

**Board of Selectmen  
Meeting Minutes  
Thursday, August 10, 2023  
Approved**



**1) Open Meeting**

Chair Delaney called the meeting to order at 6:00 pm. Board members present: Roland Carter & Dana Swenson.

Others present included: Town Admin Kimberley Edelmann; Road Agent Frank Bryson; Doug Phelps, Chair of the 4th of July Committee; Alan Hanscom, Chair of the Recreation Committee; Mark Stetson, Andover Representative on the Concord Regional Solid Waste Co-op; Jim Hanson, Chair of the Highway Department Advisory Committee; and several members of the public.

**2) Appointments**

**a. Doug Phelps - 4th of July Committee**

Selectman Swenson commented that the Board wanted to understand more about the two committees, their financial accounts, and if the two committees should be rolled together. He noted that the 4th of July committee was not truly a Town committee and wanted to better understand it.

Doug Phelps explained to the board how the committee came into existence. It was borne out of the Blackwater Grange. They had decided about 80 years ago to have a children's parade. It progressed for years from there, even after the Blackwater Grange didn't exist. The committee continued to exist. It became clear that without insurance, the committee members themselves were liable if anything went wrong. It was suggested that the committee come under the Town. Everyone took an oath. Two accounts were set up; one like a checking account. All of the money that the 4th of July Committee raises goes into that account. The other account, part of the Town operating budget, covers the fireworks.

Meetings are publicly posted. Minutes have been sent to the Town for years, but have not made it to the website. Beth Frost has been doing emails, but recently purged her emails. TA Edelmann stated that Elita Reed was one recipients of the minutes and they hoped to dig them up.

TA Edelmann noted that 4th of July Committee has a trust listed in the Trustee of the Trust Funds report of the Annual Report (page 91) which showed a 2022 closing balance of \$17,874. They also have a budget line of \$15,000.

Mr. Phelps explained that aside from the fireworks, all of the funding of the 4th of July activities is paid through the fundraising efforts of the committee. He added that he would be disappointed if the Select Board merged the 4th of July bank account where another committee would have access to it. They work very hard for those funds. He said it would not be okay to give the money to another committee.

The Select Board thanked Doug Phelps for meeting with them and helping them understand more about the work of the committee.

## **b. Al Hanscom - Recreation Committee**

Al Hanscom explained that the six committee members were getting "seasoned". They have enjoyed participation from parents in the past. Four of the committee members were former soccer directors. He had been on the committee since 2004 or 2005. He noted the committee was eager to pass on the baton to new members. They recently found three individuals who will help ensure the soccer program will run during the fall. The ski program seemed pretty solid. He was not positive about basketball. He hoped to encourage more involvement.

Mr. Hanscom said they have put articles in the Beacon asking for help. They have also reached out to parents. He thinks the Town may need think about how they will run Recreation in the future. He noted that some towns have paid personnel, such as Franklin, New London and Sunapee. Some towns have volunteers only. He also noted that, at times, it was a lot of work for the committee members. It can be quiet for a while, but from July to November it was steady.

The committee meets as needed. There is not a lot of business to conduct in meetings.

Chair Delaney commented that the committee was doing a fantastic job.

## **c. Mark Stetson - "Trash Co-Op"**

Mark Stetson added that the recreation committee used to organize swimming lessons at the Town Beach.

Mr. Stetson explained that the Town of Andover was a member of the Concord Regional Solid Waste / Resource Recovery Cooperative. It was formed in 1985, providing a centralized long term waste facility near I-93 Exit 17. Originally 27 communities were members, including Concord, Laconia and Franklin. Wheelabrator built the facility with finance assistance from the cooperative. Member communities also constructed a landfill in Franklin to receive ash by-product from the facility. Burning trash reduces the volume by about 50%. The landfill is now closed, lined and capped.

As part of the financial planning, capital reserve funds were established to fund the maintenance of the landfill in perpetuity. One is a revolving 30-year fund; the other is a 100-year maintenance fund. There are sufficient funds in both thanks to contributions from the member communities. The landfill still requires testing and periodic maintenance.

In 2011, the communities of Hopkinton and Webster pulled out of the co-op. In 2014, Allenstown pulled out. When they did, their share of the funds stayed with the co-op; they did not get any funds back.

Beginning in 2015, 7 of the 24 remaining communities negotiated trash disposal contracts with other contractors. Those 7 communities are still part of the management of the co-op. In 2022, the remaining 17 member communities signed a new contract with WIN Waste which now owns the facility, which covers January 1, 2023 to December 31, 2029. Andover is covered by that contract and is bound to send trash there.

