

Minutes for August 21, 2008  
Town of Tamworth  
Selectmen's Meeting

Selectmen Present: William Farnum, John Roberts and Tom Abugelis

Meeting Convened: 4:30

Others Present: Administrative Assistant Cassandra Pearce, Information Director/Selectmen's Office Secretary Leah Valladares, Road Agent Bruce Robinson, Sergeant Shawn Varney and members of the public.

Chairman Farnum opened the meeting with an explanation of the form that he had drafted by Administrative Assistant Cassandra Pearce for the members of the public wishing to voice their complaints regarding the "fog horn" noise from Pinetree Power. It was passed around for those who wished to sign.

**Pinetree Power**

Russell Dowd, Tamworth Pine Tree Power Manager, was in to speak with the board and address the effected residence's regarding the "fog horn" noise. He sympathizes with everyone's concerns and expressed that Pinetree Power is not happy with the current situation. They have always been good neighbors and wish to continue to be. They are continuing to work with the engineers to alleviate the problem. Joe Merrill, Production Manager, also presented an update regarding what the plan has done since the last meeting. They have cut back hours of the equipment's operation from 9am to 10am and 2pm to 4pm during the week and only run the system for a half hour on the weekends. They are progressing with the operation equipment with some positive results and are hoping to cut back the operations even further. They had a meeting with the supplier and they to are trying to come up with a solution on the impact of the surrounding properties. There still are no guarantees at this time. Pinetree Power is asking for patience to resolve this issue and they are continuing to try to reduce the hours to avoid any impact on the community.

*Irene Horn* presented a petition from Tamworth Pines Coop. She also expressed her concerns about the loudness of the "fog horn" and that she heard someone say they could here the horn from Barnstormers.

*Jennifer Pomeroy* also presented petition from Sokokis Pines.

*Marilynn Fawson* from Tamworth Pines Coop, asked if this was temporary situation or something that will go on for a length of time. Mr. Merrill advised they are working on keeping the noise contained to the boundaries of the facility.

*Dave Haskell* questioned hearing the horn from the Barnstormers, was it possible that sound came from somewhere else?

*Roger Olson* of Sokokis Pines advised there was different sound from the plant this morning, more of a hissing noise and then the horn started again. He asked if that hissing

sound was the old procedure? Mr. Merrill explained the hissing noise was caused by a Plant trip, and the safety valve released, which they have no control over. It is a safety device to insure that the pressure in the boiler does not exceed the operating limits. Its not planned event, the plant has experienced an upset condition and that is how the plant resets itself. Mr. Olson also asked: What procedure was used prior to the horn blowing? Mr. Merrill advised they have installed a Selective Catalytic Reduction System. It is a brand new system to the plant, the horn sound is controlled and the hissing noise is not. Mr. Dowd discussed further what could cause the plant to trip off line, how the plant reacts and gave a few examples.

*Ray Horne* of Tamworth Pines Coop, has heard a lot of “if”s, “maybes” & “perhaps”. Did the Plant know this was going to be a noise abatement issue? Was the town aware of the noise? He expressed the sound is an unnatural noise, the plant has been running for years with out it, was there some other alternative means to clean the tubes. Mr. Merrill advised that they are looking at other options, when they installed the equipment they where unaware of the impact it would have. The General Contractor installed the equipment and thru their research it was determined that this equipment was the best option to resolve the situation at the plant at the time. It wasn’t until shortly after the equipment was installed they the impact. They are continuing to narrow down the length of time the equipment will be running and are working with the General Contractor to research other options. Due to the capital investment it is not something that is going to be resolved over night. Mr. Horne also asked if this was the first one in the nation that has this type of noise? Mr. Dowd advised that Sonic Cons or Acoustic Cons is not uncommon and not the first time this type of technology has been used in industrial process. How it has been applied and the environment that we have, it has had an adverse impact and effect. They understand that and are working on a resolution. Mr. Dowd also discussed the fact that other plants that have this type of technology but have applied it differently. Mr. Horne asked if there was a time line and if things don’t work will the plant take a different route? Mr. Dowd advised he did not have an answer and they are still waiting for the General Contractors to do their research. The plant intentions are to take care of the situation. Mr. Horne asked if there had been any decimal reading taken? Mr. Dowd advised there have been all sorts of readings taken. The plants goal is to not hear the noise beyond the plant’s boundaries.

