

TOWN OF GREENVILLE, NH
SELECTMEN'S MEETING
November 28, 2012
Minutes

4:30 p.m. Open Meeting

Chairperson Blease opened the meeting at 4:30 p.m.

In Attendance: Chairperson Blease, Selectperson Bergeron, Selectman Reardon and Town Administrator Kelley Collins, Attorney Biron Bedard, Mr. Gerald Barrows and Ms. Michalene Kosinski and Road Agent, Thomas Plourde.

4:30 p.m. Meet with representatives from Dunster Avenue, LLC and Downtown District, LLC regarding water & sewer hookups for Lots 3, 2-1, 3, 2-2, 3, 2-3, 3, 2-4 and 3, 2-5

The Board met with Ms. Michalene Kosinski and Mr. Gerald Barrows from Dunster Avenue, LLC and Downtown District, LLC to discuss water and sewer hookups for Lots 3, 2-1, 2-2, 2-3, 2-4 and 2-5

The Town's Attorney, Biron Bedard, began the discussion noting that pursuant to the court order this is your meeting with the Sewer Commission. In Greenville it is the Board of Selectmen who are responsible for the Water & Sewer utilities. Attorney Bedard is happy to entertain questions that before we start.

Mr. Barrows said that Judge Nicolosi's order is for the Town to tell them what is required.

Attorney Bedard explained that, in Greenville, if you have a building that is already existing and already had a physical connection to the water & sewer, then you just call the Water & Sewer Department and let them know you need to hook-up. In new construction you need to have a professional engineer, licensed in New Hampshire, prepare a plan that shows how you are going to make the connection. Three copies, with engineers stamp, are brought to the town. The town then sends one copy of the plan to their consulting engineer who provides them with a price for reviewing the plan. You would give the town a check made payable to the engineering firm and they will review it and give their comments back to the Board. The Board, as the commission, will give you the feedback that the plan is a) approved b) approved with conditions or c) denied. Then it needs to be built in accordance with approval.

Attorney Bedard provided Mr. Barrows with an application form for water hook-up, and application form for sewer hook-up and an information sheet that outlines the procedure above. (see copies attached)

Mr. Barrows asked what building Attorney Bedard is talking about? Attorney Bedard noted that he understands that they have a building permit for a residential structure that is part of a 5 lot subdivision and the subdivision plan states that it is to be hooked to the water and sewer. If you want to do something different you would have to go back to planning board with a revised subdivision plan. Attorney Bedard stated that one of the things you would have to do to get occupancy permit is to be hooked to town water and sewer.

Mr. Barrows asked, in accordance with Judge Nicolosi's order, where could we have found out this information? We had a public hearing.

Attorney Bedard noted that the public hearing was before the planning board which regulates the use of the land. They aren't rendering an opinion as to whether it makes sense to build it that way or if it is possible to build it that way. You need a building permit and you need to connect to town water and sewer. You have submitted plans for building permit. You have to do the same for this. You have to

do a plan for your water & sewer hookup.

Mr. Barrows stated that there is no water out there. Attorney Bedard notes that if it isn't there you need to run it from where it ends to your sites.

Mr. Barrows asked if we need to pay for this? Attorney Bedard's answer is yes, look at RSA 149-I.

Mr. Barrows explained that there is a sewer main within 30 – 40 feet of the man hole on Rte 45. When his former partner was alive they opened the manhole cover and they went down there. They didn't have any specifics that day but there was a discussion about the Town going from the sewer main 30 – 40 feet into a structure and then they would run lines from their property into this structure. He also explained that the property has a 20 foot sewer easement to benefit the town of Greenville. Spent quite a bit of money on that. Mr. Barrows doesn't want to go out and spend some money on this. The simplest and easiest way is to come from that sewer main to the property. Mr. Barrows is not too happy about flipping the coin and having that drawn up.

