

APPROVED MINUTES

**TOWN OF ALLENSTOWN
MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 14, 1994
7:00PM**

PRESENT: Donald E. Coulosey - Chairman; S. Michael Ortisi - Selectman;
Victor Martin, Jr. - Selectman; David Jodoin - Admin. Asst.
Minutes recorded on tape.

ORDER OF BUSINESS:

1. The Board met in non-public session to discuss a personnel issue.
2. The Board and Dept. Heads met to review and discuss the proposed updated personnel policy which was provided by D. Jodoin. Those present made recommendations and suggestions for possible revisions. Chairman Coulosey suggested that due to the lateness of the hour that the remainder of this portion of the meeting be tabled until the next Dept. Heads meeting to be held on October 12, 1994 at 7:00pm. Chairman Coulosey also suggested that the Dept. Heads review the remaining materials and come prepared to finish the review. It was also suggested that sample "employee evaluation" forms be distributed to all Departments Heads for comment.

The Board concluded that D. Jodoin should continue to work on the temporary alternative duty program.

3. The Board reviewed and signed purchase orders for Highway equipment safety repairs and tabled others.
4. J. Boisvert informed the Board that he was approached by the property owner on Albin Avenue for a decision. The Board suggested that the Town could remove the tree with assistance from the utility companies thereby eliminating the hazard of the overhead wires being torn down by the tree. D. Jodoin to meet with the owner to review the Board's decision.
5. The Board signed the MS-1 Summary Inventory of Valuation to be hand delivered to the Dept. of Revenue by D. Jodoin.
6. The Board reviewed the Highway Dept. budget with J. Boisvert.

7. It was noted that a public hearing will be held on Wednesday, October 05, 1994 at 7:00pm at the Town Hall to discuss Emergency Maintenance of Class VI and Private Roads.

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APPROVED MINUTES

**TOWN OF ALLENSTOWN
MINUTES OF SELECTMEN'S MEETING
OCTOBER 05, 1994
7:00PM**

PRESENT: Donald E. Coulosey - Chairman; S. Michael Ortisi - Selectman;
David Jodoin - Admin. Asst.; Minutes recorded on tape

EXCUSED: Victor Martin, Jr. - Selectman

ORDER OF BUSINESS:

1. The Board held a public hearing regarding HB1474 (Emergency Maintenance of Class 6 Roads) at the Town Hall with several residents from Riverside Drive and Jilleric Road. Chairman Coulosey explained that this bill allows towns to do emergency maintenance (plowing, sanding and grading) on private roads for safety reasons such as passage of fire, police and ambulance vehicles.

Road Agent, Jim Boisvert, requested that residents contact the Board when they feel that this maintenance is necessary and he will take direction from the Board. The Board and the residents agreed with this arrangement.

After fielding several questions from the audience, Selectman Martin was contacted for his input and decision. Selectman Ortisi made a motion to accept, seconded via phone call to Selectman Martin. Chairman Coulosey made the vote unanimous.

2. The Board signed purchase orders for the fire department for cascade system and winter fire uniforms. The Board tabled the discussion on pumper repairs until the October 26, 1994 meeting.

3. The Board signed purchase orders for the police department for snow tires.

4. The Board signed purchase orders for the highway department for vehicle repairs.

5. The Board will hold their October 26, 1994 workshop meeting at the fire department.

6. The Board signed a purchase order for Carol Angowski for secretarial and transcription fees for the Planning and Zoning Boards.

7. The Board signed the extension agreement with CNHRPC for map digitization.
8. The Board reviewed generator bids and requested additional information from Performance Electric.
9. The fire department requested the use of 24-26 and 35 Ferry Sts. for training sessions. The Board instructed D. Jodoin to contact PSNH to make sure that electric service is disconnected. The Board tabled the issue of allowing the fire department to use the aforementioned buildings for training until the October 26, 1994 meeting.
10. Robert Marier, Sr. met with the Board to discuss a police department issue.
11. The Board instructed J. Boisvert to grade Riverside Drive and Jilleric Road as soon as possible before winter to make it easier to plow and sand during the winter months.
12. D. Jodoin reported to the Board that the Community Renaissance Program is "on hold" until 1995.
13. D. Jodoin reported to the Board that he reviewed the property at 27 Cross Street regarding whether or not the fence is located on Town property. D. Jodoin told the Board that the fence does appear to be on Town property. D. Jodoin also stated that the fence was there more for a safety barrier because the house is very close to the edge of the road and if the Town asked the owner to move the fence back, it would be at his front door.
14. Bob Blazon met with the Board and Building Inspector, Lisa Dorfman regarding his sawmill building on Chester Turnpike. Sewer Commissioners, Colin Egan and Albert Hamel and Sewer Plant Superintendent, Dana Clement were also present.

