

TOWN OF RUMNEY
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SELECTMEN'S MEETING
MINUTES
February 25, 2013

Selectmen: Mark Andrew, Cheryl Lewis, Ed Haskell
Administrative Assistant: Anne Dow

Chairman Mark Andrew opened the meeting at 6:35 p.m.

At the Board's request **EMS Assistant Director Ray Valentin and Fire Commissioner Dave Coursey** met with them to discuss the current status of the EMS. The minutes of a recent Groton Selectmen's meeting and Dave Coursey both stated that Rumney had not responded to several calls.

Ray stated:

- that at the present time the EMS squad is severely understaffed
- they are down to two responders who both work out of town
- Chief Main can respond when he is in town
- A couple of people are interested in joining but funding for training is expensive (\$675+/-)
- Training requires a huge commitment, 200+ hours
- Squad hopes that things will improve within the next few months
- Hebron covers Groton when Rumney cannot respond
- Hebron is the transporter for most Groton calls
- There was a miscommunication between him and Bill Taffe about EMS bills that has been straightened out

Mark asked how many calls have not been responded to. Ray did not have that information but will check with Lakes Region Mutual Aid for an exact number.

Dave Coursey commented on the following:

- The upfront money for the training is an issue for those interested in joining
- He suggests having the town put the money up for the training and work out some type of contract with the individual to pay back the town with time and/or money
- There are 2-3 fire fighters presently that are interested but the cost is too much for them
- He suggested bringing the EMS and Fire Department together under one entity; it is time to have that discussion

The Board would like them to check with other towns to see how they handle similar situations:

- How many towns have outside transport arrangements?
- Volunteers on call?
- Staffed during a 9-5 day?

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Both Dave and Ray said they would look into it and get back to Anne with the information. Ray will be attending the EMS District meeting later this week.

Selectperson Lewis suggested sending a letter to the towns we cover notifying them that at this time the EMS is shorthanded and other towns may need to cover those emergency situations. She also would like to know how many actual calls Rumney has not responded to.

Mark asked Ray to keep the Board up to date on the status of the EMS.

7:00 Attorney Bernie Waugh met with the Board and Planning Board members to go over his annual Law Update. The following are some of the cases he highlighted:

- State Building & Fire Codes. Ch. 242 (HB 137) makes several changes to the laws governing building and fire codes
- \Conservation Commission Members on Private Property Ch. 202 (HB 514) prohibits members of a local conservation commission from entering private property to gather data about the property without permission of the landowner (or a warrant). The permission can be oral or written, but if it is oral, someone must make a written record of it.
- Cemetery Fences. Ch. 4 (HB 382) eliminates the state law requirement for municipalities to install or maintain a fence around all cemeteries.
Failure to Timely Appeal ZBA Deprives Owner of Right to Raise Declaratory and Constitutional Claims. *Bosonetto v. Town of Richmond* 163 N.H. 736 (June 29, 2012).
- Right-to-Know Law, Act III: Attorney 'Consultation' Does Not Include Review of Written Advice. *Ettinger v. Town of Madison Planning Bd*, 162 N.H. 785 (December 8, 2011).

8:15 Road Agent Frank Simpson met with the Board for the following:

- Decision on trucking stone/gravel. Frank submitted four bids: D.A. White \$70/hr; Latulippe \$75/hr; R. Moulton \$65/hr and Todd Bixby \$72/hr. After some discussion Ed Haskell moved to go with D.A. White, seconded by Cheryl Lewis; the Board voted 3-0 on the motion.
- Repair estimate on the CAT Backhoe - received initial estimate of \$21,700; however a few items were not included - 1) float for the front bucket and 2) rear valve bank.
- Rental for a backhoe while town machine is in the shop is \$3,000/month - approximately 3-weeks to overhaul the machine
- Transportation back and forth needs to be figured in also
- \$1,000 will bring CAT back and go through the machine sampling oils, etc. and then will be able to come up with a more firm price - Board agreed to go forward with the \$1,000 test to have the results back for town meeting. Frank will contact CAT.

Dave Coursey asked about getting three bids for the repair work. Mark explained that the present quote is only an estimate which will be taken to town meeting for discussion. If the Town votes to go with the repairs, then the job would go out to bid.

Cheryl asked if the machine had been maintained by CAT mechanics, Frank said no, they had done the preventative maintenance at the shop themselves. She also asked if the machine had ever been taken back to CAT for any maintenance; Frank said it had not.

8:30 Planning Board members Diana Kindell and Carl Spring met with the Board to discuss blasting regulations. All agreed a letter should come from the Selectmen to Bruce Marshall, Mike Latulippe's attorney requesting the following:

- Written notice at the town office for any upcoming blasting (also notices to fire and police departments)
- Notification to all abutters of upcoming blasts
- List of blasting materials to be used with MSDA sheets
- Copy of permit from State Police
- Copy of insurance certificate for pit owner and blasting company
- Acknowledgement that all Federal and State regulations will be followed
- Seismic reports from 2012 blasts
- Include training of 3-4 town employees with the training required for pit employees
- Allow a town official to observe the blast

Diana reported that Municipal Resources, Inc. has three qualified people to assist with blasting regulations and/or situations that arise from blasting.

Carl said that a drilling rig has been pulled up on the Latulippe site.

Latulippe's All Terrain permit update is due in May; Greg Sanborn's is due in April.

Diana will contact town counsel with several questions on the blasting issues.

Diana and Anne will draft a letter for the Board to sign.

9:00 Cheryl Lewis recused herself as a selectperson to discuss Groton Wind issues. Ed Haskell represented the Board at the SEC hearing held on February 19, 2013. He gave a brief summary of the hearing. Intervener Carl Spring explained their position and what the next steps will be for them, the Town and the SEC committee. He said that the SEC attorney Michael Iacapino will be contacting the town to set up a meeting with the interveners, the Town, Groton Wind and the emergency departments to discuss what needs to be done to satisfy all concerned i.e. emergency road maintenance, property values, O & M building location, etc. It is to be determined whether or not the next move of the SEC will be to charge Groton Wind with a violation or whether they will reopen the case. Carl Spring said if the building stays in place, the Town will have to

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negotiate with Groton Wind for the loss of property values.

At 9:30 Cheryl rejoined the Board.

Mark asked if the Board was in agreement to send a letter to Groton requesting an answer from them within 10 days if they plan to continue with Rumney Emergency services or not. If not, Rumney will continue coverage until March 15 and all costs will be pro-rated up to that that. Dave Coursey, as Fire Commissioner, agreed. The Board voted 3-0 to send the letter.

Election Day Schedule - Ed will work 8:00 - 12:00; Cheryl from 12:00 to 4:00 and Mark from 4:00 to closing.

Warrant Article Assignments were agreed upon.

Minutes: The minutes of 02-11-13 were accepted as written; minutes of the Budget Hearing on 02-11-13 were accepted as written and the minutes of the Public Hearing on 02-11-13 were accepted as written.

Junkyard Complaint - A complaint about a possible junkyard was received; it will be forwarded to Ken Knowlton for his review when he resumes his inspections in April or May.

The meeting was adjourned at 10:10 p.m.

Respectfully submitted,

Anne B. Dow
Administrative Assistant