Attorney Bedard stated that the only people that have the power to bind this Board is this Board itself. No employee can bind this Board. No one else has authority to bind the Board.

Attorney Bedard notes that if Mr. Barrows has a bonafide plan we will have it reviewed by the town's engineer. Attorney Bedard assumes that the structure means a pump house.

The Board can approve a plan but they don't have to pay for it. They could but they don't have to.

Mr. Barrows asked if there will be minutes that will reflect all of this? The Town Administrator explained that she will have minutes but they will not be verbatim. There is no requirement for that.

Mr. Barrows asked how long it will take for minutes. The Town Administrator answered 144 hours.

Mr. Barrows asked Attorney Bedard if RSA 149-I is the only statute? Attorney Bedard stated that RSA 38 governs water. RSA 674 deals with building permits. RSA 676 deals with enforcement as well as site plans.

Attorney Bedard notes that his best suggestion is that they hire someone like him, not him, but someone that will help them and their engineers get this thing built.

Mr. Barrows said it seems pretty clear that these things get assessed at the Planning Board level and are then enforced by this Board. He has read RSA 149-I and it seems that should have happened at the Planning Board level. Marshall Buttrick asked (at the Planning Board meeting) if there has to be a sewer extension who is going to pay for it? The town was silent to this.

Attorney Bedard notes that they are still able to go back to the planning board and change their plan.

Mr. Barrows noted that he has left a number of plans (sewer) at water plant, sewer plant and Attorney Bedard's office. These plans went through Fieldstone. They were rejected by the Town. The Town Attorney and the Board have no information to that effect.

Mr. Barrows thanked the Board for their time.

Attorney Bedard offered that when they want to send it in just let the town know.

5:00 p.m. Meet with Road Agent, Thomas Plourde, to review and discuss the proposed 2013 Highway Department budget

The Board met with the Road Agent to discuss the 2013 proposed Highway Department Budget. The Board did not set salary adjustments for 2012. The only line that was changed in highway department proposed budget was flood insurance which was increased from \$1700 to \$1775.

Review and discuss salary adjustments for 2013 proposed budget, review Treasurer, Animal Control, Building Inspector, Patriotic Purposes budgets, as time allows

The Board did not get to any of these budgets.

Old Business

Review and discuss status of tax deeding

The Town Administrator noted that the owner of City Line has paid all the past due taxes, interest and penalties on those two parcels. She has delivered the executed tax deeds for 104 Old Hillcrest and 11 Frost to the Town's Attorney tonight. They should be filed at the registry within the week and the eviction will proceed.

Review and discuss status of High Street slope stabilization project

We have received notice of an extension of the project through December 31, 2013 from Mike Poirier of HSEM. We are still waiting to hear back from PSNH to see if Mrs. Walker has signed the easement with them.

Review and discuss letter from Greenville Estates Village Estates (GEVD) regarding the issuance of a key to their meter-house to our Operator

The Board is in receipt of a letter from GEVD listing their conditions on the issuance of a key to the Town's Operator. Selectman Reardon made a motion to accept GEVD's conditions on the issuance of a key, Selectperson Bergeron seconded. Motion passed 0 Vote 3-0.

Review and discuss date for hearing on Jason Ard vs. Town of Greenville (283 Greenville Road, New Ipswich)

The Town Administrator noted that she will be attending the hearing on Monday, December 3, 2012 in Nashua.

New Business

Review and discuss preliminary equalization ratio as prepared by Avitar Assessing

The Town Administrator explained that the Assessing company has computed our equalization ratio based on sales for 2012 and it currently works out at 150%. The Board understands that we are to conduct a full update in 2013.

Review and discuss health, life and disability insurance renewals and rates

The Board reviewed and discussed the rates. The Town Administrator made a recommendation to increase the maximum on the life insurance from \$50K to \$75K. That increase in benefit will cost \$3/month or \$36 annually. The Town Administrator also suggested that since employees are not allowed to accrue and sick or vacation time that the town increase the maximum weekly benefit on the short term disability to more closely match take home wages. This would mean increasing the benefit from 66 2/3%

of gross wages with a weekly maximum of \$450 to a weekly maximum of \$850. The cost to the town would be an additional \$1588 per year.

