

APPROVED

Town of Grantham - Board of Selectmen Regular Meeting Minutes November 9, 2011

The regular meeting of the Board of Selectmen was called to order at 5:04pm on Wednesday, November 9, 2011 by Chairman Warren Kimball. The meeting was held in the Grantham Town Building, Jerry Whitney Memorial Conference Room at 300 Route 10 South.

Present: Chairman Warren Kimball; Selectman Constance Jones; Selectman Ken Story; Administrative Assistant Melissa White; Town Administrator Becky Newton; Fire Chief Jeremiah Fountain; Deputy Fire Chief David Beckley; F.R. Osgood; Michael Whipple; Joey Holmes; Alden Pillsbury; Peter James; Danielle Godin (Parent); William Godin; Arthur Magowan; Police Chief Walter Madore; Nathan Huckins; Brian Hastings; Kevin Barton; Angel Barton; Eliza Whipple; Richard Monica; Linda Monica; Robert Lewis; Eva Duffy; Bruce Hosmer; Michael Martin; Keith Filiault; Margaret Cyphers; Jack Wallace; Elaine Pillsbury and others

MOUNTAIN ROAD PUBLIC HEARING:

Chairman Kimball welcomed those in attendance and informed the Board would hear public input to declare Mountain Road an emergency lane under the state statute.

Administrator Newton explained that after Tropical Storm Irene, a petition was received to declare Mountain Road an emergency lane. Newton stated that the storm was a 500-year flood event in Grantham and caused significant damage to the road. Newton read the law, RSA 231:59-a Emergency Lanes (attached to these minutes).

Mountain Road resident Richard Monica read the following:

We, the residents of Miller Pond Road (A.K.A. Mountain Road) ask the Selectmen of the Town of Grantham to declare this Class VI Road to be an emergency lane under state law.

This road used to serve a few residences and a few other users. Now the use of this road is much heavier and it is used by many different people for many different purposes. As the town and surrounding areas grow the road will be used by more members of the public. Towns grow, roads grow, Miller Pond Road has grown in its history, and it's time to grow a little more.

This road provides easy access to woodlands including the tract of land known as the Grantham Town Forest. It provides access to the Old Town Cemetery. It is open for general public use and the public uses it extensively. This use is by hunters, hikers, four wheelers, folks in four-wheel drive vehicles, mountain bikers, snowmobile's, sightseer's and anyone else who cares to use it or gets lost up there. The town's history is from up this road. For those who may not know, the big white church in town was moved from up there.

The town has allowed the snowmobile club to improve parts of the road beyond the last residence on the road. The town has also granted permission to a group or club of hikers and

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mountain bikers to cut hiking trails into the town forest for public use. At the present the town itself is using this road for a logging operation just beyond our residents' homes, and to talk about a safety issue, let alone the loggers that are working for the Town of Grantham. Today there was a fifth grade field trip on a school bus to the warming hut to view this logging operation.

In maintaining this road the residents are conferring a benefit on the numerous members of the public who use it. The use by the public entails more maintenance than would be the case if just the residents on the road used it. The responsibility of maintaining Miller Pond Road causes undue burden and hardship on the abutters for at any given time of year when maintenance needs doing, not all residents can afford to put in their share of the costs, of course, it is also unfair that these residents pay taxes at the same rate as people who own homes on town maintained roads.

If granted, this request under the provision for emergency lane status will ultimately assure access by safety services to the snowmobile hut (which has burned twice in recent years) and the whole trail and road system beyond the six residences on this road in the event of fires, injuries or other problems out there. This interest is different from and is much more substantial than the benefits that would come to the residents.

Granting this request would not put the town at any greater risk of liability. The statute authorizing this says that it "shall not be construed to create any duty or liability on the part of any municipality, toward any person or property".

I'm sure some of you are concerned about cost so I measured the maintained portion of Miller Pond Road in half mile increments and counted homes. There are 5.25 houses per half mile, Mountain Road has six homes in three tenths of a mile and as we pay the same tax rate we already pay into the Highway Department and we are not talking about making a super highway. I'm sure our taxes already cover the costs and looking at the town report the Highway Department can and does end the year with a surplus of funds, that would more than cover the maintenance cost.

As far as setting a precedent about this type of road for this road; the precedent has already been set from the history of the town, the growth of Miller Pond Road, its past and the use of this road.

For the safety and the welfare of the town and the public, how can there not be a public need as this road serves more of the public than it does of the residents.

Thank you, you can only vote yes.

