

Colebrook Select Board Meeting

May 24, 2021

Colebrook Town Hall Courtroom

Select Board Members: Greg Placy, Chairperson, Suzanne Collins, Ray Gorman

Town of Colebrook Staff Members: Sharon Penney, Town Manager. Greg Marchand, Water & Sewer Department. Brian Sullivan in "Teams" Meeting by phone. Melanie Mathieu, Tax Collector; Dottie Uran, Assessing Clerk. David Bunnell, Town of Colebrook Transfer Station.

Guests: Jamie Emery, Emery & Garrett; Shannon Anderson, Colebrook Country Club.

Chairman Greg Placy, called the meeting to order at 1:00pm.

The Pledge of Allegiance was recited.

**Requests to Meet with the Board:** Jamie Emery – Emery and Garrett – New well discussion via virtual "Teams" meeting. The board glanced at the proposal ahead of time. Jamie shared his screen so that participants could see his map of the study area.

Their hope was to identify anything they considered to be water bearing and extensive at the North End site. The result was that they could not find anything favorable for development. He senses that the prior company hit some water in the transition zone, but it is not laterally consistent or extensive to give the Town a predictable water supply. At this point, having attempted two new well drillings at that location, he thinks that it is in the Town's best interest to look elsewhere. The well drillings were 159 feet to bedrock. They drilled down to 157. He reviewed the types of soil at each level of the holes drilled.

Time to consider the opportunity to begin spending some time on finding another location. They started the geologic mapping process to start delineating any new possible sites. The current two wells have been producing a very significant amount of water: PW3 was monitored. They were only seeing 10 feet of drawdown at 320 feet per minutes pumping speed. They need to find a deposit similar to this in an area that they can actually permit. It is Jamie's disappointment to recommend that the Town look elsewhere.

They are limited to find the coarse material in setbacks necessary to get the DES permits. They are going to look at every property in that area and identify what they consider to be the best remaining locations, meet with the DES, and request any relative waivers in this emergency. DES may not do this. The waiver would be about the 400 feet protective radius requirement.

Where is the proposed study area? Asked Sue. It is the whole area in black on the map that everyone was sharing.

Jamie's hope is to find a new source of water and use the production wells that the Town currently has for manufacturing in town. American Performance Polymers (APP) does not need the protective radius. Jamie asked if APP had drilled in their area.

Sharon said that they have drilled, but the Town does not have any results.

Greg believed that they were going to drill a well shortly for use so they must have found something good. And it is good if they have their own well as well as using the Town's because it will give them redundancy.

Jamie said APP has different requirements. There have some contaminant threads up there, they can only use it for commercial purposes, but it is not an option for the Town. He would like to go into Phase I to look at bedrock and sand deposit sources for a significant aquifer.

His preference is for gravel deposits, but bedrock would be okay. Emery & Garrett will put together a map with favorable areas prioritized and then they would go to those zones and do geophysical surveys. He reviewed the maps with the board and described his plans for exploration and phasing.

He summarized by saying this is what his firm does every-day for a living, and he recognized the needs for the Town of Colebrook.

Sue asked if the study area would ever include Lemington, Vermont. Jamie responded that this is not an opportunity. There are Act 250 challenges. She noted that Stewartstown and Canaan have the same water source.

Jamie went on to describe the Mohawk River region as a possibility. He wants to stay away from the clay deposits if possible. They generate hydrosulfide which has a strong smell. Sue was the second user on the North well line, so she agrees about the smell. He wants to know about the well drilled at APP. Greg Marchand said he could get the information for Jamie this afternoon. Sharon will send that to Jamie today.

Brian and Jamie talked about wells #3 and #4. Brian said #3 is shallow and runs 60 gallons per minute. Jamie said they are hardly touching that well. He said there is fantastic drawdown at that well. Brian commented on both wells – they were not recharging very fast during last summer's drought. Normally, within an hour they come back within their static levels, but these were taking up to 24 hours to come back.

Jamie said that #4 was being pumped down 25 feet and bouncing right back every time and it was pumping at 210 gallons per minute. #3 was pumping at 320 and coming back right away. He is impressed and would like to find another one or two of these in an area that they can get permitted.

