

**TOWN OF ACWORTH, NEW HAMPSHIRE**  
**Selectmen**  
**Approved Minutes for Meeting of May 31, 2022 at 7:00 p.m.**  
**Town Hall, 13 Town Hall Rd, Acworth, NH 03601**

**SELECT BOARD PRESENT:** Jim Jennison; Ray Leonard; Kathi Bradt

**CALL TO ORDER:** Jim called the meeting to order at 7:00 p.m.

**STAFF PRESENT:** Charlotte Comeau, Administrative Assistant; Mark McIntyre, Road Agent

**OTHERS PRESENT:** Gary Baber; Jennifer Bland; Charlie Bradt; Conan Cook & Brenda Melius; Glenn Elsesser; Mark Girard; Greg Thibodeau

**FLOOD RESPONSE:** Kathi went over the RFPs for the engineering and Charlestown Rd. The four areas FEMA were concerned with was:

- Socioeconomic Contracting: Kathi discussed with Jamie that we have a contractor list which is diverse geographically and demographically.
- Small purchase procedures: FEMA wants to make sure that we haven't divided the projects up so we fall into the less comprehensive category. Kathi told Jamie we had not.
- Required Contract Provisions: We added a line to say: the successful bidder will submit a contract which includes provisions required by FEMA under 2CFR 200:317-327 and noted the FEMA quick reference guide was attached.
- Time-and-Materials Contract: Wanted to be sure that we had a ceiling price and that exceeding the ceiling price was at the contractors own risk.

Erin recommended the following edits on the RFPs:

To raise the project cap from \$140k to \$200k.

Add "the contractor will be ready to mobilize by June 8<sup>th</sup> and the work will be substantially complete by August 1"

Add "we will be deciding June 6<sup>th</sup> at the 7PM meeting"

Delete "materials costs and estimated project time"

Delete "estimated cost with breakdown as appropriate"

Discussion came up on the material that needs to be removed from Crane Brook Rd. Will ask Erin next Monday.

**MINUTES:** Meeting and NPS minutes of May 17th, 2022: on a motion by Kathi, seconded by Ray; ***the Board voted to approve meeting minutes as corrected and NPS minutes as written. Motion passed.***

**BILL MANIFEST:** On a motion by Kathi, seconded by Ray; ***the Board voted to approve. Motion passed.***

**PAYROLL MANIFEST:** On a motion by Kathi, seconded by Ray; ***the Board voted to approve. Motion passed.***

**HIGHWAY DEPARTMENT REPORT:**

- Crew was out last week due to COVID
- Working on Lynn Hill Rd. flood sections.
- Jim mentioned:
  - The cones picked up on Charlestown Rd belong to Bascom Farms. They were put there for the logging trucks that were backing in and out. Mark said they were in the truck and he would drop off to them tonight.
  - The two culverts on Luther Hill did not hold, fill has come out. Mark will talk with Josh tomorrow.
  - When trees were trimmed on Derry Hill the limbs were left in the ditch by the Elsesser's. Mark said he would reach out to the power company.
  - Asked Mark to look at the section on Derry Hill from Crane Brook to Nelson to get an estimate to repair.
- Kathi mentioned the driveway culvert at the Sandoe's was never resolved last year. Charlotte will have the file correspondence for next meeting.
- Glenn E. asked Mark how much longer he would be on Lynn Hill. Mark didn't know, he's trying to get the FEMA things done first.
- Discussion on dust control on Derry Hill. Jim asked Mark to take a look at it on his way home and see if there is anything they can do. Kathi asked if we could throw some of the dirt in the truck and haul it away, if it would solve some of the problem. Mark agreed it would solve some of it.
- Ray asked the Board where Mark should be working next, whether he should be working on FEMA or Derry Hill as we can't keep moving equipment with the cost of diesel fuel. Kathi said it would be a conversation to have with Erin next week.

## TRANSFER STATION:

- Charlie B. let the Board know that the burn permit has been approved. Has to have permission to light the fire from Fire Warden and Mutual Aid which is dependent on the weather. Charlie said there needs to be a fair system in place. He recommend a sign up sheet and he would call the people when it is their turn. Charlotte will put on the website. There was consensus for Charlie to start the process.

## PUBLIC:

- Greg T. asked about the driveway permit for the Cold River Land Trust. Kathi said Ian came in to the last Planning Board meeting and it will be signed at the next one.