EMD Osgood stated he was reading two memo's addressed to the Board of Selectmen and Town Administrator dated September 1, 2011 and September 8, 2011, so residents would understand what he did in response to Tropical Storm Irene. The memos are attached to these minutes.

Peter James asked if the issue was about a onetime repair following Tropical Storm Irene or if the repairs would be to bring it up to Class V road standards.

Newton stated she sees this as a onetime repair; that if the Town makes any repairs to it, it would revert to a Class V road and the Town would have to maintain it. Newton clarified that it's not

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the Town's intention to maintain the road.

Mr. James asked if the town has any intention to provide winter maintenance on the road. Newton said no; but residents could file a petition for Town Meeting to bring the road up to Class V standards.

Angel Barton, referring to Osgood's memo dated September 8th, confirmed she did call 211 (after Tropical Storm Irene) because there were tree branches in the middle of the road. Barton said she was thankful for the work the Town did but the road was still in poor condition.

Barton said it was her understanding that the residents of Mountain Road were just asking for it to be maintained the same way Miller Pond Road is and reiterated the road is used extensively by the public now.

Newton said she received two estimates to repair the road and both were close in price. Newton said there is about \$25,000 worth of restoration work that needs to be done to the road; that public assistance was available through FEMA which would require the Town to hire the contractor but the work would have to be completed by December 25, 2011. Newton said FEMA would reimburse the Town 75% of the cost of the repairs and the six or so residents that live on Mountain Road would reimburse the Town the other 25%. Newton said the project would be no cost to the Town in the end.

Barton said the Town owns land on the road and asked if they would be paying a share of the costs. Newton said that other municipalities recommended against contributing toward the cost of repairs because it would give the impression the Town is trying to improve the road from Class VI status to Class V status.

Barton asked if all other land owners on the road would be sharing the costs of the repairs. Selectman Jones said only those who live there would be responsible.

Newton asked if the petitioners are looking for ongoing maintenance of the road. Monica responded that under the emergency lane provision that is provided by the State, it allows the town to do general maintenance to the road and that's what he thought they (residents of Mountain Road) were asking for. Newton said the statute allows it but it doesn't require it.

Monica explained the residents want this because of the use of the road by the general public and the fact that the Town has promoted the use of the road.

Newton asked for clarification on what exactly the residents of Mountain Road were asking for. Monica stated that he thought the discussion was and that they were asking for, that under the emergency lane provision, that the town would do some maintenance to the road.

Newton asked for specifics; grading, chloride treatment? Monica said at least some grading and some general maintenance to the road. Newton asked if he was asking for any winter maintenance. Monica said at this point it doesn't sound like winter maintenance would be approved; that they could continue plowing it. Monica reiterated he would like some sort of general maintenance to keep the road in shape for all the public that uses it.

Brian Hastings felt that it wasn't the Town's responsibility to fix the road because the residents of the road signed contracts to maintain it. Hastings asked Police Chief Madore if he would be able to access the road with his cruiser. Madore said yes.

Kevin Barton said that Mountain Road is a class VI, town-owned road; that this is the third time in fifteen years the road has washed out and he has contributed toward the costs to fix it. Barton said that it's an undue burden on the residents because of all the public use of it.

There was much discussion regarding visitors to the Town Forest trespassing on the private property on Mountain Road.

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Arthur Magowan said he didn't understand how fixing the road is going to create a solution the residents have with trespassing and asked if it was in the Town's province to restrict what is passable on a Class VI road. Chairman Kimball said the only restriction is for wheeled vehicles from March 1st to June 1st.

Magowan asked if all property owners who have built homes on Mountain Road have signed the liability waiver. Kimball confirmed that all have except for one person.

Monica said the reason for the request for Mountain Road to be declared an emergency lane is because the Town allows and has promoted use of the road to the Town Forest. Monica went on to say the provision also allows the town to maintain it yet still would be a Class VI road.

Magowan said that if he read the RSA correctly, that residents on all other private roads would be eligible to make the same request. Monica agreed.

Newton said that residents on private roads can petition to declare them an emergency lane but there is a very high burden that has to be met; that the road has to be unique and there has to be a public benefit. Newton explained that it can't be just a benefit to the abutters.

Monica explained that Mountain Road is unique; it's not a dead-end and is promoted to be used by the public all year long. Monica went on to say the road is unique because of its history; that the town was created on Mountain Road.