L. Dorfman stated that she first became aware of the building and potential problems while reviewing the applications and/or permits in the building department files when she assumed the position of Building Inspector. L. Dorfman stated that she contacted D. Clement when she discovered a notation on the permit regarding sewer hook-up and fee. L. Dorfman stated that B. Blazon may not have been notified by the former Building Inspector that a sewer permit was also necessary. B. Blazon expressed his concerns over the cost of the hook-up fee and the eventual increase in the cost. B. Blazon stated that he felt that he should not be held accountable for the updated hook-up cost.

C. Egan stated that although he, A. Hamel and Plant Superintendent, D. Clement, were present at this meeting, they could not make an official ruling until their next scheduled meeting. C. Egan stated that they were present for informational purposes only. C. Egan stated that information provided by L. Dorfman would be taken under advisement and discussed at that meeting. The Sewer Commissioners did state unequivocally that

this section of sewer was Town sewer.

L. Dorfman suggested that since he has no employees, B. Blazon could rent a portable facility until such time as the matter is resolved with the Sewer Commission.

B. Blazon requested that the Selectmen send him a copy of the approved minutes of this meeting when available. B. Blazon also requested that the Sewer Commission notify him, in writing, of their decision.

15. Ray Touzin met with the Board to discuss his past due property taxes. D. Jodoin to ask Tax Collector, Diane Demers to recalculate the amount and D. Jodoin to contact E. Touzin with new amount.

16. The Board signed purchase orders for the highway department for salt and hot top.

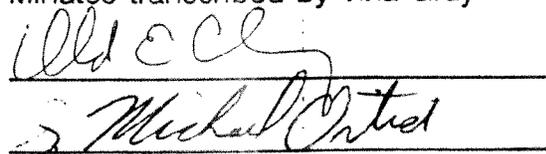
17. Bo Szanto met with the Board to discuss reducing his property appraisal on the property located at 119 Granite Street. The Board reviewed the materials provided by B. Szanto and Town Appraiser, Compton French. B. Szanto cited several on-going problems (sewer backup, water, etc.), some of which he believes were created by the Town which he feels should be taken into consideration when appraising his property.

The Board agreed to reduce his assessment based on information provided by C. French. B. Szanto stated that he felt that his private appraisal was more accurate given the circumstances. The Board informed B. Szanto that they were prepared to agree with figures submitted by C. French. B. Szanto to contact the Board with his decision.

On a separate matter, B. Szanto informed the Board that he has received complaints from his tenants regarding a noise problem with Keith Barton's equipment especially during late night hours.

Meeting adjourned at 11:30pm

Minutes transcribed by Tina Gray



Selectmen

4/11/95
Minutes

Ortisi indicated that if it is a deed restriction and not a zoning issue, it may be a civil matter rather than a town issue. A. Hill expressed his concerns regarding animal waste seeping into the ground and possibly contaminating the wells. C. Hill asked the Board who is responsible for enforcing the Codes. Selectman Murray stated that the Building Inspector enforces the Codes through the Board. Chairman Ortisi agreed, stating that the Building Inspector notifies the Board of a problem and the Board, in turn, authorizes the Building Inspector to take action.

The Hill's also expressed their concerns regarding the junk vehicles on the Laliberte property. The Board agreed that matter is addressed in the Zoning Ordinances. The Board briefly reviewed the Zoning Ordinances in an attempt to make a decision regarding the livestock issue.

Chairman Ortisi asked Pam Bradley what types of livestock they have on the property. P. Bradley stated that they have a miniature horse, chickens, geese, ducks and a rooster and that her family has resided in that area for several years and there have been no problems until recently. P. Bradley stated that these animals are part of her children's 4-H projects.

The Board agreed that the matter of livestock should be addressed by the Zoning Board and will forward all pertinent materials to them for their next meeting.