*Mary Labree* of Sokokis pines, thanked Mr. Dowd for being aware and cutting down the frequency, but wanted to go on record stating there are a lot of children in the subdivision who are afraid of the loud noise, it hurts their ears and they do not want to go outside. It also was a big capital investment for all of them to purchase their homes. They would not have purchased a home in that subdivision had they heard the horn, adversely if she were to sell her home the noise would affect the sale. She also asked if the rumors where true regarding lawyers looking into and addressing the manufactures? Mr. Dowd did not have all that information. The reason she asked the question is because it shows that there are further steps being taking to correct the situation. Mr. Dowd believes that if they can come to a resolution, lawyers will not need to be involved.

Selectman Roberts asked if Pinetree Power would come back in two weeks to give the board another update. Mr. Merrill and Mr. Dowd agreed.

*Josh Mazola* of Sokokis Pines asked what is the next step if they are unable to fix the problem and was there an ordinance to prevent this type of noise? Chairman Farnum would not say if there was or wasn't an ordinance on Town record. From what he heard from Pinetree Power is that they do not want this noise to go beyond their property boundary and he feels confident that they will correct the situation. Selectman Abugelis agreed with Selectman Farnum and felt that it is very important that everything is out in the open and discussed as a community. Pinetree Power has always had a pattern of being a good responsible neighbor and is concerned with the situation. This problem will be monitored. Selectman Farnum closed this portion of the meeting. He thanked everyone for coming and invited all to stay if they wished.

Dana Littlefield was in to ask if the Fire Wards were meeting with the board. He was advised that they were not meeting at this time.

### **Department Heads**

Road Agent, Bruce Robinson, has a request from Chris Money Penny to dig across Mason Hill Road for the purpose of installing a power line. Mr. Money Penny was asked to provide a bond in the amount of \$2000.00 to dig the pavement up and replace. Copy was given to the Town. Bruce felt the amount was sufficient for the area to be dug, which will be about 16ft long and 3ft wide and ask the board to approve. Chairman Farnum asked if when Mr. Money Penny planned on doing this? Bruce advised as soon as he received approval from the board. Chairman Farnum asked if others should be notified of the Road being closed and Bruce advised it has not been done in the past and feels that the work could be done with keeping one side of the road open. *Motion was made by William Farnum to approve Chris Money Penny's bond for Mason Hill Road to dig a 16ft trench across the road to lay electrical wire with the provision that one half at a time be done to keep the road open for traffic, seconded by John Roberts and passed unanimously.*

Bruce met with Ed Bergeron last Monday regarding the insufficiency at the Union Hall Road and a copy was given to the board for review.

The board reviewed the employee schedules with Bruce regarding the work that will be done in the next couple of weeks. Bruce asked when would the one-ton be arriving, Selectman Roberts informed him it would be sometime next week. Selectman Roberts asked if there was any road work that could wait until the end of next week in order for the Highway crew to use the new one-ton in order to stay within the budget. Selectman Roberts inquired if the radio had been installed in the loader, Bruce advised it had been installed. There was a discussion regarding pricing of the sand sealing, Allstate Asphalt agreed to maintain the August pricing and Bruce will call in the morning to obtain a schedule. Selectman Roberts asked if he would call Cassandra in the morning with the information so she may post a public notice in the paper when the sand sealing will take place.

The sand seal contract from Allstate Asphalt was reviewed and discussed by the board. Selectman Abugelis asked Bruce if he thought the terms in the contract was what was needed. Bruce advised he did think the terms were what was needed.

