

**Selectmen's Meeting Minutes
Tuesday, September 8, 2009**

Present: Selectmen Bowles, Ives, and Maxfield.

Also present: Police Chief, Code Enforcement/Compliance Officer Bob Fiske, Fire Chief Jeff Burr, and Transfer Station Manager Steve Bennett.

Chairman Bowles called the meeting to order at 6:30 PM.

- I. Selectman Ives moved to approve the Selectmen's Meeting Minutes of Tuesday, September 1, 2009 as presented. Seconded by Chairman Bowles. Selectman Maxfield abstained as he was not present at that meeting. Majority vote in favor. Motion carried.
- II. Chairman Bowles stated that Board of Permit was cancelled.
- III. The Board met with Police Chief, Code Enforcement/Compliance Officer Bob Fiske.
 - a. Mr. Fiske presented the Board with a copy of a letter of intent from a resident for a Bonded Dealer License. He said it would be for inside sales only. Discussion ensued regarding no cars being allowed to be on site for sales as well as signage issues. Chairman Bowles stated he felt a letter from the actual property owner would be needed prior to any decision being made. Mr. Fiske will advise the applicant that the conditions for the dealer license would be no vehicles on the property, no sign, the requirement of a letter from the property owner, and the notation that this type of business would not stay with the property if the current renter is no longer residing at this residence.
 - b. Mr. Fiske discussed a request from NHMS to have a scissors lift (which is mounted on a trailer) to be placed north of the main gate or south at the small sign. He said the lift is approximately 30 feet high. Mr. Fiske said it will be in place Wednesday through Sunday of race week and there are no lights on it. Mr. Fiske said he suggests that it be lowered at night. Chairman Bowles asked if the lowering at night is going to happen. Mr. Fiske said he is not sure yet, but feels it would happen. Discussion ensued regarding the stability and that this request is only for Wednesday through Sunday of the September 2009 race event.
 - c. Chairman Bowles stated for the record that 2 pistol permits were submitted for signature and approval.
 - d. Mr. Fiske discussed an e-mail he received inquiring about a traffic light at the Chichester Road and Route 106 intersection. Mr. Fiske will respond to the e-mail.
 - e. Mr. Fiske provided the Board with copies of a letter from Mark Furlone, Security Director for NHMS, regarding adjustments and costs associated with the September 2009 race event. The Selectmen discussed the information and stated that they wanted to have Jerry Gappens sign the letter so they can be sure that there will be no issues with the payment. Mr. Fiske discussed the

changes and stated that Merrimack County will be billing the Track directly at \$50.00 per hour and the State Police will be billing directly at \$70.00 per hour instead of the \$43.00 that Loudon bills the Track. Discussion ensued. Mr. Fiske read the following into the record: "September 8, 2009 Board of Selectmen, Enclosed is a copy of confirmation from New Hampshire Motor Speedway regarding manpower dated September 8, 2009 with adjustments from my detailed schedule that I submitted to NHMS on August 31, 2009 and to the Selectmen on August 28, 2009. As you can see, the bank has added manpower and State Police will man X & F lots. Furthermore, there will be no law enforcement screening people entering the Track area to make certain that no paraphernalia or devices enter the grandstands. These people will be used for road closure on Sunday afternoon instead. In summary, the State Police and Merrimack County Sheriff will bill separately at their higher hourly rate as requested by NHMS and not part of the Loudon Police bill. As I stated in my letter to the Board of Selectmen on August 28, 2009, I feel that the vast reduction of manpower as requested by the Board of Selectmen and NHMS is dangerously low and is a major safety concern. Again, I have submitted this reduced manpower schedule under protest. Please advise if you feel anything further needs to be addressed. Sincerely, Robert N. Fiske, Chief of Police." Selectman Ives stated he wanted to be clear that the reduction of manpower was at the request of the Track, and not specifically the Selectmen. He said the Board still feels that safety is the first concern, but that the Track is only willing to pay so much and the Board has to deal with the reality of the business. Mr. Fiske said he concurred.

