

BOARD OF SELECTMEN MEETING
JUNE 2, 2015

PRESENT: George Lawrence, Chairman, Woody Meiszner, Becky Doyle, Joanne Meshna

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

Tony Pagliccia, 143 Lower Pratt Pond Road: Mr. Pagliccia explained that on December 30, 2014 he had an accident with his commercial van on Lower Pratt Pond Road. The van is a 99 GMC Safari with 180,000 miles on it. He lost control of the van, a wheel fell off, and he hit a couple of trees. The accident caused an extensive amount of damage. He had the van towed to his home at 143 Lower Pratt Pond Road. He asked the Selectmen to look at the truck and see what can be done about it.

Mr. Pagliccia has been without the vehicle since the accident. He blamed the poor road condition on the accident and noted the road was horrendous. Mr. Pagliccia stated he had no insurance on the van at the time of the accident as he had cancelled it a week before. He was leaving that day for a five month stay in Florida. He did not report the accident and had no pictures. He had no estimate of damages.

Selectman Doyle referred to RSA 231:92 which states a municipality shall not be held liable for damages in an action to recover for personal injury or property damage arising out of its construction, maintenance, or repair of highways and sidewalks unless the municipality received a written notice of such insufficiency and failed to act. Selectman Lawrence stated Mr. Pagliccia should have called the police.

The Director of Public Works was informed last Tuesday about the accident. He had not been informed of the condition of the road before that time.

The Selectmen were in agreement that Mr. Pagliccia had not proven negligence on behalf of the Town.

Proposed pipeline: Selectman Meiszner informed those present that Kinder Morgan had filed a document with FERC identifying the location of the compressor. The location involves two parcels in New Ipswich. Further he stated he had spoken with a subcontractor for FERC and she was contacting Gary Somero to schedule a scoping meeting.

Documents submitted during the discussion included an article from Forensic Appraisal Group, Ltd. on valuation issues with gas pipeline easements, from the US Department of Transportation on The State of the National Pipeline Infrastructure, Maryann Harper's Comments of Record to the NH Senate, and a page of emissions caused by compressors.

Dennis Gauvin questioned why the Selectmen had not taken a stand on the pipeline when 835 people had signed the petition. Wendy Freeman submitted an additional petition. Selectman Lawrence made a motion to accept the new petition opposing the pipeline. This brings the total signatures to 835.

Selectman Doyle seconded the motion and it passed unanimously. Selectman Lawrence read the petition.

The Selectmen discussed whether or not to follow the wishes of the petitioners or to schedule a special Town meeting. Selectman Doyle questioned if the Board was leaning towards opposing the pipeline why schedule a special Town meeting. Further discussion is needed before deciding on the meeting. Wendy Freeman stated Liz Freeman had given a rationale for opposing the pipeline with regard to the Master Plan and following its guidance.

Selectman Doyle stated economic and environmental unbiased studies should be conducted but there is no funding. Opposing the pipeline and being interveners gives the Town a foot in the door with FERC and the SEC in representing New Ipswich. Maria Szmauz read an article from Mass Plan which stated there is more political strength when a Town takes a stand.

Selectman Lawrence spoke on his concern regarding the noise of the compressor and the contamination on the lot where the compressor is to be located. Also, the proposal violates the Master Plan and the Zoning Ordinance.

Ilene McGurk stated she had spoken with a representative from Kinder Morgan regarding the compressor and they were not sure how many acres would be taken up with its location. Further she explained a scoping meeting is scheduled by FERC and is a forum for asking questions and making comments on the proposal.

Bob Boynton spoke on the location of the compressor and the need for determining specific zones around the area. He also urged the Selectmen to act now on requesting remediation because of the lead on the lot before it is sold.

Selectman Lawrence stated his biggest concern was the lack of adequate emergency services to respond in the case of a catastrophe.

Wendy Freeman encouraged the Selectmen to vote tonight to oppose the petition so everyone can work together and move forward.

Rollie Coates questioned how much time is there before a decision needs to be made. Wendy Freeman responded Kinder Morgan plans to file an official application in September. A scoping meeting will be held before then. Once the application is filed, it needs to be reviewed and challenged. A lot of work needs to get done by September.

