

Minutes of the Westmoreland Selectmen's Meeting

Thursday, April 20, 2023

BOARD MEMBERS PRESENT: Frank Reeder, John Snowdon, and Bill McGahie.

1. The meeting was called to order at 6 pm by Frank Reeder
2. Approval of Minutes: April 20, 2023. Motion was made by John Snowdon, seconded by Bill McGahie to accept the minutes as printed. Motion passed 3-0
3. Accounts Payable: Motion was made by Bill McGahie, seconded by John Snowdon to Approve Manifests for: General Fund \$25,020.18 Motion passed 3-0.

4. Guest:

Dave Allen, General Manager, Casella Waste Services

- Acquired Triple T April 3, 2023
- Rates seem fair and shouldn't change for 1st year
- Paper and Cardboard continue going to Keene. Commingled to Brattleboro, weighed, then to Rutland, VT facility. Last month \$202 per ton. Value of materials then deducted from cost.
- Commingled is most cost effective. Separating glass value gained used up in shipping cost since glass is heavy.
- Improving the quality of sorting won't have an immediate impact, but helps work towards efficiency. Efficiency helps reduce cost.
- Trash is currently going to Plattsburgh, NY. VT requires a waste management plan to go into waste sites.
- Richard Meyer - Does Casella manage small towns? Allen - Can, but would rather work with Town using Town's staff

Land-use Boards

Planning Board - Lauren Bressett, Bruce Smith, Alison, Fissette, Liana Capra, Kristen Riley

- Joint hearing with the Zoning Board in May. The Planning Board Clerk will do notifications and abutter letters. Zoning Board to provide what they need in letter. Hearing required to take place at Planning Board Meeting. Zoning would go first and if approved will proceed to the Planning Board.
- Flow charts for zoning and planning procedures currently being worked on. Criteria to match tables in ordinances
- New Zoning Administrator, Laurie Burt. Alison will meet with Laurie and set her up to use ZBA email.
- Master Plan preliminary survey question #1 had 109 residents respond. The Master Plan committee will work to increase the number of responses once they begin working on actual surveys. Mark Terry volunteered to set up a table to solicit email information from residents at the Old Home Day event.

Zoning Board - Mark Terry

- Zoning Clerk needed to help residents prepare for meetings, prepare mailings and notices as well as take meeting minutes.
- Reeder - Zoning members will need to perform duties until a clerk can be found

Conservation Commission - Marshall Patmos

- Researching biosolids being used on farmland. RMI categorizes PFA levels on what is being used
- Commission can provide resources for Master Plan such as maps, land and water inventory and trail information
- Organized roadside clean-up Saturday, April 22
- Goodrums Crossing Realty conservation still in the works
- Joint Rivers 40 year hydro power review in process. Joint Rivers is aware of biosolids being used on farmland abutting the Connecticut River.

5. Old Business

- A. Zoning Violations - Fissette - What is being done to follow up on zoning violations that have not been corrected? Reeder - need to have a policy in effect to be sure all violations are handled consistently and fairly. Once policy in place fines or any other action can take place.
- B. Harvey Pond Dam
- Tom Finnegan notified NHDES of potential dam issues resulting from severe tree damage after the March 14th storm.
 - Dam is seeping water at N.E. corner at surface level.
 - Lorilee Mather, NHDES Dam Safety Engineer, met with Finnegan, members of selectboard, and the road agent to look at the dam. She determined the dam to be marginal for state purview. Mather's said the pond was man-made and suggested that the best way to prevent erosion and road damage is to remove the dam and pond then let the environment change over time. Culvert, standpipes, barriers would be a temporary fix and cost the property owner a substantial amount.
 - NHDES will send Town the engineers results.
 - Reeder - Town will contact the audubon society and make them aware of what NHDES is suggesting
- C. Tree Trimming - Anything more than 4" in diameter and more than 4' high requires permission from the property owner. Road crew does cut brush along the roadside, but anything over 4" diameter and taller than 4' would require permission even if in the right of way. Property owners are responsible for trees with issues or disease if they fall. Reeder - Town will write a letter to Eversource asking for them to be more aggressive with trimming to help prevent downed limbs and power outages.

6. New Business

Signature Approval was given for the following:

Payroll 4/18/2023	Appointment of Welfare Officer	Invoice Cloud \$19.20
Payroll Taxes 4/20/2023	- Elaine Moore	Drop Box \$11.99
Timber Tax Warrants (3)	Nomination of Health Officer	Eversource \$272.27
Intent to Cut Timber	- Scott Talbot	General Journal #831
Pistol Permit		-Close FD Facility CR

- A. Motion made by Frank Reeder and seconded by John Snowdon to accept donation per RSA 31:19 for the Town Common Gazebo Fund in the amount of \$1000. Motion passed 3-0
- B. Motion made by Frank Reeder and seconded by John Snowdon to accept donation per RSA 31:19 for the Cemetery Trust Funds in the amount of \$400. Motion passed 3-0
- C. Selectboard meeting days and times - After brief discussion based on attendance meeting times will not change. First meeting of the month will be at 1pm and the second at 6pm. Days

will change from 1st and 3rd Thursday to 1st and 3rd Tuesday of the month beginning with the first meeting in May.