Motion by Chairman Ortisi, seconded by Selectman Martin to send the Building Inspector to give notice to all residents, citing the appropriate RSA, that they will be given an appropriate amount of time to remove the junk vehicles. Vote Unanimous. The Board agreed to give the residents seven (7) days to remedy the problem or the Town will take legal action and impose \$100 per day fines to those who are not in compliance.

The Board informed Building Inspector, Lissa Dorfman, of their decision and asked her to give notice to all residents as per above.

3. Road Agent, Jim Boisvert, informed the Board that he was approached by some residents on Riverside Drive about spring cleanup. Chairman Ortisi suggested that the residents could place the spring cleanup items beside the dumpster that is provided. J. Boisvert stated that it would become too much of a mess for his men to clean up and it did not fall under the emergency way guidelines.

4. The Board agreed to table the \$1000 for the Allentown "Summerfest". Selectman Murray stated that the State of NH is looking into their non-profit status. Selectman Murray further stated that "Summerfest" did not give the State anything last year. D. Jodoin stated that he thought that they gave the State a new sign for the Bear Brook State Park. Selectman Murray restated that "Summerfest" has done nothing for the State and wants to know what is being done with the money that they are soliciting from area

John T. Alexander
Tina L. Annis
Biron L. Bedard ¹
Lisa L. Biklen
Ronald E. Cook ²
Frank E. Kenison
Garry R. Lane ³
Lisa M. Lee
Andrew B. Livernois
Paul H. MacDonald ⁴
Thomas N. Masland
Daniel J. Mullen
John C. Ransmeier
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September 23, 2009

Joseph S. Ransmeier
Retired
Dom S. D'Ambruoso
Retired
Lawrence E. Spellman
1924-2001

¹ Also admitted
in Maine

² Also admitted
in Rhode Island

³ Also admitted
in Maine and
Connecticut

⁴ Also admitted
in Vermont

⁵ Also admitted
in Massachusetts

Allenstown Board of Selectmen
c/o Ms. Kelley Collins
Administrative Assistant
Town of Allenstown
16 School Street
Allenstown, NH 03275

RE: Riverside Drive

Dear Tom, Roger, and Jason:

I write in follow-up to our meeting of September 9, 2009, concerning whether or not Riverside Drive is an accepted Town road. This inquiry arose in light of a Warrant Article from the 1980 Town Meeting indicating that Riverside Drive was accepted as a Town road, and \$10,000.00 was appropriated for the purposes of upgrading and improving it. An entity known as Riverside Park Association brought an action in 1984 seeking to require the Town to accept and maintain the road. This case was tried in August of 1986, and the Merrimack County Superior Court found in favor of the Town. This decision was upheld in a subsequent appeal to the New Hampshire Supreme Court.

It appears that in October of 1994, the Board of Selectmen voted to designate Riverside Drive and Jillerick Road as emergency lanes. Although the Minutes of the Meeting are not crystal clear as to the exact Motion made by the Board, it appears that the decision was made unanimously to accept both Riverside Drive and Jillerick Road as emergency lanes. RSA 231:59-a, which governs emergency lanes, permits the Town to raise and appropriate sums to expend money for the repair of Class VI highways or private ways which have been declared emergency lanes, in order to render them passable by firefighting equipment, rescue, and other

Allenstown Board of Selectmen
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emergency vehicles. Thus, the grading, plowing, and other repairs performed by the Highway Department should not create any additional liability to the Town with respect to accepting Riverside Drive, as long as it is reasonably related to the need to keep the road passable for emergency vehicles, and as long as RSA 231:59-a remains in effect.

Based upon representations by the Board of Selectmen, we are unaware of any action by Town Meeting since 1980 attempting to require the acceptance of Riverside Drive by the Town. Similarly, we are unaware of any action by the Board of Selectmen to either lay out Riverside Drive as a highway, or to otherwise take action accepting it as a Town road. In light of the information provided to us, it appears that Riverside Drive remains a private way, designated as an emergency lane pursuant to RSA 231:59-a.

In the event that you obtain additional information which has not previously been provided to us regarding the status of Riverside Drive, please let me know, and we will gladly revisit the status of this road.

If you have any questions, please feel free to call me.

Very truly yours,

Biron L. Bedard
Email: bbedard@ranspell.com

BLB/ng

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