Along the way, the co-op decided to get into the recycling business. They purchased a 40.51 acre parcel adjacent to and behind the Wheelabrator facility. The idea was to build a single-stream recycling facility. The property was purchased in 2008, plans were developed, then Concord decided to pull out in 2014. They were approached by Casella who offered a better deal for Concord. The project died. Now, the land is pending sale, expected to close next year. When that happens, Andover will receive funds from the sale.

Prior to 1989, Andover disposed of its trash at a landfill on Monticello Drive. The property was owned and managed by Dale McLeod. The landfill was closed when the Town started sending trash to Wheelabrator. The landfill was covered with a membrane cap and is monitored. There was an agreement signed between the Town and Dale McLeod that he or future property owners would split the cost of any maintenance, including monitoring and mowing. The agreement binds future owners.

Prior to construction of the Monticello landfill in the 1970's, the Town disposed of trash on Town owned property across the street on Monticello Drive. The trash was burned to reduce the volume. Apparently it was also a favorite spot to go target shooting for rats.

Andover is part of the co-op since its inception. It has provided a significant financial advantage to Andover property owners. The future for trash disposal doesn't look bright. The ash is currently going to Turnkey in Rochester. The landfill space in the State of NH is shrinking. The cost of disposal is likely to go up.

Andover has a guaranteed rate through 2029.

Donna Crisp Duclos asked where the ash will go? Who would take it? Mark Stetson said it would have to go to another landfill somewhere. The co-op has no financial interest in ash disposal. Once the Franklin facility closed, the Towns no longer had responsibility. Instead, they pay a tipping fee for disposal.

TA Edelmann asked if there was any idea how much Andover would receive. Mr. Stetson said the sale price was negotiated to \$1,500,000. But that would be shared across the member communities and prorated by the amount of trash sent to the facility over time.

In response to a question, Mr. Stetson reiterated that the 7 communities that pulled out are still part of the co-op in terms of the Franklin landfill. The 17 communities were still sending trash to WIN Waste.

Mr. Stetson shared that in regards to the property being sold, a large development is being proposed just north of the Concord Monitor building. It is a large residential / commercial community. The co-ops property abuts on the north side. It would also have access to Route 4. The timing is such that there is a lot of permitting that needs to be done.

Selectman Swenson asked if there were any asks of the Town. Mr. Stetson said that one co-op capital reserve fund had been closed. He delivered a check to the Town. In another year, another would be provided. The funds go into the general fund.

#### **d. Jim Hanson - Highway Department Advisory Committee**

Mr. Hanson stated that the Select Board asked that the HDAC come back together to review bids received in response to the design-build RFP. All but one member was able to attend. Only 1 bid had been received.

The committee reviewed the bid, discussed it, and generated a list of questions which were forwarded to Selectman Roland Carter. Aside from some questions, most of which were housekeeping, the committee found that the concept, price and timeline fit what they were hoping for. The committee voted unanimously to accept the bid and recommend to the Select Board that the Town move forward with it.

Selectman Carter noted that both Brian Shedd and Gary Ladd from Construx were in the audience.

Mr. Hanson stated that the HDAC did their due diligence. They had a lot of good discussion. They had a lot of expertise at the table. And Construx had responded to questions.

Selectman Dana Swenson thanked Mr. Hanson and the committee for the work they did. Donna Duclos commented that she was at the meeting and she said they were an amazing group of people.

Selectman Swenson noted there was interest from other companies, but they didn't submit bids. He was happy with the bid from Construx.

Selectman Carter asked when work would get started if the Select Board approved going forward. Gary Ladd said if approved, that was good enough to proceed. Contracts would follow. Mr. Ladd asked who the point of contact would be for Construx. Chair Delaney said it would be Selectman Swenson, who in turn noted that a yet to be identified Clerk of the Works would also be a contact point.

Mr. Ladd pointed out that this was not truly a design-build process as the DuBois & King drawings had been provided to them for use. He said Brian Shedd is the estimator and project manager. The building design has been changed from wood to pre-engineered metal. The appearance is the same. The interior layout is the same. There were some exclusions listed. The Town might take some deducts.

Selectman Swenson noted that the Town was open to changes. Also the committee recommended going forward with the full project, no deducts or added alternatives. Jim Hanson said the committee would like to have the building generator ready; everyone agreed.