## ACTION ITEMS:

- Building permits: Extension for Stones. On a motion by Kathi, seconded by Jim; ***the Board voted to approve and signed. The Board voted to amend the vote to remove the mobile home within 30 days after moving into the home.*** Received setbacks from Terry and John Mattson building permit. Board will sign once the shore land permit is approved.
- Intents to Cut: Bascom Maple Farm. On a motion by Kathi, seconded by Jim; ***the Board voted to approve and signed. Motion passed.***
- Exemption Analysis Report: On a motion by Kathi, seconded by Jim; ***the Board voted to approve and signed. Motion passed.***
- Class V and VI Road Improvement Permit Application: Black North Road. On a motion by Kathi, seconded by Ray; ***the Board voted to approve and signed. Motion passed.***
- Compliance:
  - Ryan Bell (May 30) no response. Kathi asked if it was sent certified, Charlotte said no. Kathi suggested to send second notice and send certified to respond back by June 20<sup>th</sup>.
  - Tallman's mobile home is gone. Jennifer and Jim will go out there to review remaining debris.
  - Sherry Simons, July 1<sup>st</sup> deadline. If the deadline is not met, Jennifer said she can go there as the Health Officer, as the problem falls under a couple different RSAs.
  - Rich Bishop, ADU. Kathi said the Planning Board recommended the application be rejected because it doesn't meet the definition of an ADU as it is undersized. It falls more under the category of a guest RV. Kathi suggested to write back and let him know according to the zoning ordinance it doesn't qualify for an ADU and the Z.O. doesn't make provisions for a guest RV for long term. To be compliant it should be moved after 90 days.
  - No reply from Gerry Demurro. Kathi mentioned if people ignore initial correspondence, the paper trail needs to convert into notices of violation and give a time and date for compliance. If not complied, take legal action.
  - Relihan's junk yard. Ray spoke with him yesterday. Ray will go through the list this weekend. Shaun has been getting rid of things and been very good at keeping in touch with Ray.

## DISCUSSION:

- ARPA \$ for Culverts: Greg did some investigation on the emails from Judy Aron on potential funds to help with culverts. There is one that we could qualify for. Also there are ARPA funds to be distributed this fall with more infrastructure possibility. Greg said he is willing to do the leg work to validate if we would qualify for either of these but someone else would have to manage the application and follow up with report submission.
- Dodge Brook Rd abutter complaint letter:
  - Kathi mentioned it is important to note that no one on the Select Board. Conservation Commission or any town board is singling her out in any way. The Conservation Commission interest on trails goes back several months and includes Keyes Hollow and other places in town. Greg mentioned the two Class A trails, the town forest and the conservation easements are the primary interest to the ConCom.
  - Kathi noted that the letter recommended to make the Class VI road portion subject to gates and bars. Kathi stated that 1956 vote did make it subject to gates and bars. She said the Selectmen have the authority to say who can put them up and who can oversee the structure and if it falls into disrepair the board has the authority to have it removed. Discussion took place on whether to allow an unlocked gate to be installed there. Mark G. suggested to include signs with the gate which the abutter had agreed to. He thought the gate would have to be past the right of way of the state road.
  - Greg stated there are many accusations in the letter which are not substantiated. He's concerned about the violations the property owner has created and wanted to know if we are going to address these. Mark stated that we have clear photo documentation of what ConCom and the property owner has done. Kathi thought this was good to have in case we need it but clearly we want to say town boards do not single out people. Per RSA a gate can be installed there with oversight from the Selectmen.
  - There was consensus that the boulders would be removed once the gate and bars are installed. To either stipulate where the gate would be or ask owner for a plan.

- Employee pay for COVID illness: Discussion took place on paying the highway crew for the time they were out last week for COVID. Kathi stated that we have two relatively new people and they may not have accrued enough sick time. She suggested that we pay them this time but going forward it would be taken out of their sick/vacation time. After much discussion a motion was made by Kathi to allow the men who have not earned enough sick/vacation time to draw on unused sick time. After further discussion, Kathi amended the motion to state this was extenuating circumstances and a one-time event to advance the sick/vacation time, seconded by Ray. Jim motioned to add an amendment: If an employee is granted sick time in advance and quits before the time accrued, the time will be deducted from the last pay, seconded by Ray; ***the Board voted to approve as amended. Motion passed.*** Ray motioned after the vote to amend to allow the employees to have the option to either draw on unearned sick time or take it as unpaid, seconded by Jim; ***the Board voted to approve this amendment in addition. Motion passed.***

**NON-PUBLIC SESSION (NPS):** On a motion by Kathi seconded by Jim; ***the Board voted by roll call vote to enter into NPS pursuant to RSA 91-A:3 II (c) at 9:00 p.m. Motion passed.***

On a motion by Kathi, seconded by Jim; ***the Board voted to exit NPS and reconvened public meeting at 9:25 p.m. Motion passed.***

On a motion by Jim, seconded Kathi; ***the Board voted to adjourn at 9:25 p.m. Motion passed.***

Respectfully submitted,



Charlotte Comeau  
Administrative Assistant

**The next Selectmen meeting is scheduled for Monday June 6, 2022, 7:00 at the Town Hall**