7. Correspondence

NHDOT - Update to NHDOT LPA Project Management Options (see attached)

8. The meeting was adjourned at 8:15 pm.

Respectfully submitted,

Jodi Scanlan

Town Administrator

NEXT MEETING TUESDAY MAY 2, 2023 1:00PM
MINUTES ARE INITIALLY POSTED AS UNAPPROVED
SELECTMEN SIGNATURES DENOTE APPROVAL

BOARD OF SELECTMEN

Frank Reeder, Chairman

John Snowdon

William McGahie



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Commissioner

David Rodrigue, P.E.
Assistant Commissioner
Andre Briere, Colonel, USAF (RET)
Deputy Commissioner

Date: April 17, 2023

To: Local Public Agencies (LPA's) & Consultant Community (ACEC)

From: Bureau of Planning and Community Assistance
New Hampshire Department of Transportation (NHDOT)

Re: Notice 2023-03: Update to NHDOT LPA Project Management Options

Dear Local Public Agencies (LPA's) and consultants interested in working on LPA projects. We are writing to provide additional details related to the NHDOT Direct Managed LPA project process from our original Notice #2020-03 issued in May of 2020. That previous notice mentioned 3 options for LPA project management:

- 1) Locally Managed
- 2) Prequalified Engineering List
- 3) NHDOT Direct Managed

Option #1 "Locally Managed" is the current LPA Federal or State process and continues as the most feasible option for communities based on the large number of LPA projects statewide (approximately 300 projects) and NHDOT's relatively small Community Assistance staff of 7 project managers.

Option #2 "Prequalified Engineering List" has been developed and allows the LPA to select from NHDOT pre-qualified lists of firms capable and experienced in advancing LPA projects for both Preliminary Engineering and Construction Engineering. For this option, the LPA would review NHDOT's pre-qualified list, solicit proposals from at least 3 firms, review, and rank proposals, hire the consultants, pay the bills, and seek reimbursement from NHDOT. This option is very similar to option #1 but would save time up front during the consultant selection process and help ensure communities are working with qualified firms. The pre-qualified list of firms can be found on our website here: <https://www.nh.gov/dot/org/projectdevelopment/planning/lpa.htm>

Option #3 "NHDOT Direct Managed" limited to certain projects as noted below, would allow the LPA to agree in writing to let the NHDOT manage the project for them. For this option, the NHDOT would collect the municipalities share of project costs, typically 20% for most projects plus a management fee, upfront in advance of milestone phases. The NHDOT would manage the LPA project thru one our "on-call" consultants and directly pay the bills with Federal and/or State dollars as well as previously collected local dollars.

As part of the NHDOT Direct Managed process, the NHDOT would charge a fee for our management services. The following table illustrates the fee to be charged on a hypothetical \$3,350,000.00 LPA project using 80% Federal funds and 20% Local funds:

Prior to Advertising Bids for Construction	Local share of Construction phase cost including management fee, as well as update engineering and right-of-way costs.	\$660,000.00 in example above
Prior to Project Completion	Any remaining participating local share including but not limited to change orders during the construction phase. If costs are less than anticipated, the LPA will be refunded any balance due.	Unknown until end of project

With respect to the payment noted in the table above, NHDOT typically sees most LPA projects increase in cost as the project is designed and more detailed information becomes available. The local share collected prior to advertising your project for construction bids will likely be higher than the amount estimated in the original agreement executed at the beginning of the project. LPA's will need to be aware that the NHDOT will not be able to advertise your project for construction bids if we are unable to collect the updated local share determined at the end of design and prior to bidding.

As NHDOT staff, resources, and on-call consultants are limited, the NHDOT is focusing this NHDOT direct managed option to small LPAs with limited staff and experience in managing federal and state funded infrastructure projects. In addition, we are limiting this option to project's estimated to cost over \$2.5 million dollars.

The Bureau will continue to provide additional updates related to the NHDOT direct managed LPA project process and gladly take feedback from stakeholders involved in the LPA program. Please refer any questions or concerns to either C.R. Willeke or Bill Watson.

C.R. Willeke, PE
Municipal Highways Engineer
Bureau of Planning and Community Assistance
603-271-6472
Charles.Willeke@dot.nh.gov

Bill Watson, PE
Administrator
Bureau of Planning and Community Assistance
603-271-3344
Bill.Watson@dot.nh.gov

Programmed Year of Advertisement 2030	Participating Federal Share 80 %	Participating Local Share 20 %	Additional Non- Participating Funds	Total Budget
Preliminary Engineering	\$240,000.00	\$60,000.00	\$0.00	\$300,000.00
10% Department Management Fee	\$24,000.00	\$6,000.00		\$30,000.00
Right-of-Way	\$40,000.00	\$10,000.00	\$0.00	\$50,000.00
10% Department Management Fee	\$4,000.00	\$1,000.00		\$5,000.00
Construction	\$2,400,000.00	\$600,000.00	\$0.00	\$3,000,000.00
10% Department Management Fee	\$240,000.00	\$60,000.00		\$300,000.00
Total Project Cost (no fee)	\$2,680,000.00	\$670,000.00	\$0.00	\$3,350,000.00
Total Management Fee	\$268,000.00	\$67,000.00		\$335,000.00
Total Agreement	\$2,948,000.00	\$737,000.00	\$0.00	\$3,685,000.00

As shown in the example, the 10% NHDOT management fee of \$335,000.00 is split the same way as the project's overall funding, in this case \$268,000.00 is billed to Federal Highway and \$67,000.00 is collected by NHDOT from the LPA (2% of project costs prior to fee being applied).

The LPA's schedule for payments to NHDOT by the municipality will be based on the phase of work:

LPA Payment Schedule to NHDOT	Percent Due NHDOT	Hypothetical Amount
Beginning of Project (Project Agreement Execution)	Local Share of estimated Preliminary Engineering phase costs including management fee.	\$66,000.00 in example above
Prior to Beginning Right-of-Way Phase	Local share of estimated Right-of-Way phase costs including management fee and updated Preliminary Engineering phase costs.	\$11,000.00 in example above