

Town of Bartlett Office of Selectmen  
Meeting Minutes: February 26, 2010  
Attendance: Chairman Gene Chandler, Douglas Garland  
(Absent: Jonathan Tanguay)  
Reporters: None

Meeting opened at 08:30 AM.

Bruce Knox, PE, PMP, Project Engineer, met with the Selectmen in reference to Birch Ledge Road. Knox stated that there are two issues that haven't been resolved and he would appreciate the Selectmens intervention. One issue is the drainage easement and the second is the center line of the road. Knox had received a letter of August 12<sup>th</sup> from Burr Phillips, PE, CPESC of Civil Solutions, LLC that had provided a list of discrepancies. One of those being drainage and they believed they had taken care of the issue as at first it was thought they needed drainage all the way but proved that they didn't need that many. (Plans shown and discussed) Knox is now being told that there is a DES issue with one drainage. Chairman Chandler inquired if there were two culverts that led to it. Knox replied, "Yes". Selectman Garland remarked that there are two swales in one location where the water gets treated and drained out slowly. Chairman Chandler asked what it is that Phillips wants Knox to do. Knox explained that Phillips wants him to have the drain way down through the woods and he wants an easement from the property owner so they can't block off the drain. Knox stated that the water runs into a natural contour and has been there for years. Selectman Garland stated that he understood the easement but not the natural run off. Chairman Chandler inquired if the Town could get an easement from the property owner. Knox doesn't believe that it is needed but he will check with the owner of the property. Knox inquired how far the easement should go as the property is up high and then the property runs flat for about 100 feet and then goes down. Selectman Garland inquired if before the road construction, did it flow naturally. Knox stated that it appears it did. Selectman Garland suggested that the easement should continue to the natural terrain. The second issue is the center line of the road as he disagrees with Phillips that it has to be equal distance from the sides. Selectman Garland inquired as to how much does it wiggle from the middle. Knox stated that in the worst point it is eleven inches off. Knox stated that other roads in town weren't done by those standards. Chairman Chandler replied that we do have a fairly firm and unswerving policy and because it happened in the past doesn't mean it will be done again. Chairman Chandler suggested

that Knox send a letter to Phillips and try to see if the town can obtain an easement as this is the first the Selectmen had heard about the road only being off eleven inches. Chairman Chandler also requested that Knox send a copy of any correspondence to the Selectmen's office. Knox stated that in 2500 feet that the distance is out of whack from 0" to 11". Selectman Garland stated that Phillips has regulations that he is going by and that he was correct in referring Knox to the Selectmen. The Selectmen will speak to Phillips further.

Annette Libby, Bartlett Recreation Director, met with the Selectmen in reference to the recreation department going out on its own and having its own web site instead of using the towns. One of the recreation board members had complained about the present web site. Libby had consulted with Craig Harrison who does our present web site and they discussed Libby setting up a blog spot to expedite getting information such as school and sports cancellations out to the public quicker. It would be at no cost but would require time to set it up. The Selectmen don't feel we need a new web site but to go with the blog. Selectman Garland inquired if the telephones at the school could be set up so that you press one to speak to the recreation department or two for announcements, etc. Libby doesn't know if the phones at school have that capability but will check with Mary Miller in the school office to see if this can be done. Libby will do up the blog and bring it back to the Selectmen for approval. Libby had received a telephone call from the Town of Jackson as they were questioning the amount of money they pay to the recreation department. Libby explained that the amount was set up long before she became the director and that Jackson students are included in all the Bartlett activities such as the general programming, scholarships, tournaments, etc. Libby has taken Jackson students under her umbrella. Chairman Chandler stated that the cost has remained the same for twelve years and perhaps we need to look at that. Selectman Garland remarked that it would be a shame for students to have to pay for sports as some just couldn't afford it. Libby will write a letter to Jackson which explains what is offered to their students.

