

SELECT BOARD MEETING MINUTES

May 29, 2020

There was a special safety meeting of the Select Board held Friday, May 29, 2020 at 1:00 p.m. The meeting was held by remote teleconference.

PRESENT: Tom Brady, Chair; and Cindy Silver and Kevin Meehan, members comprising a quorum of the board.

ALSO PRESENT: Kathi Marshall, Assistant to the Select Board. Kevin Kaveny of the Department of Environmental Safety and Paul Ingersoll, Jefferson Health Officer, were also present.

Tom Brady called the meeting to order at 1:00 p.m. and read the following statement:

As Chair of the Jefferson, New Hampshire Select Board I find that due to the state of emergency declared by the governor as the result of the COVID-19 pandemic and in accordance with the governor's emergency order #12 pursuant to executive order 2020-04 this public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this meeting which was authorized pursuant to the governor's emergency order. However, in accordance with the emergency order I am confirming that we are:

- A. *Providing public access to the meeting by telephone, and we are utilizing a telephone service so all members of the Town of Jefferson Select Board have the ability to communicate contemporaneously during this meeting through this platform. And the public has access to listen and, if necessary, to participate in this meeting by dialing the following phone number: 1-866-678-6823 and needing ID number 8959399 followed by the pound (#) sign.*
- B. *Providing public notice of necessary information for accessing the meeting. We previously gave notice to the public of the necessary information for accessing the meeting including how to access the meeting telephonically. Instructions have also been provided through the Town of Jefferson's website www.jeffersonnh.org*
- C. *Providing a mechanism for the public to alert the public body during the meeting if there is a problem with access. If anybody has a problem please call 586-4553 or e-mail townnofjefferson@myfairpoint.net.*
- D. *During the meeting if the public is unable to access the meeting. In the event the public is unable to access the meeting they will be adjourned and rescheduled.*

Please note that all votes that are taken during this meeting will be done by a roll call vote, so let's start the meeting by taking roll call attendance: Chair, Tom Brady, "present." Select Board member Cindy Silver, "present." Kevin Meehan, Select Board Member, "present."

Safety Issue at 25 Meadows Road

Prior to the meeting it was brought to the attention of the Select Board that raw sewage was appearing on the surface of property owned by Forrest Hicks. Kathi contacted the Department of Environmental Safety, and Mr. Kevin Keveny asked Jefferson's Health Officer, Paul Ingersoll, to make an on site visit to the property. Paul did a thorough inspection, took photos and also spoke with the resident at the source location.

In 2014 this resident was instructed to have a septic system installed on their property. A system was designed by Cathy Conway, but ultimately the system was never installed.

Paul said he received the complaint from Kathi in the office and from Kevin at DES. He said upon his investigation he can confirm there is sewage coming onto the surface from that source. He reiterated there was an order in 2014 to install a septic system, but it was never installed. Paul submitted the report to DES and to the town, and was seeking options as to how to move forward.

Kevin Keveny of DES informed the board that he had a conversation with Cathy Conway who confirmed she was contracted by the home owner in 2014 to install a septic system, and the system was never installed. Since that time the application and the approval of same have expired. Under normal conditions when someone applies for a septic system and submits the application, once approved it is good for four years. After four years the applicant must reapply.

Kevin Kaveny also stated that at this time sewage is being deposited on the surface land, and it must be addressed immediately. With failed systems they must be addressed within 90 days.

Tom said the town would like to get this resolved immediately with the system that was originally designed to go there. He asked how quickly a new application could be approved, and Kevin Kaveny told him it could go through in a day.

Tom told Mr. Kaveny the town would like to be as considerate to the resident as they possibly could. They did not want to make her vacate her home since she is physically fragile, and that would have a huge impact on her.

Tom asked if DES could help with expenses on this project, but Mr. Kaveny said there was nothing available to assist the town of Jefferson. The town will have to pay the \$300 application fee as well as the cost of the septic system installation.

In order to help the resident stay in her home, Kevin Kaveny suggested the home would be hooked up to the septic tank so it could act as a holding tank until the whole system was completed. Would have to be done in order for DES to feel comfortable the discharge to the surface was being addressed.

Tom said we would run the entire procedure by our legal counsel, and they could write the letter stating the system would be installed and that there would be lien put on her property. She will have to sign the legal papers, or she will be forced to vacate the property.

Kevin Meehan made a motion to give Kathi permission to contact Cathy Conway to have her redo the design and application for the septic system, and for Kathi to prepare a check in the amount of \$300 for the application. He also moved for Kathi to contact the town's legal team to ask them to draw up legal papers for the landowner. Cindy seconded the motion. Tom took a roll call vote. Kevin voted "aye," Cindy voted "aye," and Tom voted "aye." The motion carried.

Paul suggested that someone speak with the resident before the legal papers are served to let her know what the town is planning in order that she may stay in her home. Tom asked Paul if he would mind being the go-between for the board. Paul said he would be happy to do it, as he wants to make sure nothing surprises her. He wants to assure her the town is trying to help her. According to RSA 147 the town can take care of the issue without the landowner's permission, and he is trying to present this solution, and the benefit to her and her family.

Adjournment: Cindy made a motion to adjourn the meeting. Kevin seconded the motion. Tom took a roll call vote. Cindy voted "aye," Kevin voted "aye," and Tom voted "aye." The motion carried.

The meeting adjourned at 1:40 p.m.

The next meeting of the Select Board will be Monday, June 1, 2020 at 7:00 p.m. The meeting will be by remote conference call.

Respectfully submitted,