



# Town of Hopkinton, NH

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**SELECT BOARD  
TOWN HALL  
PUBLIC MEETING MINUTES  
MONDAY, MAY 20, 2013  
Approved June 3, 2013**

Chairman Jim O'Brien called a regularly scheduled business meeting of the Board of Selectmen to order at 5:30 PM on Monday, May 20, 2013. Select Board Member Ken Traum led the group in the Pledge of Allegiance.

**Select Board Present:** Jim O'Brien, George Langwasser, Sue B. Strickford, Sara Persechino and Ken Traum

**Staff Present:** Neal Cass, Town Administrator and Robin Buchanan, Administrative Assessing Assistant

**Public Present:** Janet Krzyzaniak, Roberta Langwasser, John J. Collopy, Dave and Stacey Price, Angus D. Madden, Deborah Samedai, Katrina Richardson, Lyn Fenollosa, Allan Bloomquist, Gary Rondeau, Bob Walsh, Raymond Steenbeke, Leslie Steenbeke, Mary Leadbeater, Patti C. Smith, George N. Camp, Stuart Lyman, Peggy Lyman, Matt Lyman, John Lyman, Donna Ireland, Dara & Jason Perrin, Matt Cairns, Todd Quinn, Rosalie Smith, Jean Buck, Donna Beth Murphy, Peter & Gail Beckett

## **I. APPROVAL OF MINUTES**

The Board reviewed the minutes of the Public Meeting of May 6, 2013. Select Board Member Ken Traum made a motion, seconded by Select Board Member Sue Strickford to approve the minutes of the Public Meeting.

**VOTE:** O'Brien, Langwasser, Strickford, Persechino and Traum voting in favor of the motion; no votes against, motion passes, 5-0.

The Board reviewed the minutes of the Public Meeting of May 10, 2013. Select Board Member George Langwasser made a motion, seconded by Select Board Member Ken Traum to approve the minutes of the Public Meeting.

**VOTE:** O'Brien, Langwasser, Strickford, and Traum voting in favor of the motion; no votes against, Persechino abstaining, motion passes, 4-0-1.

The Board reviewed the minutes of the Public Meeting of May 17, 2013. Select Board Member Ken Traum made a motion, seconded by Select Board Member Sara Persechino to approve the minutes of the Public Meeting.

**VOTE:** O'Brien, Langwasser, Strickford, Persechino and Traum voting in favor of the motion; no votes against, motion passes, 5-0.

**II. ADMINISTRATIVE****Consent Agenda**

Board members reviewed the documents for signature and approved unanimously the Consent Agenda taking the following action on motion made by Select Board Member George Langwasser and seconded by Select Board Member Sue Strickford.

Item	Date	Action	Comment
Accounts Payable Manifest	05/20/2013	Approved	\$594.65
Accounts Payable Manifest	05/20/2013	Approved	\$637.13
Accounts Payable Manifest	05/20/2013	Approved	\$160,937.92
Payroll Manifest	05/20/2013	Approved	\$58645.26
Assent Trust of Muriel McKercher	05/20/2013	Approved	15 <sup>th</sup> & Final Accounting
Timber Warrant /Certificates	05/22/2013	Approved	\$2,879.75
Building/Use Permit-Goupil	05/20/2013	Approved	Map 225/Lot 100 deck
Building/Use Permit-Eck	05/20/2013	Approved	Map 240/Lot 29 deck
Personnel Action Form	05/20/2013	Approved	Recreation
Appointment to Office	05/20/2013	Approved	Recreation-Jane T. Wilson
Intent to Cut	05/20/2013	Approved	Map 236 Lot 35
Intent to Cut	05/20/2013	Approved	Map 260 Lots 1,23.1, 23
Certificate of Appreciation	05/20/2013	Approved	Emma Geiger
Right to Bury	05/20/2013	Approved	David Brock
Trail Agreement	05/20/2013	Approved	w/ Dan Dustin
Abatement	05/20/2013	Approved	205 Pine St
Abatement	05/20/2013	Approved	Abrams Family Trust
Abatement	05/20/2013	Approved	Kenneth Fales
Abatement	05/20/2013	Approved	Caroline Fenollosa Trust
Abatement	05/20/2013	Approved	Philip Layne
Abatement	05/20/2013	Deny	Northern NH Telephone
Abatement	05/20/2013	Approved	Mark Neider
Abatement	05/20/2013	Approved	Scott Miller
Abatement	05/20/2013	Deny	Bryan Ray & Karen Joyce
Abatement	05/20/2013	Approved	Michie
Abatement	05/20/2013	Approved	James Cummings
Abatement	05/20/2013	Deny	Rudy Colucci & Nancy Vitukevich
Abatement	05/20/2013	Deny	Andrew Hoffman
Abatement	05/20/2013	Approved	Rebecca Ekstrom
Abatement	05/20/2013	Deny	Merrimack Telephone

Janet Krzyzaniak inquired as to the Assent of the McKercher Trust. Mr. Cass explained it is recommended that the funds be disbursed to the recipients: Fire, Police and Rescue Squad.

