Signature Page

Original Approval:		
Jason Tandill	08/07/2017	
JASON TARDIFF, CH	DATE	
David H Ester	08/04/2017	
D.VID EATON, Member	DATE	
Ly L-	8/3/2017	
RYAN O ARTER, Member	DATE	

Amendment Approvals:		
Amendment Description:	Approval:	Date:
	JASON TARDIFF, Chair	DATE
	DAVID EATON, Member	DATE
	RYAN CARTER, Member	DATE

RightSignature Signature Certificate 🛱 Document Reference: hikbe9ih2k8tsxbuilCbFv Easy Online Document Signing Ryan Carter Electronic Signature: Party ID: 652CFJIHX4MG893ZBDCW5N IP Address: 174.192.31.204 Ry L-VERIFIED EMAIL: rcarter@allenstownnh.gov Multi-Factor b3a6d7d3d8302b43996e817c267bf521746aef88 **Digital Fingerprint Checksum** David Eaton Electronic Signature: Party ID: RBEBKBIE6I7BKJMB8P3P5P David H Ester IP Address: 162.220.42.26 deaton@allenstownnh.gov VERIFIED EMAIL: Multi-Facto 5d85ccf5f3625146d087cea49cec8671c9c2efd1 Digital Fingerprint Checksum Jason Tardiff Electronic Signature: Party ID: J5HT5TJZLJASGR845ZCJPJ IP Address: 173.9.43.198 Jason Tandiff VERIFIED EMAIL: jtardiff@allenstownnh.gov 46f0f46a1e8a2c6f5d8c902e78f2f3115d0dc246 Digital Fingerprint Checksum Timestamp Audit 2017-08-07 05:34:09 -0700 All parties have signed document. Signed copies sent to: Ryan Carter, David Eaton, Jason Tardiff, and Shaun Mulholland. Document signed by Jason Tardiff (jtardiff@allenstownnh.gov) with drawn 2017-08-07 05:34:08 -0700 signature. - 173.9.43.198 2017-08-07 05:32:40 -0700 Document viewed by Jason Tardiff (jtardiff@allenstownnh.gov). - 173.9.43.198 2017-08-04 17:43:46 -0700 Document signed by David Eaton (deaton@allenstownnh.gov) with drawn signature. - 76.119.194.141 2017-08-03 05:24:49 -0700 Document signed by Ryan Carter (rcarter@allenstownnh.gov) with drawn signature. - 174.192.31.204 2017-08-03 05:22:21 -0700 Document viewed by Ryan Carter (rcarter@allenstownnh.gov). - 174.192.31.204 2017-08-03 05:03:49 -0700 Document viewed by David Eaton (deaton@allenstownnh.gov). - 162.220.42.26

Document created by Shaun Mulholland (smulholland@allenstownnh.gov). -

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