Brian's thoughts on the Northside well field: He never thought too much of that area.

Jamie said he thinks he has figured it out and we need to get moving somewhere else and only come back as a last resort.

Brian asked about the other side of the highway from the North wells. What is the chance of there being wells there to find the volume we need that can be run through the existing pump house?

Jamie has included this area in the investigation. Brian had further questions. Jamie responded that in their testing they could see down about 250 feet or so, and if they get something like that, bedrock or not, they will drill it. They have to evaluate the impact of other homeowners and industry water. He described examples in other towns where Emery and Garrett are working.

Brian's biggest concern is that the Town has invested a lot of money in the north wells, and he hates to think the Town would invest a lot of money looking again in the North wells area and end up with the same results.

Jamie does not see that the Town has any choice because he is not going to go down a path similar to that which got the Town into the lawsuit. He has no other choices, keeping in mind Colebrook's huge losses in the other situation.

Brian just wants to make sure that the Town gets something adequate. Jamie cannot make the geology better, but he shares Brian's goals on this.

If the Select Board wants to approve Phases I and II today that is fine, but he will not go to Phase II unless they think it is worthy and they will not go to Phase II without discussing impacts and issues with the select board ahead of time. Do this in a slow manner. He has told DES that Colebrook is working toward a solution. DES approved the Northside new drilling, but they also know that Emery & Garrett are the best group to figure this out.

Jamie would like anybody who knows anything else about any existing wells in town to share this information, including that he wants as much information from APP's drilling as possible.

Jamie questioned the golf course location and said they may have some property they would be interested in looking at. It would stay a golf course if we could work out an understanding. He had questions.

Greg said it just changed property owners and the property owners are in the meeting. Jamie said maybe they will have a discussion sometime down the road.

Greg said there is a big farm just north of the golf course that is in a conservation easement. Jamie said if we get to a point that that is a favorable location, we will have to research the easement. Using the water may be compatible to the easement.

How do we proceed with Phase I and Phase II? To keep them rolling, Greg Placy suggested that they move to Phase I and that Phase II is contingent.

Jamie hopes this will be the last time that Colebrook goes looking for water.

Sue said the invoices need to go directly to Melanie Mathieu and Greg Placy because Sharon is retiring.

Sharon will send the information to Jamie, and he will put it on the contract. Just initial the change – it is not material.

The conversation with Jamie ended.

Sue had a question about the contract. Should Attorney Frizzell look at this to avoid ending up in court for years again. It makes sense to start this the correct way.

Greg Placy agreed, as did Sharon. They will run it by Attorney Frizzell. Sue would like him to be involved in every part of this given the Town's prior lawsuit.

Sue made a motion to approve the May 19<sup>th</sup> Ground Water Exploration and Development Program Phase I and Phase II with Emery & Garrett of Meredith, NH. Pending attorney review. Seconded by Ray Gorman. The motion passed unanimously.

Sharon circulated an invoice from Emery & Garrett: \$11,955 progress invoice. \$39,850 was the total. This work was already approved, it was just an "FYI."

### **Shannon Anderson about the Colebrook Country Club Expanded Liquor License**

They are applying to the NH Liquor Commission to sell liquor on the golf course. They have a beverage cart – golf cart with a place for a cooler: Snacks, Chips, Water, Beer, etc. On #1 and #6 tees. The golfers want this.

The Liquor Commission has asked for Town approval. Sue made a motion to approve the sale of alcoholic beverages on the golf course at the Colebrook Country Club. The motion was seconded by Ray Gorman.

Discussion: Shannon's letter to Sharon was comprehensive.

Greg asked about the patio area.

Vote on the golf course motion: Passed unanimously.

Ray made a motion to allow alcoholic beverages in a beer garden setting next to the club house – outside behind the lounge. Seconded by Sue.

Motion passed unanimously.

Sharon asked about the Country Club's existing license which is for just within the confinement of the lounge area.