**III. OLD BUSINESS**

Review of Deeding: Mr. Cass reviewed the deeding process for the Select Board. He noted we have 2 liens that will stay in effect, however, we cannot make any attempt to collect or deed, as they are both in bankruptcy. Mr. Cass further stated that we have Forbearance Agreements with 5 people. He further explained that those on the list to be deeded, that two of those properties are Owner Unknown properties, which leaves 3 for deeding. He will be contacting each of the three residents and give them a final

opportunity to pay amount due to prevent deeding or create a significant payment plan with a signed Forbearance Agreement.

Select Board Member George Langwasser made a motion to accept the recommendations for the deeding process for 2013. Select Board Member Ken Traum seconded the motion.

**VOTE:** O'Brien, Langwasser, Strickford, Persechino and Traum voting in favor of the motion; no votes against, motion passes, 5-0.

#### **IV. NEW BUSINESS**

Review of Property Liability Insurance Proposals: Mr. Cass stated that he and the Finance Director, Deb Gallant, met with 5 companies Property Liability Trust, Davis and Towle, Cross Insurance, HUB International and Primex.

Discussion ensued with regards to risk pools and the need to stay with those, which only leaves Primex and Property Liability Trust. Further discussion ensued with regards to the issues we have had with Property Liability Trust. Mr. Cass stated things have changed, instead of one board overseeing 3 separate trusts, Health Trust, Property Liability Trust and NHMA, there are now 3 overseeing boards, one for each trust, as well as a change in the executive director. Chairman O'Brien asked Mr. Cass to have Primex and Property Liability Trust to come in and give the Board a presentation. Select Board Member George Langwasser stated he feels as if Property Liability Trust is holding a refund over our heads and he is uncomfortable going with them again.

Chairman O'Brien gave a brief history of the flood control issue and updated the Board on the current progress. Select Board Member Ken Traum thanked Mr. O'Brien and Mr. Langwasser for their efforts in this matter.

#### **V. PUBLIC APPOINTMENTS**

Chairman O'Brien invited the Webster Select Board members to join them at the table. Bruce Johnson and Mason Donovan introduced themselves.

Chairman O'Brien read aloud the Application for Modification. He further stated that both Boards must agree to any changes. He further explained this is not to increase the size but to allow more local control. Select Board Member George Langwasser stated there is a misconception that we will begin accepting other towns waste. This change in the permit would allow us to explore the possibility of taking other town's recyclables.

Steve Clough spoke to the reasons for the Modification and that it would grant us local control. It noted changing the policy would not increase the budget. More recyclables translates into more revenue. Mr. Clough further stated that we cannot even look at those options without the Modification. There are lots of possibilities out there but we need permission to look.

Chairman O'Brien explained the next step in the application process is for DES to hold a Public Hearing in either Hopkinton or Webster. He further stated he would open the floor for comments, reminding people this is not a debate. They are looking for comments. He will call on everyone and asks that if you have already spoken, to allow others to speak before raising your hand a second time.

Ellen Cilley, Webster stated we are not asking for another town to join in. We just want to have other options open.

Donna Beth Murphy, had several questions including who would run the facility, about putting a commercial facility in a residential district. She read from several RSAs including RSA 676:14 and inquired if the Town was going to file for a variance.

Tom (unclear) a Concord resident who has property in Hopkinton asked before the town applies for a license like this, shouldn't the town hold a public hearing before the application is submitted. Chairman O'Brien stated the Landfill Committee, the Recycling Committee and the Board of Selectmen have been talking about it at their meetings. There are requirements to hold public hearings. If the application process goes through do the residents get to vote? If we say we don't want it; will the Boards still vote yes? Chairman O'Brien stated we are having this hearing because it was requested. Select Board Member Sara Persechino stated all committee and board meetings are open to the public and she encouraged people to attend those meetings.

Stuart Lyman, Penacook Road stated that if we are only at 25% capacity, why are we increasing it by 75%? We are opening up an unknown. The residents, who live on the road, have seen an increase in traffic. We are opening are facility up to HAZMAT. Select Board Member George Langwasser stated we cannot take HAZMAT, we are not allowed to do so. Everything has to be approved by both boards.

Residents are concerned that someone will come and be turned away and will dump its load somewhere else in the Town. Plus the trucks can be leaking, as they travel our roads. We are opening up a black hole.

An unidentified man stated that although the Selectmen are seeking ways to increase revenue this is not a viable option. The Transfer Station started off as a dump but it did not conform to standards. It causes pollution of the water. The town has had to replace many wells with a new community well. The plume will most likely spread further and impact more wells. That will increase the town's liability as well as the possibility of more contaminated wells. He further stated that he was very concerned.

Gary Rondeau stated there is misinformation as well as conflicting information out there. He states he has read and listened to the minutes. He quotes from several sets of minutes from different committees and board with regards to single stream, traffic counts, the process and moving forward with the application. Mr. Rondeau presented the Board with a Petition to hold a Special Town Meeting with regards to the Modification for the Transfer Station.