Monica said of the six residences on the road; four have the burden for maintenance. Selectman Jones stated that Justin Stark is the only home owner on Mountain Road that has not signed a liability waiver.

Nathan Huckins said he built his house on Mountain Road two years ago and when he told people he was building on it everyone knew where it was because it is used so much by the public. Huckins said he has done maintenance on the road at his own cost.

Huckins explained that Tropical Storm Irene was a unique storm because it washed out the upper part of the road resulting in the lower section not to work. Huckins said he knows the work proposed to be done will bring it to a point where it will be very unlikely for a wash out (like the one caused by Irene) to happen again.

Huckins reiterated that it's not just the residents that use the road; that many other members of the public use it and that the residents (on Mountain Road) do put their own time and money into the maintenance of it.

There was much discussion regarding the use of Mountain Road by the general public.

Keith Filiault felt that even though the residents of Mountain Road signed the liability waiver, the dynamics of the road have changed because the Town has promoted use of the road by creating hiking trails etc. Filiault felt it was unfair to expect them to continue to maintain the road.

Linda Arnold agreed with Filiault.

David Beckley said that Mountain Road is already accessible by emergency vehicles and felt the road is not unique because other Class VI roads are used for the same activities such as hiking etc. Beckley felt the petition that was filed to establish Mountain Road as an emergency lane under state statute was a way for them to have the Town pay for the maintenance costs to the road that they had previously signed a waiver for.

The discussion turned to signage for the road. Kevin Barton said there had been signs on the road but have been removed. Newton said she will have the Road Agent replace them.

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Joey Holmes felt the resident's of Mountain Road should not have to pay the 25% of the costs; that the Town should pay it.

Brian Hastings suggested creating a parking lot near the bus turn-a-round. Kimball thought that could be a possible solution. Resident's of Mountain Road said the parking lot would not help the problem with four-wheelers and snowmobiles.

Bruce Hosmer, the last residence on Mountain Road, reiterated the importance of getting the road back to pre-Irene condition.

Monica reiterated the uniqueness of Mountain Road because it goes to the Town Forest.

Magowan felt that if the road is upgraded it will receive more use; that what is needed for the residents of Mountain Road is more enforcement and signage.

Mike Whipple suggested the Conservation Commission form a group of volunteers to make a parking area for access to the town forest.

Bob Lewis felt the problem would be acerbated by adding parking. Lewis said he lives on a private road and people drive on it all the time and he is still responsible for the maintenance.

Peter James felt there were three separate issues:

1. To fix the road to pre-Irene condition
2. On-going maintenance by the Town
3. Excess use of the road by the public

Richard Monica felt two of the issues (above) went together because of the use of the road. Monica then asked what the rule was regarding a Class VI road crossing private property. Monica explained that Mountain Road turns and crosses the top part of his land. Kimball said the road is deeded clearly and if people are not using it the way it should be then the Town would have to enforce it.

Monica said that if the Town declares Mountain Road an emergency lane under the state statute that he would donate that portion of his land to the town for parking and/or a turn-a-round.

Kimball thanked all in attendance for their input and said the Board will take it all into consideration and render a decision next week. Kimball informed the Town will still continue to work with FEMA getting the road repaired.

Monica thanked the Board and asked for clarification on what needed to be done for the FEMA project to move forward.

Newton said it was the Board's decision but she recommended the residents of Mountain Road pay the Town the \$6,250, the Town would hire the contractor so long as the contractor could guarantee the work be completed by December 25, 2011. Newton said once all the FEMA paperwork was completed, the Town would receive payment in the amount of 75% of the cost of the repairs.

Monica asked if the State of NH would contribute any monies. Newton said the State may contribute 12.5% of the costs but they haven't made that decision yet; that if the State does contribute 12.5% of the costs that would be returned to the residents of Mountain Road.

Danielle Godin (Parent) asked the Board to consider paying the \$6,250. Selectman Jones confirmed the Board would consider her request.

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ADMINISTRATIVE

For Approval/Signature - APPROVED

- ✓ MS-5 Financial Certification for Fiscal Year June 30, 2011
- ✓ Application for Current Use:
 - a) M/L 216-014-000; 1151 Route 10 North
 - b) M/L 234-126-000; 485 Howe Hill Road
- ✓ Conservation Commission Member Appointment – David Wood appointed as a member of the Grantham Conservation Commission
- ✓ Building Permits:
 - a) M/L 216-028-000; 1284 Route 10 North – generator
 - b) M/L 232-001-013; 21 Corbin Ct. – generator
 - c) M/L 221-048-000; 800 Route 10 North – barn
 - d) M/L 222-167-000; 7 Whip-Poor-Will-Walk - generator

APPROVAL OF MINUTES

- ✓ Chairman Kimball asked if there were any changes to the regular and non-public meeting minutes of October 26, 2011. There being none, Selectman Story made a motion to accept both minutes of October 26, 2011 as written; second by Selectman Jones.
Unanimously approved.