Chairman Farnum returned the discussion to the Union Hall Road inspection from Ed Bergeron. Mr. Bergeron was in to discuss with the board his recommendations to change the profile of the walk in order to address the insufficiency that had been reported. The board agreed to have the insufficiency on Union Hall Road be addressed per Ed Bergeron's recommendations and advised Bruce to order materials the next day.

The discussion continued to the sand seal contract with Allstate Asphalt, Inc. to repair Great Hill Road, Gardner Hill Road, and Depot Road totaling 65,530 square yards with a unit price of \$1.40 per yard. Total contract price of \$91,742.00. There was further discussion about the contract. *Motion made by John Roberts to enter into the contract with Allstate Asphalt, Inc. from Penacook to do a seal coating for the sum of \$91,742.00, seconded by Tom Abugelis and passed unanimously.*

### **HEB Ed Bergeron – Cleveland Hill Rd**

Ed Bergeron gave the board an update on the Cleveland Hill Bridge project. He also gave the board and Bruce a survey base map to review. They plan on digging test pits tomorrow. The survey is stamped preliminary due to a few more drawings that need to be added. They plan on applying for DES permit as soon as possible, but probably would not be received till December. Next step for the project will be to design the foundations and put it out to bid.

There was a brief discussion regarding the utilities at the landfill. Mr. Bergeron gave the board a miscellaneous general on call engineering agreement for little things that may pop up, for their consideration.

Selectman Roberts inquired if HEB did the work in Wolfeboro and briefly discussed that project.

Selectman Roberts asked Bruce what the status was with the washouts, Bruce advised everything has been taken care of.

Administrative Assistant Cassandra Pearce asked Bruce again about the FEMA information she needed and Bruce advised he will get that to her tomorrow.

### **Public Comment**

(Selectman Abugelis removed himself from the table).

Pat Farley asked how the Chocorua Village project was going?

Cassandra Pearce gave her and the board an update from the construction meeting that took place earlier on that day. They also discussed the change order and the budget, with a suggestion from FST to remove some trees. Tom Abugelis expressed some concerns he had with the trees currently on the plan. There was further discussion about the trees and

other items that had brought the project over budget. They also discussed which trees could be removed to bring the budget back on target. *Motion was made by John Roberts to approve the change order for the Chocorua Village Project from Nelson Communications, reference change order number 1, second by William Farnum and passed by 2-0 votes.*

Cassandra asked Pat Farley if she could have a copy of the information requesting more money from the state for the project files. Pat advised she would find out who is in charge of that paperwork and get her a copy.

The board reviewed a request for an extension from Nelson Communications. Tom Abugelis express concerns as an abutter about the extension. He felt that 6 ½ days was a reasonable request and hopes that it doesn't extend beyond that time. He was also concerned that at the end of the project some items would be missed. He was advised that at the end of the project, all parties involved would go thru the punch list to make sure it was completed in its entirety. *Motion was made by John Roberts extend the Chocorua Village Project from August 25<sup>th</sup> to September 4<sup>th</sup> with final completion no later than September 15<sup>th</sup>, seconded by William Farnum and passed by 2-0 vote.*

Further project updates and completions were discussed. Pat Farley thanked the board for addressing her questions. (Tom Abugelis returned to the table.)

Dave Haskell inquired about a Yield sign being placed at the Veterans Memorial. There was further discussion and the board felt strongly that a sign was needed to help direct the public as to who has the right of way. Don Pepin asked where the sign was to be placed; he was advised that the Yield sign is to be installed where the marker currently exists for those coming from Rte 113 into town. Dave Haskell asked to have Trustees of the Trust Fund and the Veterans Memorial Committee come in to discuss the sign before the board preceded any further. Chairman Farnum did not believe this was necessary. The board made the decision to place the sign.