Discussion continued about water and the aquifers around the Country Club. There was discussion about the motel renovations. Twelve rooms will be ready in mid-July. Shannon described the project and invited the select board to walk by and take a look.

C. Bean requesting used small propane tanks from the Transfer Station drop-off. David Bunnell reported that Chip Bean would like to pick up the empty propane tanks and repurpose them, and C. Bean will pick them up for free.

Sharon says that currently if there is a hole in the propane tank then the tanks can be metal recycling and the Town gets revenue from the current vendor. If there is no hole, the Town gets charged fifty cents.

David reported that he has 12 tanks he is holding right now. The current vendor will not come to pick up unless we have 20 – 50 tanks for them to pick up (minimum of 20).

Sharon concerned if this would open Pandora's Box with other propane vendors.

David said C. Bean will come down to get them each week. This will save us money and space. David said he gets about 12 tanks a year.

Sharon would like the C. Bean person to get in touch with her to formalize this.

Ray Gorman made a motion to authorize C. Bean to take the Town's propane tanks from the recycling center. Sue seconded the motion which passed unanimously.

Ray noted that the trash cans are out in downtown Colebrook.

**Meeting Minutes May 10, 2021.** Sue made a motion to approve the minutes of May 10, 2021, as presented. Seconded by Ray. Passed unanimously.

**Meeting Minutes May 19, 2021.** Sue made a motion to approve the minutes of May 19, 2021. Seconded by Ray. Passed unanimously.

**Lambert's Produce Land Parking issues – Meeting with NHDOT on Friday, June 4<sup>th</sup> at 11:30am on site.**

Sue reported that the select board received an e-mail asking for an appeal process for the administrative decision prepared by Attorney Shawn Tanguay. Is there an appeal process for the select board decision?

Discussion was about whether this was about the select board or the ZBA decision. Sue noted that there is no appeal process. Ray said the buck stops with the select board. The e-mail was sent to Dottie, the select board and Sharon. Sharon will respond that there is no appeal process.

Sue said that the abutter to Lambert's put cones from her property all the way down to the property line on Route 3. Does she have a right to put cones on Route 3?

Greg said that this is a DOT issue to be added to the June 4<sup>th</sup> meeting.

Sue received an e-mail from Greg Sipple, Chairman of the Planning Board, asking who is going to tell the abutter that she cannot put cones in the DOT Right of Way.

This will be brought up on June 4<sup>th</sup> with DOT.

**Tabled/Pending Items:**

**Normandeau Contract** – The hauling contract price went up by twenty percent. From \$374 per container to \$450 per container.

Sharon said Beattie did not get back to her so there was no competition.

Sue said we have always been happy with the service. She asked Sharon to attempt to negotiate this down. A twenty percent increase is a lot.

This is a three-year contract and goes up to \$479 within the three years. This is just a hauling contract. The Town would still pay the tipping fee.

Sharon will call Barry Normandeau. The Town is happy with the service and the current price. It is a bit of a jump initially.

**Signatures Needed.**

1. Melanie reported on the timing of the AHEAD-Monadnock Village tax abatement (PILOT). They paid their PILOT bill within a week. \$28,463 billed and paid within 6 days. Their PILOT is all of the taxes except for the School Tax.
2. Water/Sewer abatement – Colebrook Homeowner’s Cooperative MHP. Sewer \$3,848.25 first issue 2021.
3. Biron – Abated \$95 the water was turned off. This comes in every year. Sharon will ask Mel about why this happens every year. With water turned off it should automatically not generate the sewer bill. They still have to pay the basic water amount. Mel thought she had changed it, but she did not and explained the situation.
4. White - \$60 abatement for 2020 fourth issue water billing. Abatement on the sewer bill.
5. Reeves/Meikke – Land use change tax. Dottie explained that this one never got filed at the Registry of Deeds, so they need to pay a land use change tax and the Town has to pay to get it filed. Dottie’s been going through the current use files to make sure things are up to date. Sharon said this was a filing process oversight. Greg had questions about current use: Is the tax the same for three separate current use lots versus one big one. Sue explained that it is a current use value assessed for current use so one versus three does not make a different.
6. Cemetery Lot – Watson.
7. Lucie-Juneau came in after agenda. Cash paid. But nothing got to the Registry of Deeds. Dated 2007. Town has to pay \$16 to Registry of Deeds. Dottie said the Board has to approve to pay for filing.