Chair Delaney requested that Road Agent Frank Bryson be copied on all communications about the project.

Jim Hanson said he would call one last meeting of the Highway Department Advisory Committee to approve minutes and dissolve the committee. Chair Delaney thanked them again. (Applause from attendees!)

Chair Delaney reiterated that Selectman Swenson was authorized to make all decisions on the project on behalf of the Select Board.

Selectman Swenson made a **motion** to take the HDAC's recommendation to move forward with the contract with Construx. Chair Delaney **seconded**. The **motion passed** with all in favor.

### **3) Departments**

#### **a. Highway Department**

Road Agent Frank Bryson stated that Cilleyville Road needs to be paved. It was not safe to drive on it at the posted speed. Porter Paving was the only firm to provide a cost estimate which was \$79,200. Porter Paving also provided estimates for Beech Hill Rd, Elbow Pond / Morrill Hill, Poplar St and Shirley Rd.

Chair Delaney made a **motion** to accept all the bids from Porter Paving and to get all of the work done. Selectman Carter **seconded**. RA Bryson noted that Cilleyville would be done by the end of September. The **motion passed** with all in favor.

RA Bryson reported that he's been out grading the roads. Calcium has helped hold the roads together. He knows some residents are not happy about the roads, but he'd like to wait for the heaviest rains to pass. The worse potholes will get filled. Ditching is keeping water off the roads. Some roads can't be ditched.

RA Bryson commented that many residents don't know that there are only 3 employees in the HW Department.

Chair Delaney said that he has not received any complaints about the roads.

RA Bryson noted that the beginning of any dirt road will be bumpy. He did some work on West Shore Road.

RA Bryson said that residents are his eyes. If they call him, he will go look at the road.

Chair Delaney asked RA Bryson to take a look at Boston Hill Road. There was a section that was starting to washout and getting closer to the asphalt. The two discussed the nearby culvert and ideas of how to address it.

RA Bryson noted that they were still looking for someone for the HW Department. He asked the Board if they would support helping the right candidate with CDL training. It was agreed they would.

#### **Beech Hill Road**

A resident of Beech Hill Road said that there was a very bad sharp corner that needed to be addressed. RA Bryson replied that the corner was going to be shimmed and overlaid.

#### 4) Public Comment (1 of 2)

##### a. Cilleyville Road

Nancy Teach emphasized how important it was to fix Cilleyville Road. There are 40+ buildings on the road. There was no weight limit. She said cold patching wasn't going to last. It was unsafe for school buses, deliveries, walkers.

RA Bryson said the Town could post the road as "no through trucking", which in effect was also a weight limit. He also noted that it was hot asphalt put in the potholes, not cold patch.

#### 5) New Business

##### a. Funding Alarm Systems

Chair Delaney said he visited the Transfer Station. A ditch will need to be put in between the buildings for conduits. While doing that, water could also be routed. He recommended having Jeff Sweet do the work, separate from his part time job at the Transfer Station.

Chair Delaney made a **motion** to have Mr. Sweet do the work. Selectman Swenson **seconded**. The **motion passed** with all in favor.

Funding for the alarm systems have already been approved.

##### b. Beach Parking Lot - Expansion & Fencing

Chair Delaney wondered if the parking lot could be expanded in size. Rocks prevent people from driving over the septic system. Selectman Swenson wondered if the ticketing is reducing the amount of vehicles parking. RA Bryson noted sometimes they park two deep.

It was agreed no work is needed.

##### c. Weekend Bathhouse Cleaning - Clocking In / Out

RA Bryson shared that staff work 2 hours in Saturday & Sunday mornings. They don't return in the afternoon unless called. Friday morning, RA Bryson does the cleaning while the crew back drag & rake the beach and mow the grass.

Chair Delaney said some people believe people should only be paid for 1/2 hour if they only need to do 1/2 hour of work for a weekend call in. He wanted to have the Board state that the two hour rule for pay was acceptable.

TA Edelmann asked for clarification: Did any call out result in a minimum of 2 hours pay? Chair Delaney confirmed that was the case and said he wanted the bathhouse cleaning to fall under the call out rule. It was also noted that this was a State rule.

Chair Delaney made a **motion** that the 2 hour rule applies for weekend work at the beach. Selectman Carter **seconded**. The **motion passed** with all in favor.

RA Bryson said this had been voted on before by a previous board. Selectman Swenson said it was now reaffirmed.