Funding was discussed including appealing to the Governor for funds, funding from environmental groups and joining a coalition.

7:00 p.m. Freedom Pond Coop: Freedom Pond Coop is the new owner of the Vaillancourt Trailer Park. Dick McCuddy, as representative of the Coop, was asked to attend the meeting to address a complaint about traffic on Greenbriar Road coming from the trailer park. The trailer park is being used as a cut

through for Fed Ex, UPS and other trucks and regular vehicles. When the trailer park was being developed years ago there was agreement that cars from the trailer park would not travel Greenbriar Road.

There was discussion on how to block off access from the trailer park to Greenbriar Road with jersey barriers or a locked gate. Mr. McCuddy stated he would have to meet with the Coop's Board of Directors. He was not opposed to some way of blocking the access. The Selectmen will view the site.

Road Committee: The Road Committee will hold a meeting on Thursday, June 25 at 8:00 a.m. On the agenda will be a discussion of a road plan.

Complaint: A complaint was made that the dumpsters at the 1808 property are being emptied between 4:00 and 4:30 a.m. causing a lot of noise. Another complaint was made that there are a lot of trucks using Temple Road to Greenville Road because of the bridge closure. There is no ordinance to restrict weight limits.

Proposed pipeline: John Kieley from Temple stated Temple had joined the pipeline coalition for access to expert information and clout. Their Selectmen voted to approve \$2,000 to be spent to be part of the coalition. If joining the coalition, a contribution to the coalition would be appropriate. Funding could come from private funds sent directly to the coalition. There is no \$2,500 minimum.

8:00 p.m.: Ten minute recess.

During the recess private donations were made to Lisa Oden.

Usage of town fields: Selectmen Lawrence made a motion to approve the usage of the fields for May 28 for an ice cream social from Highbridge Hill PTA and for the Farmers Market from June 13 to September 26. Selectman Meiszner seconded the motion and it passed unanimously.

Old Tenney Road lease: A notice of liability insurance from Tim Jones and Deborah Harranty was filed with the Board. The Board discussed the Johnson property and haying of the fields by Barrett Farm. A tax needs to be determined for use of the land and Joanne will determine the amount.

Vachon Clukay & Company: Selectman Meiszner made a motion to sign the contract from Vachon Clukay & Company for the 2014 audit. Selectman Doyle seconded the motion and it passed unanimously.

Proposed pipeline: Selectman Doyle outlined her concerns with the proposed pipeline: lack of consistency with the Master Plan and noncompliance with the Zoning Ordinance, lack of infrastructure of emergency services, lack of funding for environmental and economic impact studies, lack of cooperation with Kinder Morgan with respect to calculation data for tax estimates and willingness to provide data on economic and environmental studies. She questioned if the Board did not take a stand would they be able to be heard at the table. Selectman Lawrence responded that they would be heard more if they took a stand. Further, he stated his major concern was the compressor and safety.

Selectman Meiszner stated his reason to oppose the pipeline was based on noncompliance with the Master Plan.

Selectman Meiszner made a motion to oppose the Kinder Morgan pipeline. Selectman Lawrence seconded the motion and it passed unanimously.

With regard to joining the NH Municipal Pipeline Coalition, Selectman Doyle stated she would like to have a discussion and would first like to review the budget and determine legally if Town funds can be expended.

Selectman Meiszner made a motion to join the NH Municipal Pipeline Coalition. Selectman Lawrence seconded the motion and it passed with Selectman Doyle abstaining.

At 8:45 p.m. Selectman Doyle made a motion to enter into a nonpublic session under RSA 91-A:3II(a). Selectman Meiszner seconded the motion and it passed unanimously

At 9:10 p.m. Selectman Meiszner made a motion to return to public session. Selectman Doyle seconded the motion and it passed unanimously.

The meeting adjourned at 9:10 p.m.

Respectfully submitted,
Joanne Meshna, Town Administrator

June 2, 2015 Board of Selectmen minutes approved by the Board:

George H. Lawrence, Chairman

Rebecca M. Doyle

Woody Meiszner