CORRESPONDENCE

- Coalition Communities: An update from Coalition Communities on the meeting that was held on October 21, 2011 was received.
- Primex: A letter was received from Primex confirming the Snow Plow Operator Safety training session held on October 24, 2011. Road Agent Joseph Newcomb, Assistant Road Agent Jeff Hastings and Groundskeeper Glenn Carey attended.
- New Hampshire Department of Transportation (DOT): A letter was received from NH DOT informing that 27 public hearings were held to review and make recommendations on the update of the State's Ten Year Transportation Improvement Plan (2013-2022). Two additional wrap up meetings will be held, one on November 15th at 2pm in Room 114 of the JO Morton Building at NH DOT and one on November 30th at 2pm in the Council Chambers at the State House.

OLD BUSINESS

- 49 Hemlock Lane Clean-up Efforts: Newton informed she has drafted a bid request but her main concern is that whoever enters a bid be well insured. Newton asked what will be done with the material; will the contractor have privileges to the Transfer Station at no cost or will charges apply? Chairman Kimball requested Newton contact Transfer Station Supervisor Chris Scott for his opinion.
- Ambulance Study: Newton said she has received the slides from the presentation and requested the Board to let her know if they have any questions.

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- Fire Alarm System at Town Hall: The interior components have to be replaced; that work is scheduled to be completed on Thursday, November 10, 2011.
- Complaint on 172 Cote Road: Newton informed there was a dumpster and loader onsite today.
- Fire Department Flashing Caution Light: Chairman Kimball informed he is still working on this.
- Back-up System for Town Archives Computer: Newton informed she discussed the back-up options with Mike Bodeur and he recommended "cloud computing" which is inexpensive and offsite.
- Exterior Door Replacement at Town Hall: There are two doors that still need to be replaced as well as the weather-stripping and painting. Osgood informed the other two doors should be here soon. Chief Madore stated his office has been much warmer with the new doors.
- Rumbrook Place Tree Cutting: Newton said she spoke with the owner Sara Carr and she will pick up another tree cutting application.
- State of NH Board of Tax and Land Appeals (BTLA) – M/L 226-014-000; Pillsbury Family Trust: Newton said she has suggested to Cross Country Appraisal Group a mediation date of December 15th at 10am. Newton felt it would be good to have the Selectmen at the meeting. Jones and Kimball said they could attend. Story said he would have to check his schedule first.
- Health Insurance Transition: NH Interlocal Trust is committed to get the "Not-To-Exceed" rates by November 15th.
- Relocation of the Town Forest Sign: The sign has been removed and is being stored in the Highway garage until a permanent "home" for it can be agreed upon.
- Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC)– ETAP Program: No update.
- Elderly Exemptions: This is being worked on through the budget setting process.
- Shoreland Water Quality Protection Act (SWQPA): No update.
- Recreation Park Development: The wetlands permit has been received. The final permit to be obtained is from the Army Corp of Engineers; once received bid requests can be obtained with the hopes of construction in the spring.

NEW BUSINESS

- LED Street Lighting: Newton stated she was asked if there was a program through Public Service of New Hampshire (PSNH) for LED street lights. Newton informed that there isn't at this time; that Grantham has the most efficient light available through PSNH.
- Town Hall Landscaping: Newton informed she has a draft bid request for landscaping at town hall.
- Payment to the State of NH Department of Environmental Services: A motion was made by Selectman Kimball to approve the payment of \$3,750 to the State of NH Department of Environmental Services for the wetlands permit and to authorize Administrator Newton to

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withdraw the money from the Timken Foundation Fund; second by Selectman Story.
Unanimously approved.