- f. Chairman Bowles discussed the Intent to Excavate submitted by NHMS for Tax Map 60, Lot 38 and Map 61, Lots 5 and 9. He stated the Board was not prepared to sign the Intent as each lot excavated should have its own Intent to Excavate form. Mr. Fiske stated there are actually four different areas that are being excavated on. He said that Mary Pinkham-Langer from DRA has been contacted and has made herself available to meet with Mr. Fiske and the Track if needed. Mr. Fiske asked if there should be any further action taken at this time pending the receipt of the Intent to Excavate forms. Chairman Bowles said not at this time unless Mrs. Pinkham-Langer finds there is a reason to do something different. He said at that point a letter would be drafted to the Track advising them of what needed to be done. Chairman Bowles said the Board has received e-mails and complaints from neighbors regarding the excavation. He said the Selectmen are asking for the proper paperwork to be filed, the same as anyone else would need to do.
- g. Mr. Fiske discussed the issue brought before the Planning Board of the site development for the Track on L lot. He said it was never looked at until the excavation was done. Mr. Fiske said the only thing on the preliminary plan was to blast the rock out of the area to use it for the drainage, not to alter the area. He said he felt there was over 100,000 square feet disturbed and the slope is more than 25% in his opinion. Mr. Fiske said the Track not only needed the Excavation Permit, they also needed a Site Specific. He said he forwarded a letter to the Track and Mr. Gappens contacted parties involved

and the Planning Board was contacted. Tom Dow, Planning Board Chairman contacted Mr. Fiske and indicated he felt it was an enforcement issue, not a Planning Board issue. Mr. Fiske said he felt it was not an enforcement issue, that he had asked the Track to get approval from the Planning Board. Mr. Fiske said it is his opinion that the plan that the Track had is not what is in place right now. He said he felt that the Track should obtain another application for Site Specific from the Planning Board and has advised them of this. Selectman Maxfield stated that any site work should go before the Planning Board. The Board agreed. Discussion ensued regarding the fact that the Track had come before the Board last Fall and stated that they would go through the proper channels and file the proper paperwork and it hasn't really happened. Mr. Fiske said that a lot of the fill is going to a lot in Canterbury and is not staying on the original piece that is being excavated. He said all they have to do is fill out the Intent to Excavate form. The Board agreed they would see what Mrs. Pinkham-Langer had to say and then advise the Track of what needed to be done.

- h. Chairman Bowles asked if Mr. Fiske had the schedule set for the September race. Mr. Fiske stated that the issue of emergencies or rain extensions would certainly change the cost projections. He said he did not feel good about the changes. Chairman Bowles said he didn't feel good about it either and stated the Town has gone above and beyond to show that they are trying to work with the Track. Mr. Fiske stated that he received correspondence from a Hillsboro Sheriff who expressed his concerns for the safety with regard to the reduction. Chairman Bowles stated that the Selectmen's first concern is safety. Chief Burr stated the Fire Department has made cutbacks and he is concerned with the changes that the Track is requiring.

- IV. The Board met with Jim Pressure, Director of the Concord Regional Solid Waste Resource Recovery Co-operative and Liz Bedard, Consultant to the Co-op.
 - a. Mr. Pressure gave a brief introduction of Liz Bedard as well as himself.
 - b. Mr. Pressure began discussion and visual presentation regarding the Single Stream Recycling process and gave an overview of the history of the Concord Regional Solid Waste Resource Recovery Co-operative. He stated that the Co-op has recently extended their contract with Wheelabrator through 2014 with an option to go to 2018. Mr. Pressure explained that with the Single Stream process the recyclables need to be separated from the actual trash, but do not need to be separated out to individual piles of paper, plastic, etc. He stated that it is more cost effective to recycle than to dispose of trash. Mr. Pressure stated that the tipping fee is scheduled to increase next year and it would be beneficial for all of the towns to increase the recycling efforts and reduce the amount of trash that is hauled away and charged a tipping fee or disposal cost. He said the Co-op has been researching the Single Stream program since 2005. Mr. Pressure said that he expects the 2010 tipping fee for Wheelabrator to go from \$45.90 to \$60.00 - \$65.00 per ton. He stated that there are no new landfills in the State of NH and many of the landfills do not take trash from other communities. Mr. Pressure stated that the Co-op is