Selectman Reardon made a motion to increase the benefit levels as outlined by the Town Administrator and to authorize the Town Administrator to sign the renewal documents. Chairperson Blease seconded. Motion passed – Vote 3-0.

Review and discuss Holiday Hours for Selectmen's Office

The Board will close their Office on Christmas Eve and Christmas Day, Monday and Tuesday, December 24 and 25, 2012. The Board will also close their office on New Year's Eve and New Year's Day, Monday and Tuesday, December 31, 2012 and January 1, 2013.

Pilgrim Foods

Pilgrim Foods has requested a formal answer on their second request of November 13, 2012 which included increased flow and loading for a temporary period of 30 days. The Board had initially said no, at their meeting on November 14, 2012 to the 30 day request.

The Board reviewed and re-considered the November 13, 2012 request for temporary additional flow. Selectman Reardon made a motion to deny this request, without prejudice until such time as the town's operators (Utility Partners) is provided with the requested test results from the initial 15 day emergency requests. In addition, the town would like Attorney Bedard to remind Pilgrim Foods that the BOS signed an agreement allowing additional flow on November 9, 2011, which Pilgrim Foods dismissed. Selectperson Bergeron seconded. Motion passed – Vote 3-0.

Signature Folder

Review, discuss and approve check manifests

The Board reviewed, approved and signed the check manifests for accounts payable and payroll, as submitted.

Review, discuss, approve and sign minutes for October 24, 2012 Selectmen's Meeting

The Board reviewed, approved and signed the minutes of the October 24, 2012 Selectmen's Meeting.

Adjourned

The meeting adjourned at 6:4p.m.

Submitted by: Kelley Collins/Town Administrator

Approved by:


Scott Blease/Chairperson


Brenda Bergeron


Douglas A. Reardon/Selectman

GREENVILLE WATER AND SEWER COMMISSION

INFORMATION SHEET

1. The Town of Greenville has established a municipal water and sewer/wastewater system. The water system is authorized pursuant to RSA 38 and the sewer system is authorized pursuant to RSA 149-I.
2. In establishing the water and sewer systems, the Town of Greenville did not create a separate sewer or water commission. Those functions are handled by the Board of Selectmen pursuant to RSA 149-I:20-a and RSA 38:19.
3. The Board of Selectmen do not have specialized training or qualifications with respect to the construction, maintenance and operation of the municipal sewer and water systems. To that end, they have professional consultants to assist them in the construction, maintenance and operation of the municipal sewer and water systems. The current operators of the system are Utility Partners, Inc.
4. Any resident whose structure is physically connected to the municipal water and/or sewer systems who desire to have municipal water or sewer should contact the Town's sewer or water department, as the case may be for inspection of the connection and to determine the other requirements that may be necessary to obtain municipal water and/or sewer service.
5. Residents who are not physically connected to the municipal sewer or water systems or who's physical connection, in judgment of the system operator, is not sufficient will be required to submit construction plans to the Board of Selectmen for review and comment by the Town's consulting engineer. In order to make this process run as smoothly as possible, the Town requires the resident to submit three copies of the proposed construction plan, stamped by a professional engineer licensed in the State of New Hampshire. The Town will send the plan to its professional engineer for an estimate of the cost to review. The resident will be informed of that cost and expected to deliver a check (made payable to the Town's professional engineer) or other form of funds reasonably acceptable to the Board of Selectmen. At that time, the Town will request its professional engineer to undertake the review and comment on the proposed plan and provide that information to the Board of Selectmen.
6. Once the information has been provided to the Board of Selectmen, a decision will be made concerning the request by the resident to construct and hook-up to the municipal water and/or sewer system.