

TOWN OF RUMNEY
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SELECTMEN'S MEETING
MINUTES
04/08/13

Selectmen: Ed Haskell, Dan Kimble, Cheryl Lewis
Administrative Assistant: Anne Dow

Chairman Ed Haskell opened the meeting at 7:05 p.m.

Appointment

Rumney Baptist Church representatives Mark Decoteau, Pastor Ron Bowers and Leina Smoker and Library Trustees Tom Wallace, Roger Daniels (and Leina Smoker) met with the Board to discuss what is needed to complete the lot line adjustment between the town library and Church properties. The warrant article (#26) voted on at the recent town meeting authorized the Board to complete the adjustment to insure that the Library's septic system is located on Town property and allow for a possible expansion of the Library sometime in the future. Prior to the town meeting the Church had met, discussed the change and agreed to have the Town vote on it and move forward.

Mark Decoteau spoke for the Church and asked if the Town would consider an easement on the property rather than the lot line adjustment. The Church's concern is being able to have the use of that area to plow snow onto so they can have as much space as possible for parking. Pastor Bowers also would like to make sure it is clear that the Church will continue to have a right-of-way to the back of the town property on the other side of the library for parking purposes.

Anne questioned whether or not an easement could be done, instead of the lot line adjustment, because the warrant article that was voted on clearly stated a lot line adjustment as its purpose. Anne will check with the DRA to see what they can do.

It was agreed that Anne will contact the town attorney, pass on the information about the easement, or language that could be added into the deed for the lot line adjustment making it clear that the Church can continue to use the property as it has in the past. Tom will contact Kevin French about the plan.

Selectmen's Issues

1. **Minutes** – The minutes of April 1, 2013 were accepted as corrected.
2. **Blasting/CNHA** – Carl Spring, Dave Coursey and Doug Sanborn came in today to report that the Fire and Police Chiefs were notified by telephone today that blasting would start tomorrow at Latulippe's pit, Central New Hampshire Aggregates (CNHA) and didn't think there had been proper notification and information provided to the town as requested last month in a letter to

Bruce Marshall, attorney for Mike Latulippe. Anne called Precision to inquire about the notification, surveys etc. The person she spoke to said residents that were within a 1,000 foot radius of the blasting site were notified per their blasting plan.

Precision Drilling and Blasting provided the town with the following today:

- a. A copy of a letter from Michael Nutting, Engineer/Geophysicist, to six property owners whose residences are within 1,000 feet of the blast site notifying them of the upcoming blast and giving them the opportunity to have a pre-blast survey done of their property.
- b. A copy of a letter from Michael Nutting to Precision Drilling and Blasting that stated six pre-blast surveys were done on April 7, 2013 and a water sample was also obtained from each residence and provided to NH DES for standard analysis. The results will be provided to the residents. It was noted that a water sample was also obtained from Carl Spring's residence upon his request although his property was outside the 1,000 foot area.
- c. A copy of the Public Notification of Blasting that was in the Laconia Citizen today and a statement that showed it would run from April 6 –April 13. The notice included where, when and what the Warning Whistles indicate and telephone number for Precision Drilling and Blasting.
- d. A Certificate of Insurance for Precision Drilling and Blasting
- e. The MSDS sheets for the explosives that will be used for the blast.

Carl Spring said the Town had requested from Mike Latulippe's attorney that the Selectmen's Office, Fire and Police departments be notified in writing at least 30 days in advance of the blast along with the MSDS sheets for the blast. The Town had further requested that State and MSHA regulations be followed as well.

Carl did not think the State and MSHA rules had been followed. It states in the OSM regulations that notification of the upcoming blast will be sent to residences within a ½ mile radius at least 30 days in advance, the blasting schedule will be in a local newspaper for at least 10 days before the blast and the operator should provide copies of the schedule to the town and residences within ½ miles of the proposed blast.

Anne questioned if those federal regulations pertained to this type of operation at CNHA and if the Town could enforce them. The Board is working on a set of blasting regulations at the present time, but they have not been adopted yet.

Cheryl said that safety for the residents is the most important factor here. Because of the problems CNHA had last year with the blasting and the damage caused by the blasting to a few residences, every precaution needs to be taken.

Ed suggested that because the Town doesn't have any regulations yet, that they work with the owner and the company and allow the blast this time but no future blasts can occur until the proper notifications, etc. are in place.

After some discussion the Board agreed that before any blasting can take place the Board is requesting from Precision Drilling and Blasting:

1. A pre-blast survey on all residences within ½ mile of the blast site
2. Have a seismograph at the Polar Caves
3. Whistle notifications mailed to everyone within ½ mile of the blast site
4. Ask them to refer to the MSHA and OSM rules and regulations
5. The town will enforce these rules and regulations
6. They need to start the process over beginning with the 30-day notification

Anne will call Precision Drilling and Blasting tomorrow morning and ask them to put the blasting on hold until these issues are resolved.

North Country Council/Granite State Future – Cheryl voiced her concerns about having the Town become involved with this project. She did some research on Granite State Future, and she felt that due to some of the requirements that are involved with the use of Federal funds this venture may not be in the Town's best interest. She will contact Kathy Wallace about this.

Conservation Commission Vacancy – Cheryl nominated Carl Spring to fill the vacancy on the RCC, seconded by Dan. Carl was present and stated for numerous reasons he would not be able to accept the nomination at this time.

The Board reviewed five abatements. They agreed 3-0 to accept the assessor's recommendations on all five (Lynch, Spring (Lewis abstained), Volpe, Dellacamera, Lamy).

Administrative

1. The State sent notification that an application for an inspection station had been received from **Riverbrook** and asked if the Town had any comments or concerns. The Board had no concerns, and the documentation was signed.
2. The **mow bid notice** will be posted next week.
3. **Buffalo Road Bridge #128/073** – (located in Rumney Village). The Town received notification from the NH DOT that State funds are available for their portion of the bridge replacement for FY2014 (July 1, 2013 – June 30, 2014). The Town applied for FEMA funding to replace the bridge following the damage done to it by Tropical Storm Irene. The bridge has been on the State's "Red List" (in need of replacement) for many years prior to TS Irene. The estimated cost of replacement is \$378,790. The Town has applied for a FEMA Hazard Mitigation Grant and, if approved, will cover 75% of the cost. State Aid for Bridges (SAB) will cover 80% of the matching 25% in the amount of \$75,758. The Town will provide 20% of the matching 25% in the amount of \$18,940. The Town funds would come from the Bridge Capital Reserve Fund from which the Selectmen, as agents, can use. The Board would like to meet H. E. Bergeron to discuss what would be involved, a time table, etc. for this project if the FEMA grant is approve. Anne will contact them to set up a meeting.
4. **April 15 meeting** – It was agreed not to meet next week unless there is an issue that requires the action

Selectmen's Meeting
April 8, 2013
Page 4

Signed: Checks; Abatements/Refunds – D. Sanborn, M. Johnson, A. Lamplot, B. Donahue, R. Latulippe, R. Sabourn, P. Merrill, T. Sherburne, N. Kolb; 2013 MRI Contract; State of NH Dept of Safety Radio Recipient and Certification/EMD; Intent to Cut – R. Matregrano

Upcoming: 04/15 Selectmen's Meeting?
04/16 Planning Board Work Session
04/22 Selectmen's Meeting
04/29 Selectmen's Meeting?
04/30 Planning Board Meeting

The meeting was adjourned at 9:20 p.m.

Respectively submitted,

Anne B. Dow
Administrative Assistant