- Payment to Treasurer, State of NH Department of Environmental Services: A motion was made by Selectman Kimball to approve the payment of \$1,750 to Treasurer, State of NH Department of Environmental Services for the alteration and terrain permit and to authorize Administrator Newton to withdraw the money from the Timken Foundation Fund; second by Selectman Story. ***Unanimously approved.***

DEPARTMENT/COMMITTEE REPORTS

- Police Department – October Report:
 - October 26th & 27th Captain Massad Ayoob conducted training in Weapon Retention and Officer Involved Shootings and the Psychological aftermath.
 - Grantham Village School held an off-site evacuation drill.
 - October 29th the department participated in National Drug Take Back Day. Two full boxes of prescription drugs weighing over 50 pounds was collected and turned over to DEA for incineration.
 - Halloween went well and glo sticks were handed out to the “trick or treaters”.
- Town Administrator:
 - A complaint was received from the Assessor for the towns of Newbury, Sunapee and New London that a Request for Proposal was not advertised before Mike Ryan was hired as Grantham's Assessor.
 - Budget work session will be held on December 7th.
- Trustees of the Trust Funds: The November update was reviewed.

OTHER

- Chief Madore informed that the Board may be receiving a request to add a school bus stop sign on Sanborn Hill.
- Administrator Newton reminded those in attendance that the Town Forest is being logged with horses because of the condition and status of the road; that skidders are not being used.

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NON PUBLIC

In accordance with RSA 91-A:3 section II-A, a motion was made by Selectman Jones, second by Selectman Story to enter into a Non-Public session at 6:39 p.m. to discuss a personnel matter. Present were: Chairman Warren Kimball, Selectman Constance Jones, Selectman Ken Story, Administrative Assistant Melissa White and Town Administrator Becky Newton.

Following proper vote, the Board returned from Non-Public session at 7:01pm.

RETURN TO PUBLIC SESSION:

The Board of Selectmen said they will use the FEMA money to restore Mountain Road to "pre" Tropical Storm Irene condition and that the residents will have to pay 12.5 percent of the costs.

ADJOURNMENT

There being no further business, Selectman Jones moved to adjourn, second by Selectman Story; ***by unanimous vote, the Board adjourned at 7:05pm.***

The next Selectmen's Meeting will be held on **Monday, November 21, 2011** at 5:00PM in the Grantham Town Building; Jerry Whitney Memorial Conference Room at 300 Route 10 South, Grantham, NH.

Respectfully submitted,

Melissa M. White

Melissa M. White
Administrative Assistant

TITLE XX

TRANSPORTATION

CHAPTER 231

CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS

Repair of Highways by Towns

Section 231:59-a

231:59-a Emergency Lanes. –

I. Notwithstanding RSA 231:59 or any other provision of law, a town may raise and appropriate, and the selectmen may expend, money for the repair of any class VI highway or private way which has been declared an emergency lane under paragraph II. Such repair may include removal of brush, repair of washouts or culverts, or any other work deemed necessary to render such way passable by firefighting equipment and rescue or other emergency vehicles. A capital reserve fund under RSA 35 or a trust fund under RSA 31:19-a may be established for this purpose.

II. No expenditures shall be made under paragraph I unless the selectmen, following a public hearing, declare the relevant class VI highway, private way, or portion thereof, as an emergency lane, and make written findings, recorded in the minutes of the meeting, that the public need for keeping such lane passable by emergency vehicles is supported by an identified public welfare or safety interest which surpasses or differs from any private benefits to landowners abutting such lane.

III. In the case of a private way, notice shall be mailed to all persons known to have a legal interest in the way, 10 days prior to the hearing, and the emergency lane shall not be declared if permission is denied by any person with a legal right to deny such permission. Neither the appearance nor non-appearance of such persons at the hearing shall prevent such permission from later being denied or withdrawn.

IV. A declaration under this section may be rescinded or disregarded at any time without notice. This section shall not be construed to create any duty or liability on the part of any municipality toward any person or property. Utilization of this section shall be at the sole and unfettered discretion of a town and its officials, and no landowner or any other person shall be entitled to damages by virtue of the creation of emergency lanes, or the failure to create them, or the maintenance of them, or the failure to maintain them, and no person shall be deemed to have any right to rely on such maintenance. This section shall not be deemed to alter the classification or legal status of any highway or private way, or to limit or restrict the authority of towns to regulate the use of class VI highways pursuant to such statutes as RSA 41:11, RSA 236:9--13, and RSA 674:41, or to authorize any person to pass over any private way when permission has been denied. This section shall not be deemed to alter the duties or powers of any party under RSA 227-L concerning forest fires.

Source. 1994, 80:1. 1995, 299:12, eff. Jan. 1, 1996.