Assessor – Update May 235, Lot 13 (Current Use). Sue made a motion to record the land use change tax on the Lucie-Juneau Land on Bear Rock Road May 235, Lot 13. Ray seconded the motion.

Discussion about signatures and current use files reviews in the past. Dottie apologized for the confusion – it is tricky to keep track of current use. Greg called for a motion, and all approved the motion.

Town Clerk – deposit error. Check should have been deposited at the County account. North Country Coos, LLC is a new business operating out of Dixville. A new truck was registered at the Town Clerk. It is a Dixville registration, and the money belongs to the County not to the Town of Colebrook.

**ATV request to use South Hill Road to access the ATV trail.** Greg asked the Stewartstown resident to get the approval from the Town of Stewartstown, then we will approve. There are two: Pam Hartland at 674 South Hill Road. Francis Phillips at 15 Lynch Drive, Stewartstown and he wants permission to use one mile on South Hill. Sue said we promised South Hill that only residents of Colebrook would be allowed to access the trail by special request from the Town of Colebrook.

Sharon is afraid this out-of-town requesting may be opening Pandora’s Box. Sue said if one person does it, guess what? Sue asked if they had a way to access the new South Hill Trail from the Stewartstown side. Becky Robinson said no.

Ray said they need to get permission from Stewartstown to enter from that side. Ray will call Craig Washburn to ask about clearing this up. He might be able to see where Stewartstown people can access the trail without going through South Hill.

Greg – is the conservation easement written specifically for Colebrook residents' access?

Sue said we have not allowed Columbia residents to access our roads.

Ray is inclined to say no. He cannot help but think there is an easy way.

Greg said for Ray to talk with Craig. There may be a connection on Bear Rock Road.

Discussion about where trails start – in which Town. This is a tricky issue.

Sue said the Lambert's and Rossillo's gave over their land to get traffic off South Hill, and she does not think it is a good idea to give Stewartstown residents access to South Hill Road.

Greg said if that trail is getting open this weekend, the select board needs to sign that easement with the State Bureau of Trails as quickly as possible this week.

Sharon reported, in that same vein, Chris Lowe who owns property on Columbia Road, and he wants to travel two miles from Titus Hill. Sue said that they had given her brother permission/access from there, so it is okay. Part of the Lowe's land is in Colebrook.

Sue motion: Authorization for Chris Lowe to use a two-mile portion of Titus Hill Road to go to Main Street from #1 Columbia Road in Colebrook. And Alicia Boire to gain access to State of NH Trail system from #2 Wentzell Drive to corridor "C" on Reed Road. This is less than two miles.

Ray seconded the motion and it passed unanimously.

Notice of intent to cut: Troy Lambert on South Hill Road. Twenty acres.

Sharon reported on two more appraisal clean-ups: McClure. Sharon read the April 12<sup>th</sup> minutes that said Gary will revisit at the end of June and the select board agreed to sign the abatement. This is the property that was pretty much down to the studs.

Sharon said the April 12<sup>th</sup> minutes recorded that the select board agreed to sign the abatement for Kenneth McClure on #23 Spring Street, Colebrook, NH.

Sharon reported that Gary needs to be more careful putting his paperwork in places randomly. From January 25<sup>th</sup>, 2021. CEDC merged with Borders Development. Potential tenant, a for-profit entity, to occupy their property which is currently tax-exempt. CEDC in Lancaster is inquiring whether the property would become taxable with a for-profit entity.

Beno Lamontagne's belief was that the Town voters agreed to keep the building untaxable as long as the building is vacant. The letter Sharon was reading went on to say that this is consistent with current practice however Gary has not found anything to actually document this. Gary recommends that the CEDC be advised that the portion of the property utilized by the new tenant be considered taxable once occupied.