looking at constructing a Single Stream Facility at a cost of \$15,000,000.00. He said they will need more recyclable materials than a Co-op community can provide. Mr. Pressure stated that the Co-op communities that are participating can only provide about 15,000 tons; they would need an additional 10,000 tons for a total of around 25,000 tons to make this program work economically. He said if the Co-op does not have the long-term commitment of the base tonnage needed than this program will not be able to move forward. Mr. Pressure stated that the Co-op has the 15,000 tons of recyclables with the towns that have committed to this program so far and stated that Loudon has not committed to the program at this time. He said there are towns not in the Co-op know as “Associate Members” that have committed to joining this program so the Co-op now has approximately 20,000 – 21,000 tons of recyclable materials being committed to this project. Selectman Ives asked if Concord had committed to this program. Mr. Pressure stated that Concord will commit as long as the Co-op can get the 25,000 tons within the next year. Chairman Bowles asked if the tonnage from Concord was included in the 15,000 ton figure that Mr. Pressure had talked about. Ms. Bedard stated that Concord was figured in with the 21,000 tons. Selectman Ives asked where the \$15,000,000.00 to build the facility would come from. Mr. Pressure stated that the Co-op has reserved funds from when they were looking at building a landfill in Canterbury that did not go through. He stated that there was \$15,000,000.00 and approximately \$3,000,000.00 has been utilized for research, engineering, and the purchase of land for this project. Mr. Pressure said that the Co-op has these funds ready for this project. Mr. Pressure stated that the Co-op has meetings scheduled with other potential “Associate Members” such as Hooksett, Hampton, Waterville Valley, Goffstown, Milton, Milford, etc. Ms. Bedard stated there are eleven other towns outside of the twenty-seven Co-op towns that have made a fifteen year commitment to the project. Selectman Maxfield asked if the “Associate Members” would be disposing of both the recyclables and household trash. Both Mr. Pressure and Ms. Bedard stated no, that it is only the recyclables, although the towns would like to be able to also dispose of the household trash as well. Mr. Pressure said there is no room for household trash from outside communities. He stated that the Co-op would own the facility but it would probably be operated by a private company. Mr. Pressure explained the lessons learned regarding having the 20-year agreement with Wheelabrator. Ms. Bedard stated that the contract with the private company to run the facility would be a short contract term to be able to look at the findings and determine if the Co-op could run the facility on their own. Mr. Pressure showed the Board the location where the proposed facility would be and stated that the railroad system runs along this property which could be an asset in the future as moving recyclables by the railroad system is popular in other parts of the country. He stated that this property is in an Industrial Park and not in a residential area. The Board viewed a brief DVD of the Single Stream Recycling process. Ms. Bedard stated that the Co-op Board would meet annually to decide on a cost figure for the recycling tonnage brought to the

facility. This is a fee that the towns would be charged for the processing. If the actual revenue received for the recyclables is over the set amount that the Co-op has determined, the towns would then receive either a credit or payment for the amount over the set price. Ms. Bedard said it is estimated that Loudon would double the recyclables tonnage if they participate in this program which would mean that the additional estimated 250 tons would be removed from the trash sent to Wheelabrator, saving Loudon from paying approximately \$65.00 per ton to dispose of it. Selectman Ives asked if the Co-op had any programs available to promote recycling. Ms. Bedard said that there will be a professionally developed educational program which will include videos, brochures, a website, etc. She said with twenty-three communities already involved in the project, the Co-op felt everyone should be utilizing the same information. Discussion ensued regarding the Merrimack Valley School District participating in a similar project which has reduced the tonnage of trash considerably. Discussion ensued regarding possible benefits of less wait time at the recycling area and an increase in participation for recycling if it is made easier for residents. Mr. Pressure stated that all the Co-op members that join the Single Stream Program will be voting members and will be entitled to all the benefits the Co-op has to offer. Selectman Ives asked what the capacity of the facility would be. Mr. Pressure stated that they are looking at a minimum of 20,000 – 25,000 tons to run and maintain the facility and it can handle up to 70,000 tons with an option to expand. Mr. Pressure advised the Board of all the permits and approvals that have been granted for this facility. He advised the Board that the Co-op was pleased that the vendor selected for the equipment purchase was CP out of San Diego, CA. Mr. Pressure stated that the company chosen to run the facility for the first three-year contract would be Consolidated. He said the building would be a “Leed Certified” building, meaning it would meet the energy and eco-friendly standards with solar lighting in the parking lot, recycled products such as carpeting, high efficiency boilers, pervious pavement, etc. Mr. Pressure stated that Senator Gregg has a request for a grant for \$500,000.00 for this project. Mr. Pressure stated that the project cannot move forward until they have the committed tonnage. Chairman Bowles stated that he feels there are additional costs associated with this proposal and feel there needs to be more research involved before Loudon makes a decision. Discussion ensued. The Board stated that Transfer Station Manager Steve Bennett has done an excellent job with informing the Board of the tipping fee increases and information pertaining to the Single Stream Recycling Project. Chairman Bowles inquired if the Co-op would be replenishing the \$15,000,000.00 fund once the money is expended for this project. Mr. Pressure stated that there will be a need to build a fund for replacement of the recycling facility if the incinerator needs to be replaced or for a Transfer Station for the Co-op on the same site as the Single Stream Facility in the future. Mr. Pressure reiterated that the Co-op is a non-profit organization and they work for the Co-op members. Chip Cochran asked how the Co-op could guarantee to take the recyclables for the period of fifteen

