

Town of Chesterfield Board of Selectmen

MINUTES March 24, 2010

Call to Order

Chairman Jon McKeon called the meeting to order at 6:00 pm. Others in attendance were Board members Bob Brockmann, Cliff Emery and Administrator Rick Carrier.

Appointments

➤ 6:30 James Corliss

The Board had reviewed Corliss' letter of interest to serve on the Planning Board. McKeon explained the charge of the Planning Board. Corliss advised he has lived in Spofford for 15 years and had been the president of the Chesterfield Heights Assoc. He saw there was a need for Planning Board members. He has an engineering background. Emery suggested that he read the Master Plan in preparation for serving on the Board. Corliss advised he would be at the next Planning Board meeting Tuesday, April 6th.

➤ 7:00 Jim Larkin & Mike Bentley

McKeon advised that M&W Soil was waiting until the frost was out to do gravel depth. They had done the compaction tests during the construction process. Bentley advised he didn't see anything in the Land Development Regulations about gravel measurements. McKeon pointed out Article 705.14 Inspection Procedures.

Bentley asked if Bevis was the Town engineer. McKeon said no, it wasn't asked of the Board for the inspections during construction of the road. Because these inspections were not done during the construction as required under Article 705.14 the Town is using M&W as the 3rd party engineer. Bentley stated that after 4 years the Town requires the developer to provide certification of what was installed. He stated the regulations do not say the developer was required to get a certification of what was done. They would like to have a reasonable solution and not get into a fight about what was not done 4 years ago.

McKeon stated the Board's opinion hasn't changed since Larkin was in last time. The Board is responsible to the Town as to what the level of completion is and where it should be. If the 3rd party engineer says the completeness of the road is at 50% that is what they will reduce the bond by.

Bentley asked if they were to submit Ron Bell's documents and then have the 3rd party reviewer review those. McKeon stated the 3rd party reviewer takes the plan that was approved by the Planning Board. McKeon presented the Selectmen's minutes regarding Coachman Rd review showing the same process used in that case.

Bentley stated that with Bell's certification of what is installed as per the plan then if you want to have his work reviewed by the 3rd party they have no problem with that but they do have a problem with the town starting from scratch.

McKeon stated that for Coachman Rd, Mann checked everything on the drawing and the gravel depths. Bentley stated they were not ready to give as built plans today. The bond would be sufficient to cover the cost of these. The inspection would be on the road as construction i.e. drainage elevations.

Carrier advised that M&W has the information Larkin had given to the Board last fall. Larkin stated that he spoke with Warren from M&W and he was asking why the Town was asking them to do another compaction test. McKeon stated they were not asked to do compaction tests but to inspect the depth of the gravel and asphalt that is there. Bentley asked how many spots are needed to determine the depth of grave. McKeon stated he believes 4. A cost estimate was given of \$1,200 to make the determination of what percentage of the road is complete. M&W would give a “to finish” estimate to reduce the bond. It was noted that the depth of gravel was not inspected and needs to be documented apart from Rancourt’s documents.

McKeon stated that Larkin was told he had to hire an independent engineer acceptable to the Board to take measurements and doesn’t understand Larkin’s reluctance. Bentley stated he has a hard time understanding why Larkin hadn’t been contacted about this information. McKeon stated it is in the ordinances. Bentley stated he may be dead wrong but thinks these regulations are being done retroactively. McKeon said no. This is the same standard for anyone.

Bell advised he shot the area and the road and catch basins are right on. The detention pond has a slight difference in depth. The fire pond is in. The catch basins are dead on horizontally but off a couple of inches vertically.

McKeon presented pictures of the road taken last night. Rancourt stated that when cutting into earth for road beds you have unseen water coming up through the gravel. We have had a lot of rainfall.

McKeon stated that when the Town takes the road it would be the Town’s responsibility and it won’t look like it does when it becomes a Town road. Larkin stated that he didn’t think it would be a Town road. McKeon stated that the policy as it sits now is if a plan goes through the Planning Board site plan and the road is built up to Town specifications and approved by the Planning Board as a road to become a Town road.

Larkin stated that he feels like he is being leveraged to do work on the road to bring the road to completion. He is asking for a bond reduction. Emery stated the Board wants to work with him but we want to know what the bond would need to be to complete the road. Bentley asked if there is anything beyond M&W’s \$1,200 to get the bond reduced. McKeon stated no, we are trying to establish the completeness of the road as it sits now. Bentley asked if M&W would be looking at the cracks. McKeon stated yes because it is part of establishing the percentage of completion.

Bentley asked if there were a completion date from M&W. McKeon stated no but he would call Warren. He had called last Friday and asked if with the warm weather they had started. Bentley stated it is now their understanding that M&W would check gravel and asphalt depth in 4 spots; give % of completeness and verify the drainage structures. Larkin stated that M&W had told him they were charged to do compaction tests. McKeon stated the Board did not charge them with that. Larkin stated that M&W should have been out there already.