*Motion was made by William Farnum to enter into Non Public RSA –91 A: 3 II A & C At 6:10, seconded by John Roberts and passed unanimously.*

*Motion was made by William Farnum to exit Non Public at 6:34pm and seconded by John Roberts and passed unanimously.*

(Tom Abugelis removed himself from the table)

### **Chocorua Village Project**

Judith Reardon expressed the speed concern coming into the village and asked who was responsible for monitoring the speed. Dave MacNamara informed her that the cones would be placed back on the road to help reduce the speed.

Dave MacNamara discussed the Chocorua Project Change orders that the board approved earlier on in the meeting. The board also discussed the change in the slope for the handicap area, the lighting and the approval for the extension.

Tom Abugelis asked if there was going to be a topcoat on the road and what was the plan for the areas that have settled? Dave advised there would be a topcoat and the areas that have settled will be redone and properly paved by the end of the project. Selectman Roberts asked if there have been any compaction tests done, Dave advised him that there has and in the next few days it will be corrected.

There was a discussion regarding FST's extra's that had been submitted. There still needs to be further discussion with the state and Donna to make sure there will be grant money available and the project remains within budget.

(Tom Abugelis returned to the table)

### **Administrative Matters**

A request from the Federal and State Forest Land for the town's values for Federal and Forest Land was presented to the board for them to sign.

Jesse Lyman Heating contract was reviewed. *Motion was made by William Farnum to approve the heating oil contract for 2008/2009-season with Jesse Lyman at 3.869 per gallon, seconded by John Roberts and passed unanimously.*

Equipment logs were reviewed and discussed. The board would like to see the hours of equipment be filled in and asked Cassandra if she could ask Bruce to include the hours from the hour meter of the equipment and the vehicle inspection. The schedules were also reviewed and discussed.

Selectman Farnum informed the board that John Gilmaro from the Town of Winchester, along with a couple of selectmen and a few planning board members are trying to site a bio mass plant in their area. They would like to meet with the board to talk about the Town's experience with Pine Tree Power Plant. The board agreed to tentatively meet with them on Sept 8<sup>th</sup>.

Presented for approval were the minutes from the August 7<sup>th</sup> meeting.

*Motion made by John Roberts, seconded by Tom Abugelis and passed unanimously.*

Presented for approval were the minutes from the August 14<sup>th</sup> meeting.

*Motion made by John Roberts, seconded by William Farnum and passed by 2-0 votes. Tom Abugelis abstained from that vote due to not being present.*

The board reviewed utility values received from the state.

The board had another discussion regarding the Pinetree Power plant noise.

Request of the extension for the MS1 was presented for the board's signature.

*Motion made by William Farnum to file an extension of the MS 1, seconded by Tom Abugelis and passed unanimously.*

Cassandra informed the board that the new one-ton, with a plow, for the Highway Department should be here sometime the middle of the week.

A message was left with Doug Kemp of DES regarding the transfer station attendants.

Cassandra asked the board if Ron Moore's driveway on Washington Hill Road had been addressed. Selectman Roberts advised that it was and Mr. Moore was pleased.

There will be a conference call tomorrow regarding driveway and private roads and their effects on the town regarding emergency management. Julia from the State would like someone from the town to be part of the conference. Due to prior engagements, no member of the board is available to attend, and they asked Cassandra if she would take part in the conference call.

Cassandra advised the board that the Landfill had been mowed.

*Motion made by William Farnum to enter into Non Public session under RSA- 91: A, C, & E at 7:47pm, seconded by Tom Abugelis and passed unanimously.*

*Motion was made to exit Non Public session at 9:19pm by William Farnum, seconded by John Roberts and passed unanimously.*

A building committee meeting was scheduled for Monday, August 25, 2008 at 6:00pm.

*Motion was made to adjourn at 9:20pm by Tom Abugelis, seconded by John Roberts and passed unanimously.*

Respectfully submitted,  
Leah Valladares  
Information Director/Selectman's Office Secretary

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William Farnum, Selectman Chair

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John Roberts, Selectman

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Tom Abugelis, Selectman