years. Mr. Pressure and Ms. Bedard discussed the findings that by networking and making contacts with various companies they can work together to help each other out. Ms. Bedard stated there were many companies that found themselves stuck with materials when the market dropped because they were only willing to work with the highest paying companies, once the market changed the companies that they refused to work with would not purchase their product. She said the companies that had been willing to work with smaller companies or companies that did not have the highest payouts were still moving product when the market changed because of the working relationship and the Co-op feels this will work for them.

- V. The Board began their review of weekly correspondence.
- a. The Board received correspondence from DES regarding the Clough Pond Dam.
 - b. The Board received copies of correspondence from Attorney Mayer for review.
 - c. The Board received copies of correspondence from Fire Chief Jeff Burr regarding fire coverage at NHMS.
 - d. The Board received copies of an e-mail received regarding excavation issues.
 - e. The Board received copies of the NH Municipal Energy Assistance Program for review. Discussion ensued regarding the energy audit at the Safety Complex, the upgraded windows at the Town Office Building, as well as the hidden costs associated with this particular energy audit. Chairman Bowles said he had hoped that the new Government Energy Committee would be geared towards the general public and it does not appear that is the case. Selectman Maxfield talked about the cost associated with the audit. Selectman Maxfield will contact Trudy Mott-Smith of the Loudon Energy Committee.
 - f. The Board received copies of the August 27, 2009 Zoning Board Minutes.
 - g. The Board received information from Comcast regarding the channel upgrade for the "Redzone".
 - h. The Board received copies of the BTLA response to the Picardi case.
 - i. The Board was reminded of the Workforce Housing Workshop scheduled on Thursday, September 10, 2009 at 7:00 PM at the Chichester Town Hall.
 - j. The Board received copies of an e-mail from Unital thanking the Selectmen for assistance with a mapping issue.
 - k. The Board received a scholarship thank you card.
- VI. The Board recognized Scott Anderson of Lovejoy Road from the audience.
- a. Mr. Anderson discussed his concern regarding non-residents utilizing the Loudon Transfer Station. He said he did not feel that anyone was checking permits and with all the surrounding communities charging to dispose of trash he is concerned that Loudon may be accepting trash from non-residents. Chairman Bowles said that he is at the Transfer Station often and he feels that the employees at the Transfer Station have a very good system in place. He said that while there is the possibility that a non-resident might slip in, the

employees do a real good job keeping track. Chairman Bowles said that one way to tell if non-residents were utilizing the Transfer Station would be an influx in tonnage, which has not happened. Steve Bennett stated that while someone at the Transfer Station may not go directly over to every vehicle to check permit numbers, they have the ability to check license plates to see if they match a permit. He also said that the employees at the Transfer Station quite often recognize the patrons and when they do not recognize someone they go talk with them. Mr. Bennett said he agrees with Chairman Bowles and feels that the tonnage numbers would show an increase if there were non-residents throwing away their trash. He also agreed that there is the chance that non-residents sneak in the Transfer Station on occasion, and said he has had times where he has caught people and advised them they could not leave their trash. It was stated that the tonnage has dropped over the past few years, not increased. Selectman Maxfield advised Mr. Anderson that if in the future he needed to speak with the Selectmen he could contact the office and make an appointment so he would not have to wait until the end of the meeting to speak. Discussion ensued regarding how other towns run their Transfer Stations as well as it being cost prohibitive to hire someone to stand at the gate and check permit numbers. Mr. Anderson said he just wanted to be sure that the town was watching out for this type of activity to help keep costs down. He also discussed the recycling. Discussion ensued regarding recycling and cities and towns that have gone to the pay-as-you-throw program.

Selectman Ives moved to adjourn the meeting at 8:28 PM. Seconded by Selectman Maxfield. All in favor. Meeting adjourned.

THE LOUDON BOARD OF SELECTMEN

Dustin J. Bowles, Chairman

Roger A. Maxfield, Selectman

Steven R. Ives, Selectman