Bentley stated that assuming you get a determination of % of completion with fixing the cracks, monumentation and finish coat how many quotes do they need from pavers or is M&W estimating those costs. McKeon stated that the Board has asked for a lump sum to complete the road. Bentley asked if M&W were to say it is \$25,000 to complete and Rancourt believes it is \$2,500 to complete they would want a say in this.

Larkin's plans showing 4" and those are the plans approved by the Planning Board even though the Town's regulations call for 3". McKeon stated it goes to the more stringent depth similar to the RSA's.

Emery noted the letter of credit is to expire. Larkin stated that the reduced letter will be ready as soon as the 1st letter expires. Bentley submitted the letter from the Savings Bank of Walpole advising of this. Bentley will get a draft letter of credit without the amount of credit to the Board so that the Town attorney can review it. McKeon stated that moving forward and looking at how we get to the dollar figure to use in the letter of credit they would use a time frame of 3 – 5 years and would try to project what the cost would be out that time frame.

McKeon stated he would call Warren Stevens and confirm the cost of the 3rd party agreement and will ask that an itemized bill be sent to the Board.

Bentley asked if the Board had an issue if Larkin were to talk with Warren. McKeon stated he should not give him direction. Bentley stated not to give direction but to perhaps be there to observe the inspection. The Board had no problem with that.

Bentley asks that Ross email him the itemized bill from M&W to him. This would be done.

M&W is using the drawings that were approved by the Planning Board. Bentley would like to have Bell's certifications given to M&W. Larkin stated it may help them to find the controls because the bench marks are in the growth and will be difficult to find.

Bentley asked that the Board contact him when they receive the information from Warren so that they can be at the next Board meeting. McKeon stated he would call Warren tomorrow to get a completion date and itemized bill and the information would be given to Bentley. Bell will send his CAD file to M&W. It was noted that the survey, elevation of drainage would be done now so that when the final is done the cost would be less.

➤ 8:00 Bart Bevis

1. Bevis presented copies of the Smart Start Program with PSNH and the installation of the solar panel system. Those giving quotes for the project agreed that the best place to place the panels would be on the ground instead of the roof.
2. Bevis stated that he had gotten a call about a sink hole on Old Chesterfield Rd by the new culvert placement. He went down and saw a slight concave on the edge of the traveled way. He was called again advising of a sink hole and when he went down it was in the middle of the road and was expanding. He immediately called BUR Construction to get them down.
3. Bevis advised that the \$8,000 check was returned from John Deere for the tire purchase. John Deere will be paying part \$4,000 toward this cost. The \$8,000 check will be voided.
4. Bevis advised of the cost comparison done and he will be going with John Deere. The total cost is \$217,000 with a trade in of \$24,500 leaving a cost to the Town of \$192,500. There is a 45 – 60 day delivery. Bevis asked if the Board wanted him to put the grader out to bid. He advised that if it didn't sell John Deere would still honor the trade in agreement with the delivery of the new grader.

The warrant article was reviewed noting that the Town approved to expend up to \$210,000 to be offset by the sale or trade in. The Board discussed how the grader could be purchased because it is over the approved amount. Suggestions were made to write a check for the \$210,000 and the balance to come out of the operating budget; take the wing off the cost of the grader and pay that portion out of the operating budget or wait to purchase the extended warranty.

Emery moves to authorize Bevis to buy the grader, wing and extended warranty to be offset with the sale of the trade in. Brockmann seconded the motion, which carried.

For Signature

- Manifest #12
- Selectmen minutes – Mar 17th
- Yield tax certification – Kwader
- Yield tax warrant
- Surplus Property Program Authorization
- Veteran's Tax Credit
- Intent to Excavate – Cersosimo – McKeon stated that it is the opinion of 2 Planning Board members that Cersosimo is not compliant with the site plan. The intent calls for 60,000 yards to be removed through March 2011; however, the retention ponds in Chesterfield will be going 20 ft deeper. The Board will wait to sign the intent giving McKeon opportunity to contact Mary Pinkham-Langer.
- Appointment papers – Selectman
- Intent to Cut - Kwader

For Discussion

- Selectperson Institute

All Board members have attended before and were not interested.

- Timber value prices

The Board reviewed the Stumpage Value List. The Board agreed to go with the average value.

- Selectmen project schedule

The Board reviewed the task schedule compiled by McKeon with duration, start and finish dates and resource name for each project. Emery stated he is interested in reviewing the 4 day work week.

- April email information

The Board reviewed the draft April informational email. He advised it will be in plain text to allow those with older computers to open the email. The Board asked that he send them a test email prior to sending out en masse. Brockmann supplied a survey analysis noting responses from the public.

➤ Purchasing policy

The Board reviewed Emery's draft purchasing policy. Amendments were made to the policy.

➤ Pontiac Drive letter of credit

Emery recused himself from this discussion. Brockmann and McKeon agreed to return the letter for Pontiac Dr. The road was accepted March 11, 2009.

