

BOARD OF SELECTMEN MEETING
OCTOBER 27, 2015

PRESENT: George Lawrence, Chairman, David Lage, Joanne Meshna

The meeting was called to order at 6:00 p.m. at the Town Office.

Pipeline Task Force: Wendy discussed the Town having intervener status with FERC once the Kinder Morgan application has been filed. The Selectmen have 21 days from the date of filing to submit a letter requesting status which gives the Town standing. There is no cost unless documents or information are filed which have to be sent to all interveners. Wendy recommended the Town hire an attorney to represent the Town through the process and the Pipeline Task Force will submit their recommendation to the Board.

A representative from the NH Department of Environmental Services will make a presentation on air quality and water safety concerns from compressor station toxins and pollution on November 2 at 6:00 p.m. at the Temple Town Hall. Joanne will work on moving the Monday night Budget Committee meeting to Tuesday evening.

Application for payment from road bonds: Selectman Lawrence made a motion to pay \$3,041.38 to All States Asphalt from road bonds being held on Cedar Ridge Road. Selectman Lage seconded the motion and it passed unanimously.

Minutes: Selectman Lage made a motion to approve the minutes of the October 19, 2015 meeting and October 20, 2015 meeting. Selectman Lawrence seconded the motion and it passed unanimously.

FEMA: The Board was notified the Town has been awarded FEMA funds in the amount of \$12,533.36 for the January 2015 Severe Winter Storm and Snowstorm.

Tennessee Gas Pipeline request: Joanne received a call from Doug Casey from the Tennessee Gas Pipeline requesting permission to speak with Public Works Director Peter Goewey regarding information on road crossing protocols, permits required, weight limits, etc. The Board's response was the Town is in the process of developing policies and we will let him know when they are completed.

Bob Boynton: Bob was asked to attend the meeting to discuss the meeting the Conservation Commission has scheduled with Kinder Morgan. Selectman Lage stated the concern was the Commission meeting with Kinder Morgan before the filing of their application. Bob responded there is little information on what the impacts are going to be so the Commission was looking forward to the meeting to find out where the pipeline is going to go. Selectman Lage asked why not wait to see if FERC accepts the application and Bob questioned why wait, what would be the harm, there are no negotiations going on. Selectman Lage responded Kinder Morgan could say the Commission is in favor of the application, they are offering mitigation. Bob stated the Commission has to give a list of projects to be mitigated and Selectman Lage asked why the information has to be given. Bob noted it was to the

benefit of the Town and to the Commission because there will be better insight into where the pipeline is going.

Wendy stated the advice from legal counsel is having discussions with Kinder Morgan at his point in time prior to the application being filed is a detriment to the Town. The Selectmen have chosen to follow that advice. We may never know where the pipeline is going until they go to court for the easements. We do need a list of mitigation projects and the Commission has a role to play in developing that list. Bob responded mitigation is up to the Commission and the projects they choose are in their purview. Wendy noted there are developments within the Town who are losing common land because of the pipeline but Bob countered they are not losing the land, they will have an easement on it. Wendy suggested the Town needs to find a way to mitigate the impact to these subdivisions.

Wendy further stated her recommendation as Chairman of the Pipeline Task Force is to follow legal advice and not have the meeting prior to the filing of the application. Then they should come together as a community and decide what those projects will be. Bob disagreed noting DES gives responsibility of protection of water to the Conservation Commission. There is no mitigation for conservation land by DES.

Bob stated if the Selectmen do not want anyone from the Town to talk to Kinder Morgan they should take a vote, make it an edict, and temporarily suspend State and local ordinances and no-one from the Town can talk to Kinder Morgan. A policy needs to be set up.

Wendy suggested setting up a meeting with Kinder Morgan to explain to the Conservation Commission, Pipeline Task Force, and Board of Selectmen what the impact is going to be. Further she stated that is not what they asked for in this meeting. Bob responded he was told them the Commission wanted information from them and the Commission had some information they wanted to provide where the impacts are.

Selectman Lage asked why it would be detrimental to preserving the natural resources to hold off discussions with Kinder Morgan until after they have filed their application. Bob responded they are going to be submitting a letter to FERC and want to know what the impacts are going to be. They do not want to wait until after they file. They have information and want to act upon it now. Wendy asked what information they have that has not been shared in the scoping comments. Bob responded they have not spoken to Kinder Morgan.