MEMORANDUM

TO: Becky Newton, Town Administrator
Selectboard Members:
Harold Haddock, Connie Jones, Warren Kimball

FROM: F. Robert Osgood, Emergency Management Director

DATE: September 1, 2011

SUBJECT: Hurricane Irene

Yesterday, I was contacted by Michael J. Poirier and David Vallancourt, Jr. Section Chiefs at HSEM Staff in Concord. Dave's phone number is 419-9045. Their concern was one, Eva Duff of 1140 Miller Pond Road, off Route 10 in North Grantham (863-0862). She has medical problems and is concerned that she can't get off her road because of washouts caused by Tropical Storm Irene.

I explained that myself and Town Administrator, Becky Newton, had visited the road and area 2 days ago taking pictures to access the washouts. This is a Class VI road with all residents on it signing off on the responsibility for the maintenance of the summer and winter. This is on file with the Town.

Dave and Mike are concerned for the ability for EMS and Fire response to be able to go up there if called or requested. They explained under the present declaration by the State and Governor John Lynch, that FEMA would pay for any cost for material plus labor to make the road passable for emergency vehicles and single lane travel. They expect it to just be passable and not up to regular town standards. Becky was out of town at a meeting so I discussed this with Jeff, Joe and Connie. Today, Joe and Jeff will go and try to shape up the road with material that is there simply to make it passable. I feel under the Governor's Declaration, I am simply using good common sense of neighbors helping neighbors to ensure the health and safety of town residents on that road. The town will be reimbursed for this effort per my conversation with Dave Vaillancourt of HSEM in Concord.

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September 1, 2011

Memo re: Hurricane Irene

As EMD of Grantham my duties are numerous and varied in many ways and I am acting in the best interest of the town under the present conditions and exercise good judgment in making decisions. To do something is better than doing nothing. We are prepared to act to the destructive forces of nature, we are responding and we will recover. It's easy to make decisions when we ask ourselves "What would Jesus do?"

Sincerely,

F. Robert Osgood
Emergency Management Director

cc: Melissa White

MEMORANDUM

TO: Becky Newton, Town Administrator
Selectboard Members: Harold Haddock, Connie Jones, Warren Kimball
Danielle Morse, Field Representative, Homeland Security & Emergency Management

FROM: F. Robert Osgood, Emergency Management Director

DATE: September 8, 2011

SUBJECT: Class VI Miller Pond Road

Yesterday at 3:45 p.m. I received a call from Field Rep., Danielle Morse of HSEM in Concord that a resident of the Miller Pond Road had made a 211 call at their office complaining of an impassable road since the storm, Irene.

You have a copy of my memo dated September 1, 2011 of my conversation with Michael Poirier and David Vallancourt, Section Chiefs at HSEM in Concord. You are also aware that Joe and Jeff went up there that day and spent most of the day to bring that road up to FEMA's standards for one-lane traffic for emergency vehicles to travel and allow them to travel to and from their homes.

On Monday, September 5th, Labor Day at 6:00 a.m. I picked up the Town's white Ford Ranger, two-wheel drive pick-up and drove up to the last house on that Class 6 road and back down checking out that road because of hard downpours during the night and that road was still okay.

I explained all this to Danielle and she was not aware that I had spoken to her boss, David Vallancourt about fixing the road. I told her I would immediately go up there and check the road out and call her back within the hour. I picked up the white Ford ranger and stopped at Town Hall where Warren and Connie were having a meeting. Warren rode up with me and I made it up to the last house on the road where Eva Duff and Brian Hosmer live. I asked them if they were the ones who called 211, because Danielle was not sure who had called, he said no, but thanked me for all the help they received fixing the road since the storm.

I next stopped at Kevin Barton's trailer just below them and he and his wife, Angel, were there. I asked him if he had called 211 and he said no, but his wife had called. I explained how the road had been brought up to meet FEMA's standards but not brought up to Town standards. He said many people had complained that there were leaves, pine needles in the fill that was pulled down from ditches to repair the road. I said the road is still passable and okay to allow people in and out travel. Warren and I had no problem with the two-wheeled drive pick-up.

After we left, I called Danielle and explained the road condition and all that was said and requested an e-mail from her department after her visit with Dave Vallancourt explaining all that the Town had done. The 211 call that went into the HSEM office said the road condition after repair was worse than before it was washed out, we all know this is not true. **In the last 3 days it has rained 4" since the road was repaired and it has not had any time to dry out. As of this writing, many people are having to deal with the remnants of Tropical Storm Irene and things are not drying out so they can repair their properties.**

Sincerely,

F. Robert Osgood
Emergency Management Director

cc: Melissa White