➤ Sale of Town-owned property

The Board reviewed the draft letters to be sent to the Planning Board and the Conservation Commission per RSA 41:14-a regarding the sale of property on North Shore Rd. The Board approved and signed the letters. The Board discussed the benefit of selling the land vs keeping it. McKeon will contact Monadnock Conservancy.

➤ Former Town Office painting

The Board reviewed the draft charge to the former Town Office Painting Volunteers. It was amended. The Board discussed the budget. They decided to keep it as stated in the charge. The deadline would be noted as October 21, 2010. The Board will review the liability coverage for this project provided by LGC.

➤ Tennis Court resurfacing

Van Houten has done some research into the need of resurfacing the tennis court. They reviewed the emails. A concern with using the water from the Old Town Office is the amount of water needed to power wash the court. The Board suggested using the water from the School. Emery will contact Van Houten.

➤ Wares Grove Recreation Facility Enhancement Trust Fund

The Board reviewed Brockmann's email to Zannotti and his response requesting that the late fee be paid out of the trust fund. The Board agreed this should not come out of the trust fund that had been established with donations. Brockmann will contact Zannotti.

➤ Wesfield correspondence

The Board reviewed the letter from Wesfield. The Board would like to have Wesfield meet with them at the office on April 21st in the afternoon to discuss outstanding issues. McKeon will check the specifications and contract. The Board will discuss a notice to cure.

➤ Town Office PD coil replacement

The Board would like to have a breakdown of the estimate submitted by Terry Winn. Carrier will call LGC and McKeon will call the insurance adjuster again.

➤ Town Office front entryway

McKeon will speak with Warren Stevens from M&W to get his opinion and after the April 21st meeting with Wesfield he will ask to speak with Stevens. It was noted that the lights don't all work in the decorative entry fixtures.

➤ Transfer Station composting memo

The Board reviewed the memo from Dunbar and would like to thank him for his efforts in getting this information.

➤ Streetlight conversion

Discussion tabled till next week.

➤ Town audit

The Board reviewed the pre-audit communication from the auditor. They also reviewed the GASB 45 as a new compliance standard required this year. This needs an actuarial valuation performed to comply with the Other Post Employment Benefits. We have one retiree who pays for their health and dental coverage. The rates are calculated using the employee census and retirees are counted in calculating the Town's rate. The GASB 45 attempts to calculate the cost including retirees in the employee census on our insurance rate.

The cost for the actuarial is \$2,500 - \$3000 and the report is good for 3 years. If the Board chooses not to do the actuarial there will be a notation on our audit that there is an adverse effect due to noncompliance to GASB 45. Most towns are opting to get the adverse effect noted on their audit hoping that LGC may provide guidance or information on this for the 2010 audit. The Board agreed not to do the actuarial valuation.

➤ Library sign/tree removal

Emery had advised last week that the Library wanted to remove trees to install a sign. It was tabled until there was a full board for the discussion. The Board agreed they would rather not cut any trees. Emery will inform the Library Trustees.

➤ Old Business

Spofford Place – Carrier advised that the EPA is in the process of releasing the liens on the site. Emery will contact Mo Mozier.

Master Plan – McKeon has spoken with the Army Corp of Engineers and was advised they can only do a certain # of projects per year and in 2010 they are doing 2. Chesterfield is 9th on the list including those 2. He will be contacting Jean Shaheen.

Zoning Issues

- Bokum will be sent a letter asking when they would be coming in to continue the discussion of the washout solution.
- EH & GH Trust is in compliance.
- Kenyon/Spofford Store – Greenwood has confirmed that there are repairs only being done under the cost of \$2,500.
- Greenwood had given a status of the 2 vehicles next to the barn, they are on Gordon and Tammy Rudolph's property and they will be removing their race car from Dick Rudolph's property.

➤ Other business

1. Ross advised that Freda Davis was in to clarify the Selectmen's March 10th meeting minutes that stated she had picked up a stone in the Town Office parking lot and got a flat

tire. She stated she picked the rock up on Hutchins Rd near Wildwood Rd but it didn't go flat until she was in the Town parking lot. She was not expecting reimbursement for the tire.
2. The Board did not sign the merit increase for a cemetery employee. McKeon will contact Neil Jenness.

- Non – Public RSA 91-A:3 II (a)

Brockmann moved to enter nonpublic session pursuant to RSA 91-A:3 II (a). Emery seconded the motion, which carried.

Emery moved to adjourn from nonpublic session and seal the minutes. Brockmann seconded the motion, which carried.

Information

- Treasurer's report
- DOT upcoming paving
- Misc. correspondence & newsletters

Adjournment

With no other business to conduct, Brockmann moved to adjourn, Emery seconded and the motion carried.

The meeting was adjourned at 12:50 am.

Respectfully submitted,
Carol Ross
Secretary

Approved by:

Jon P McKeon, Chairperson

Date

Robert E Brockmann

Date

Clifford D Emery

Date