Josh McAllister of H.E. Bergeron Company stopped in with two questions for the Selectmen in reference to the Attitash Mountain Coaster. On the building permit it was marked that the height could not exceed 38' and McAllister is wondering if the coaster fall under a 38' building or a 60' slim

structure. McAllister stated that there are two locations that may exceed 30' as they have to be able to get the snow cat under the coaster. There will be a skier underpass up high and comes down to the loading area which might creep to more than 38'. Chairman Chandler stated that the Selectmen's position is that this is not a slender structure and the 38' building structure is what it should be. Chairman Chandler also pointed out that the Selectmen were informed that that wasn't a problem. McAllister stated that he is hoping that it won't be a problem. Selectman Garland informed McAllister that he could go to the Zoning Board of Adjustment for a variance if it does go over 38' and he would hope that at this spot it would be invisible to see. Chairman Chandler inquired as to how many times the coaster crosses the ski trails. McAllister replied, "Once". Selectman Garland stated that if it is only one spot that goes over the 38' he should go to get a variance. McAllister also inquired as to how he goes about changing the dimensions of the storage building. Selectman Garland stated that he should submit a new building permit application that shows all the set backs on it. McAllister stated that they are planning on a July 4<sup>th</sup> opening date.

L. Patrick Roberts, Bartlett Fire Chief, had been requested to do a cell tower fire watch in Linderhof and Alpendorf as they would be doing some cutting and welding as they have to add a part to them. Roberts informed the Selectmen that if they caught on fire there is nothing the fire department would be able to do. Selectman Garland stated that he would believe that if they do this kind of work all the time that they must have some type of fire suppression. The Selectmen and Fire Chief agreed that they would not provide a fire watch for the welding operations as the crew doing the work should be prepared and could call 911 if there is a problem. Roberts will let the company know about the decision. Roberts has concerns that the fire department has six licensed EMT's and there might be a potential problem with them being cross members. He would like to look into being a licensed non transport service as it is hard to tell who is working for which department if they go to the scene without an ambulance. Selectman Garland stated that if you respond to a scene and someone is hurt the EMT could help them as they are all licensed. Roberts isn't sure where the liability falls. Chairman Chandler also stated that there is also a Good Samaritan law as well. Roberts replied that the issue here would be that they wouldn't be a bystander but part of an agency. Chairman Chandler stated that he doesn't know if there is a downside to this and could end up being more of a liability

and he is concerned it might get us into more trouble. The Selectmen agreed that Roberts should check this out further and get back to them as they don’t believe it is a problem for someone being a member of both the fire department and the ambulance service. Roberts inquired if there was a policy on the ambulance service and fire department washing their personal vehicles at the fire station. Chairman Chandler stated that at the present time there is no policy on this. Selectman Garland would hope that common sense would prevail in this situation. Roberts had received a request from a time share owner concerning his unit at Cathedral Ledge condo that there may be some fire safety issues. The owner stated that he had noticed the circuit breaker for the smoke detectors was turned off and that the woodstove had missing parts that he felt made this unsafe to use. Roberts did call the condo association and advised them to turn the circuit breaker back on as it is a violation of State Law and to post a do not use sign on the wood stove until this is resolved. The Selectmen instructed Roberts to inspect the unit.

The Selectmen’s attorneys office called and spoke to the Selectmen concerning a motion they would submit to the court on Monday as today they were out of power and unable to retrieve the brief from their computer.

Selectman Garland telephoned L. Patrick Roberts, Fire Chief, in reference to a problem with the generator at the school. Roberts stated that there was a starting issue the other day as it started smoking and the whole top is pretty black. He did place a call to Ray’s Electric about it but hasn’t heard back from them yet. Selectman Garland requested that he make sure they get back to us as it needs to be looked at and we want to be sure the warranty doesn’t run out on it before it is fixed.

The Selectmen reviewed correspondence, building permits, signed letters and checks prior to and throughout the meeting.

Meeting adjourned at 10:55 AM.

Respectfully submitted,

Brenda Medeiros, Sec.