##### d. Weekly Project Updates - HW Departments

RA Bryson said Bradley Lake Dam is maintained by the Water Department. He asked who owns the bridge, noting that the Water Department wasn't sure either. Chair Delaney said it was a Town bridge, adding that a bridge was there before the dam was put in.

RA Bryson asked who took care of the dam at end of the channel at Highland Lake. Chair Delaney said that was Jason Dudek. RA Bryson was asked to go there and cut down some trees inside the chain link fence. Was that something Mr. Dudek would be taking care of? Discussion followed. Mr. Dudek is the one who handles the boards in the dam to manage the lake water level. TA Edelmann would look into whether the Town was paying Mr. Dudek to maintain the area. Selectman Swenson said that in the operating budget there was a dam fee.

Ditching and grading continues. Fill is retained at White Oak or provided to residents who ask for it. Chair Delaney said the Town always had a policy that if anyone in Town wanted the stuff coming out of the ditches they could have it, poison ivy and all.

**e. Thank You Letter AFD for Meeting Space**

Chair Delaney will write a letter.

**f. Plaque for Bridge EMS / AFD / APD**

Selectman Carter recommended having a plaque on the Lawrence Street Bridge after the new bridge was put in place in 2025. Plaques were also recently put on the covered bridges.

Chair Delaney made a **motion** to put a plaque on the new Lawrence Street Bridge. Selectman Carter **seconded**. The **motion passed** with all in favor.

**g. Sign on Front Lawn of Town Offices / Library**

TA Admin noted there were two signs: The one on the lawn and the one at the entrance.

The sign at the entrance was in terrible condition. Discussion followed regarding digital signs. Selectman Carter asked if White Farm had any.

TA Edelmann noted that some Towns don't like digital signs that can be distracting to drivers. With the sign by the entrance, that would not be as big an issue. A computer monitor locked inside a cabinet might be an option, allowing the staff to change the display, much like the Solar display inside the office. MainStay was going to be visiting the Town Offices soon. She could see what their thoughts were about that option.

Chair Delaney said power would need to be routed to the sign area. The Town also needed power routed at the Transfer Station.

Chair Delaney made a **motion** to have the Board allow him to contract a local electrician to do work at the Transfer Station. Selectman Carter **seconded**. The **motion passed** with all in favor.

Chair Delaney made a **motion** to have the same electrician do the work at the Town Office. Selectman Carter **seconded**. The **motion passed** with all in favor.

Selectman Swenson thinks the sign on the front lawn needs some TLC, some paint. He liked the old styling as it fit the Town. Solar down lighting might be good. There may be some members of the public who would like to take it on as a project, with materials paid for by the Town. Maybe the work could be used for "community hours".

**6) Administration**

The budget year to date was provided, showing all operating budget lines. The long detailed invoice report for July was emailed to the Select Board.

Selectman Swenson noted that the TC Tax Collector Wage line was already at 98% expended. TA Edelmann said the amount expended so far looked about right. She'd talk to the Finance Office about it.

Regarding the detailed general ledger report, Selectman Swenson asked if the electrical work associated with the Radon project should be posted under 01-4919-16-001 CR ETF TOWN BUILDINGS along with the other radon mitigation work. Otherwise, looking good.

#### **a. Highway Budgets**

TA Edelmann noted that the Town was nearly two thirds of the way through the year. The largest portion of the budget, the HW Department, was 43% expended.

TA Bryson commented that aside from the roads that will be paved, he wanted to address Bay Road and Flaghole Road and shim some spots.

Chair Delaney asked what major projects the Highway Department had. TA Bryson said there were culverts to replace. The one on Elbow Pond Road required excavator work.

Chair Delaney noted that \$150,000 was available in the special project fund. He suggested more paving could be done. He'd like to see the funds put to use.

TA Bryson said they also need to crush gravel and screen sand.

Chair Delaney suggested a list of projects be made. He also felt that Switch Road needed to be taken care of, maybe chip sealing. He also noted that someone reached out about potholes on Morrill Hill Road.

#### **b. Capital Improvement Plans**

TA Edelmann noted that the Capital Improvement Program Committee was meeting soon. All departments will be asked for project lists, 5 or 6 year plans, including how to fund.

Chair Delaney explained that the CIP process was about putting figures together for long term planning and setting aside funds over a few years. Some people thought these numbers were for the operating budget, which it was not. The CIP figures were recommendations only.