The occupant will be Coos Brewing. He will pay rent on half the building and expects to use the other half fairly soon for a restaurant, etc. The site plan was approved by the Planning Board. But his site plan is not for food service yet. He will come back when and if he has food service. Right now, it is for: Brewing, shipping & tasting.

CEDC needs to tell the Town how much he is leasing. Sharon will ask for a copy of the lease agreement.

Sue reported that there is a **WB Mason lease** for the photocopier currently in the office 60-month term \$113.65 monthly payment processing fee one-time of \$75. There is an asterisk next to the word "payment." This is what we budgeted.

Sue makes a motion to agree to enter into a lease agreement with Wells Fargo/WB Mason as the vendor for a 60-month lease for \$113.65 per month not to exceed \$6,819, and to authorize the board chairman to sign the lease.

Ray seconded. Motion passed unanimously.

**Water & Sewer Rate Schedules.** Sue says our charges are very much lower than other towns. There was a rate schedule in the Union Leader from Rollinsford, NH.

Greg wondered if there should be some attempt in Colebrook to come up with a longer rate schedule by ranges of volumes of water used. With APP, we need to come up with something different because they will be paying a lot for their water. There needs to be some profit in the water system but are we the right group to figure out what the rates ought to be or is there a consultant somewhere to help with this.

Melanie contacted Lancaster and Groveton and they charge a lot more than the Town of Colebrook does.

Granite State Rural Water Association could be a help. Sharon will have Brian and Greg get in touch with this Association to get us some help.

Sue said when she did the water and sewer books (in 1980), when someone moved into town that person used to be charged for the water meter and the deposit put into a separate fund. The money was refunded to the person if they moved away. The new owner was then charged for the meter in place.

Sharon asked if we were continuing to bill Mr. Puleo for the removed meter at the Cooper Hill Property. Mr. Puleo is refusing to pay, but he is still responsible. He says the board can take him to court because he will not pay.

Do homeowners sign anything to say that they are responsible for paying for their new meters if they dispose of the meters? The new meters were from New England Back Flow, so this is a question for Greg (Marchand). Most likely there is no signature. It is in the Town Water Ordinance that homeowners are responsible.



Discussion about homeowner responsibilities and Puleo abatements and insurance settlements and the request that he pay for the meter. Sue requested that Mel look into a water lien on the property tax bill.

**Town Hall Sewer Project** – Sharon reported that she emailed Randy Tallmadge but has heard nothing. The money is appropriated. Mel will check with Randy on when he can start on this project.

**Phil Freudenberger** will mow the Memorial Park until Memorial Day. Melissa Shaw said she will address this as soon as she gets her counselors on board in two or three weeks.

Greg Placy stated that Public Works departments in all other towns are mowing town lawns. Public Works needs to be told that it is their duty to mow the Town Hall lot and the Memorial lot every week and it needs to be on their schedule.

**Welcome to Colebrook Sign on Bridge Street** is very crooked. Public Works needs to straighten the sign.

Mel is going to get two hanging plants for the front of the Town Hall – either Agway or Blue Seal.

Sharon reminded the board that she is heading into the homestretch. She is inundated with welfare with several homeless families. She says that welfare needs derail things and hopes that the board will consider hiring someone to take care of welfare.

Sue noted that we will be going to non-public. Don Tase and Corrine Rober will be on the interview board for a new town manager. Sharon will sit in but will not be on the board. She agreed to do this.

Ray reported on the Nugent House. Greg said we need to wait and see what they are thinking right now, and he is going to give them a sketch of what it looks like. Discussion about the Town lot and the Nugent lot and a buffer between the properties.

The board entered non-public session at 3:10pm on a motion by Sue Collins, under RSA 91-A:3, II(b) *The hiring of any person as a public employee*, seconded by Ray Gorman. Corrine Rober and Don Tase joined the non-public session.

On a motion by Sue Collins, seconded by Ray Gorman, the board entered public session at 5:15pm.

The meeting was adjourned on a motion by Ray Gorman at 5:16pm. Seconded by Sue Collins and approved unanimously.

Respectfully Submitted,

*Christine F. Charman*

Christine Charman, Transcriptionist