Chairman O'Brien stated we can close the hearing, as we now have to have a Special Town Meeting, however, he will continue to take further comment.

Joe Maloy, Hedgerose Lane, asked what research has been done on this subject.

Barbara Corliss stated the DES permit does not allow us to change our business plan right now. DES will not allow us to look without approval of modification.

Mr. Maloy stated we are headed in the wrong direction.

An unidentified man stated he lived in Tyngsboro, MA and stated they opened up their Transfer Station and it is now a Super Fund site, all it takes is one person coming in the back door.

Richard Kennedy stated now is not the time to make big steps. We need to tone it down and not get carried away by emotions.

Jason Perrin is concerned by dumping on the roads, increase traffic and the possibility of the Transfer Station changing its open days.

Todd Quinn spoke of the traffic noise and is worried about an increase in traffic.

Chairman O'Brien stated there are some costs that will never go away and most are fixed costs. Having less open hours is not a silver bullet to save money.

Priscilla Reinertsen stated the Transfer Station has already polluted wells and may pollute more. The liability is not worth it.

George Camp inquired as to why Webster does not use the green bags as Hopkinton residents have to.

An unidentified gentleman stated the arrangement with Webster is not equal.

David Price stated he has 4 empty house lots and is worried about the community well at the Meadows with it being in close proximity to the Transfer Station. There is dumping on the road.

Esther Price stated we need a better quality bag.

Frank Davis stated that Webster recycles as much as Hopkinton does.

As there were no further comments, Chairman O'Brien closed the comment section of the Public Hearing.

Chairman O'Brien read the Petition that was presented for a Special Town Meeting. Mr. Cass stated the first thing we need to do is to verify the signatures are on the checklist. It was noted that the date and time would be set by the Board. It was also noted that the results would be non binding and only affects Hopkinton.

David Price wanted to know why the Board voted against moving forward with the cell tower at the meeting but can't vote to stop the application at this meeting. Chairman O'Brien stated that once they received the Petition for the Special Town Meeting they have to move forward with the Town Meeting. It is a statutory obligation to move forward.

Discussion ensued about the process going forward now that the Board has a Petition for a Special Town Meeting, noting the Petition cannot be withdrawn.

A member of the audience inquired if DES would still hold its Public Hearing. Chairman O'Brien stated they do not have control of the DES, but it is very likely that DES would contact the Town to set the date.

At 8:25 pm Chairman O'Brien closed the Joint Meeting with the Board of Selectmen from Webster.

At 8:25 pm Chairman O'Brien reopened the regular business meeting of the Hopkinton Board of Selectmen.

Select Board Member Ken Traum made a motion to request DES not take any further action on the Application for Modification. Discussion ensued, no second, motion fails.

Select Board Member Ken Traum made a motion, based on the Public Input, to remove the Application for Modification from DES. Chairmen O'Brien seconded the motion.

**VOTE:** O'Brien and Traum voting in favor of the motion; Langwasser, Strickford, Persechino voting against the motion, motion does not move forward, 2-3-0.

Select Board Member Sara Persechino invited the public present to attend Landfill and Recycling Committee Meetings and to come up with new ideas to reduce all waste.

Chairman O'Brien thanked the Webster Board for their time.

Chairmen O'Brien clarified the vote noting the Application will go forward, but that DES will likely not hold a public hearing.

Select Board Member Ken Traum made a motion to request that DES not hold a public hearing until after we have had the Special Town Meeting. Select Board Member Sara Persechino seconded the motion.

**VOTE:** O'Brien, Langwasser, Strickford, Persechino and Traum voting in favor of the motion; no votes against, motion passes, 5-0.

Chairman O'Brien noting that this vote is not binding with regards to DES.

Chairmen O'Brien thanked the public for their comments.

## **VI. TOWN ADMINISTRATION UPDATES**

Mr. Cass noted the new Human Service Brochure that intern Emma Geiger created for them.

Payment has been received from LGC.

Janet Krzyzaniak stated she has spoken with John Thayer twice about fixing the pavement at the end of her drive that was damaged by trucks during the paving of Spring Street. She has an estimate of costs by Sam Cooper. Mr. Cass will speak with Mr. Thayer in order to get this done. Mr. Krzyzaniak also stated the plow damaged their mail box during the last storm. Mr. Cass stated the Town is not legally responsible for mailboxes; however, they will take care of it.

Frank Davis asked the Board to have Mr. Thayer check out the location of a tree stump by his mailbox at 1926 Clement Hill Road. Mr. Cass stated he will speak with Mr. Thayer.

## **VII. ADJOURNMENT**

There being no further business, motion by Select Board Member Sara Persechino, seconded by Select Board Member Ken Traum to adjourn the meeting.

**VOTE:** O'Brien, Langwasser, Strickford, Persechino and Traum voting in favor of the motion; no votes against, motion passes, 5-0.

Meeting was adjourned at 9:00 pm.

Respectfully submitted,

Robin Buchanan

Administrative Assessing Assistant

*These minutes are not official until approved by the Board of Selectmen at their meeting*