

Northumberland Public Meeting July 11<sup>th</sup>, 2016

Present: Selectman James Tierney Jr., Chairman James Weagle, CMA Engineer Britt Audet, Water & Sewer Supervisor Reggie Charron, Project Administrator Robin Irving, Thomas Dittman

The Chairman opened the meeting at 1:05 pm.

Tom Dittman inquired about the reason for a public meeting. His idea was to have an informal working group discussion. Selectman Tierney explained that it must be a posted meeting by statute. The topic would determine whether it is public or non-public. Tom Dittman indicated that the topic would involve a potential land transaction/negotiation. The board members determined that the issue fell within the definition of non-public section 91:A-3(II)(d) and the Chairman closed the public sessions and opened the non-public session. Britt Audet, Robin Irving and Reggie Charron remained in the non-public session as their input was material to discussion of the water-sewer project affecting Mr. Dittman's property. Mr. Dittman explained that he did not know that the bond project would affect his property until he was sent by Robin Irving a request for a temporary construction easement. Upon receipt of the easement request, Mr. Dittman requested copies of several documents including town meeting minutes regarding the bond and project plans. He has reviewed these documents and now requests status of the project.

Britt Audet explained that Phase 1A is in progress. Phase 1A entails directional drilling and burial of the water and sewer mains under the river; the mains will not be connected during this phase of construction. Phase 1B was bid out and was separated into two bids, a base bid and an alternate bid. The base bid includes the replacement of water and sewer mains on Brooklyn Street, Winter Street and Roaring Brook Drive. The alternate bid includes installation of the water line from the reservoir tank within the Reservoir Road right-of-way. The reservoir tank is the only storage serving Groveton. The existing access road right-of-way served the old reservoirs and by default serves the existing storage tank. The Reservoir Road installation is a single water main installation into the access road right-of-way. The existing right-of-way down the mountain behind the Charron residence would be cut and capped. There has been some discussion of future use of this line in order to create a loop. By replacing the mains, the intent is to rid the system of lead joints as well as create a system of loops capable of isolating smaller segments in the event of systemic failures.

Following discussion of scope and purpose of the water/sewer project, Tom Dittman stated a number of conditions. First, Mr. Dittman wants language in the easement that defined the dimensions of the easement. He confirmed with the engineer that the 'centerline of pipe' to be equivalent to 'centerline of road.' He requested added language that the 'centerline of pipe will not exceed +/- 5 feet from the centerline of the road.' Second, Mr. Dittman wants language that the "grantor agrees to not establish trees, buildings, ornamental shrubs..." instead of having a clause that makes the grantor responsible for such after completion of construction. Third, Mr. Dittman wants a clause included that the "Town will replace any gates and posts." Reggie Charron confirmed that there is a gate near the tank at the top of the road. Last, Mr. Dittman wants the road gated at the entry. There may be some conflict with the

abutter, Borowski, if there is a gate at the bottom and it restricts access, but the affected landowners can be provided keys.

Tom Dittman produced documentation for the Town to review: a deed dated 1975 from Covell to the Town of Northumberland, and a plan illustrating said deed. Although this deed was provided to York Land Services when the water/sewer project plan was devised, the ownership of the land surrounding the existing main down mountain and the land surrounding the tank was overlooked. The 1975 deed indicates that there is approximately 6 acres around the tank and 1 acre around the distribution main that was conveyed to the Town of Northumberland. Mr. Dittman does not want this parcel encumbered in the event that he intends to sell the property. He proposed a swap wherein the Town of Northumberland conveys both land parcels to Mr. Dittman and in return he will grant the easements. He does not feel confident signing the temporary/permanent easements until 1) the land is conveyed from the Town to him, and 2) the conditions outlined above are addressed.

The Town's concern is that they may not get authorization to award the construction bid or notice to proceed without the easement issues fixed. The option is to not award the Reservoir Road alternate bid now and postpone it until these legal issues are satisfied, or not award it at all and keep everything status quo.

Mr. Dittman stated that he would be back in Northumberland on the 20<sup>th</sup> of July for approximately a week. He again will be back in town on the 8<sup>th</sup> of August. He hopes to wrap things up during his stays.

Mr. Dittman left the meeting and the Chairman closed the non-public session and entered the public session at 2:05 pm

Robin Irving stated that the conveyances, rights-of-way, mapping and plans must all be thoroughly researched. Britt Audet recommended that Burke York from York Land Services be notified of the discrepancies and have him conduct the title search. Robin Irving stated that she would contact Jane Sanders as well. Selectman Tierney suggested that Robin Irving contact legal as well. The team may need to re-think strategy as this could lead to loss of a substantial amount of grant money.

Meeting was adjourned at 2:30 pm.