Chair Delaney said he told CIP Chair Doug Phelps he would represent the Select Board on the CIP committee.

### **7) Old Business**

#### **a. Lawrence Street Bridge**

Selectman Swenson said he'd like digital versions of the images of the Lawrence Street Bridge project, currently on the meeting room wall, posted on the Town website. Jim Hanson commented that some residents were expressing concern about not knowing what was happening with the project. He suggested that the Town had a point of contact for residents. Selectman Carter said the plan was to have a public meeting very soon. TA Edelmann added that Josif Bicja from Hoyle Tanner first to meet with two of the abutters, then have a public meeting.

Jim Hanson said he had experience with projects which had potential to impact neighborhood. In those cases, they videotaped everything before the project began.

Chair Delaney noted that Selectman Carter was the primary point of contact for the project.

TA Edelmann said that Selectman Carter had a full list of nearby property owners. That list was also provided to Hoyle Tanner.



## **8) Minutes - April 13, 20, 28; May 2, 15, 25, 26; June 8, 19, 22, 28; Jul 3, 12, 13, 19; Oct 7, 22**

### **a. May 2, 2023**

TA Edelmann noted she needed minutes for May 2 when the HW Garage Bids were opened. Selectman Swenson offered to provide meeting minutes.

### **b. October 7, 2022**

TA Edelmann noted that while doing research about unanticipated revenue received in 2022, she saw that the minutes of the Procedural Defect Public Hearing of October 7, 2022 needed an edit. The minutes of the two public hearings held that day were fine, but the headings were swapped. She and Lisa Meier discussed this and Lisa provided a new version for the Select Board to review and approve.

TA Edelmann added that it was at that meeting that the Town accepted unanticipated revenue in the amounts of \$85,540.68 from Senate Bill 401 and \$106,850.00 from House Bill 1221. The funds were to be used for bridges and roads. Specifics are in the bills. Chair Delaney said the SB401 funds were used to purchase a loader.

(Overlapping conversations followed)

Chair Delaney and TA Bryson talked about the location of fuel tanks and hydraulic tanks on vehicles. Selectman Carter recommended keeping the hydraulic tank away from road salts.

Selectman Swenson provided a couple suggestions for minor corrections.

Selectman Swenson made a **motion** to accept all of the minutes. Chair Delaney **seconded**. The **motion passed** with all in favor.

## **9) Signatures**

- ◆ Intent to Cut for Map 21, Lot 74-297, Thurston

## **10) Town Land Surveyed**

Chair Delaney said he had land surveyed at the "Buswell Property". The property has two parcels / tracts with individual property markers. Eventually, they would have their own property cards. Subdividing was null and void. He hadn't heard anything new regarding legal discussions.

## **11) Public Comment (2 of 2)**

Al Hitchmoth provided photos of the Transfer Station.

Donna Crisp Duclos asked what the topic of the nonpublic session was going to be? TA Edelmann said it was in regards to employee compensation.

## **12) Nonpublic Session (1 of 2)**

Chairman Delaney made a **motion** to enter nonpublic session under RSA 91-A:3 II (a) at 7:58 pm. Selectman Swenson **seconded**. All voted in favor by roll call. The **motion passed**.

The select board discussed employee compensation.

Chairman Delaney made a **motion** to reconvene public session at 8:13 pm. Selectman Swenson **seconded**. All voted in favor by roll call. The **motion passed**.



Chairman Delaney made a **motion** to seal the minutes. Selectman Carter **seconded**. All voted in favor by roll call. The **motion passed**.

### **13) Nonpublic Session (2 of 2)**

Chairman Delaney made a **motion** to enter nonpublic session under RSA 91-A:3 II (c) at 8:13 pm. Selectman Swenson **seconded**. All voted in favor by roll call. The **motion passed**.

The select board discussed property issues.

Chairman Delaney made a **motion** to reconvene public session at 8:24 pm. Selectman Carter **seconded**. All voted in favor by roll call. The **motion passed**.

Chairman Delaney made a **motion** to seal the minutes. Selectman Carter **seconded**. All voted in favor by roll call. The **motion passed**.

### **14) Adjournment**

There being no further discussion, Chair Delaney made a **motion** to adjourn the meeting. Selectman Carter **seconded**. The **motion passed** with all in favor. The meeting was adjourned at 8:25 pm.

Respectfully Submitted,

Kimberley Edelmann  
Recording Secretary

These minutes were approved at the  
Select Board meeting of August 24, 2023.