Selectman Lawrence asked if the Commission had voted to oppose the pipeline and Bob responded when the Selectmen appoint members or get elected it is assumed they are unbiased, have no agenda and are above board so a vote should not have to be taken. The subject has not been brought up or discussed. If the Commission thought there was a legal basis to oppose the pipeline, they would have voted to oppose it. Selectman Lage stated the Commission's role is to safeguard natural resources and asked how the members could not say that by putting the pipeline in and seeing the impacts they are against it. Bob responded there are not enough impacts to warrant it. There are two minor stream crossings and less than 3 acres of wetland in total that will be impacted. Dennis Gauvin questioned why 35 other Commissions agree that the pipeline is not a good idea. There are known emissions coming out

of the compressor station. Bob responded air quality does not come under the purview of the Commission.

Wendy stated the pipeline is going to cross three stratified drift aquifers. The proposal is to build a 40,000 horse power compressor station with emissions in a Brownfield site known to be up hill from the Greenville reservoir. The water on the SKAT property flows into the reservoir. She noted she has been repeating these things to FERC on behalf of the Town because she believes well water drawn from the stratified drift aquifers is likely to be impacted. Also, the water in the streams and the pond on SKAT are likely to be polluted, and the construction activity and disturbance on soil on the property is likely to flow lead directly into the reservoir. Further she stated it is unconscionable that anyone in the Town especially anyone that is appointed by the Board of Selectmen to represent the Town, would actually in a public forum contradict those things and say it is not an impact, it does not matter, and it is not significant and she was appalled. Bob responded that in conversations with the State about the Brownfield property, he was told the lead could not end up in the reservoir. David McTigue, a member of the Commission and a hydrologist, stated he would like to hear more about the concern that the compressor can impact the stratified drift aquifers and groundwater but he could not see that as a big issue. Wendy stated they were taking their information from the DES primer. David asked what the mechanism by which burning gas at the compressor station leads to water contamination. Dennis Gauvin explained inversion. Wendy directed David to the Southwest Pennsylvania Health Project and Minisync, NY. She continued there are 183 chemicals in the gas found around the pipeline and compressor station.

Selectman Lawrence stated Bob should go back to the Commission and discuss the issue at length and take a stand on it. Bob disagreed. He added the pre-filing period will be over before they talk to Kinder Morgan. Selectman Lage recommended the Pipeline Task Force, Conservation Commission and the Selectmen should have discussions beforehand as to what the subjects should be. Selectman Lawrence added if the Commission gives the illusion that they are passive or neutral, that is where they are going to look for as an in. He questioned if everyone does not go in unified as a group, what chances to we have. Bob stated he would go back to the Commission and ask if anyone has a motion to oppose the pipeline. Selectman Lawrence added he did not think the Commission should be meeting with Kinder Morgan at this time. Bob noted the Board of Selectmen is the only board in Town that has opposed the pipeline and maybe an edict should go out that all boards are to oppose the pipeline.

Wendy pointed out the petition that was brought to the Selectman had 835 signatures and in the petition the citizens asked the Selectmen and the Conservation Commission to oppose the pipeline and the Commission has never acted on the petition. Bob stated he had never seen that petition. Wendy continued that the power of the Commission, the "shalls" in the RSAs, focus on protecting the natural resources and acting on wetlands permits. Addressing Kinder Morgan alone is outside the purview of the "shalls" of the RSA. Bob disagreed and Wendy stated they are stepping oversight their bounds. Wendy stated she did not think it mattered the Commission was not against the pipeline but it is important that they protect the natural resources.

Evelyn Taylor stated this is fracked gas that has many toxic carcinogens. It is improper that they do not have all the information. The least the Commission needs to do is get the list of contaminants and understand what will happen.

Selectman Lage asked David McTigue if he did not see any impact to the aquifers or wells with the blasing, installation of the pipeline, etc. David responded from his professional experience the primary impacts are being a construction project. Blasting is a realistic but minor concern. As for the impacts of the pipeline itself carrying gas through Town, he was unaware of documentation of groundwater impact. The environmental risks are very low. Dennis referred to the EPA document to FERC and he will forward it to David.

Selectman Lawrence stated the Selectmen prefer the Commission does not do anything with Kinder Morgan until the pre-filing period is over. Selectman Lage asked that prior to any meeting that the Selectmen, Commission and Pipeline Task Force meet. Selectman Lawrence added he would like to see the Commission and the Task Force work together. Wendy noted both boards are meeting next Wednesday at the same time and maybe some time could be set aside to talk.

The meeting adjourned at 7:35 p.m.

Respectfully submitted,
Joanne Meshna, Town Administrator

October 27, 2015 Board of Selectmen minutes approved by:

George H. Lawrence, Chairman

David S. Lage

Rebecca M. Doyle

