

**CANAAN BOARD OF SELECTMEN
MEETING MINUTES
Tuesday, July 23, 2019**

Scott Borthwick called the open meeting to order at 6:00 PM at the Canaan Meeting House. In attendance were Selectmen Scott Borthwick, Dave McAlister and Al Posnanski and TA Samson. Others: Tom Milligan, Elwin Neily, Denis Salvail, John Bergeron, and Stephen Freese.

Minutes: 7/9/19

Motion by McAlister and second by Posnanski to approve the minutes of 7/9.
Unanimous.

Junk Yards

Motion by Posnanski and second by McAlister to approve junk yard renewals for Parts of the Past and Nadeau. Second by Posnanski. Unanimously approved.

Fairpoint Settlement

Based on the advice of counsel, the consensus of the Board is to settle with Fairpoint. Motion by Posnanski and second by McAlister to approve the proposed settlement with Fairpoint. Unanimously approved. Motion by McAlister and second by Posnanski to authorize borrowing from Mascoma Bank using a renewable annual note to pay the settlement amount to Fairpoint. McAlister seconded. Unanimous.

Flood

There was a great deal of discussion of the flood of July 11. The flood resulted in many changes to 2019 plans. 12 miles of road were damaged. The use of mutual aid from 4 towns played a major part in reopening our roads. The Board commended the effort of Highway, Fire, and Police in managing the disaster. Samson reported on contracted actions taken (HEB Engineering, Hammond and Osgood) and meetings with DES and FEMA and communications with the Corps of Engineers. He also indicated that Gerngross was not prepared to rebuild unless there was a real plan to manage future flooding. Samsons indicated there was a plan to increase the bridge flow capacity and also create a spill way to dump debris if the bridge was blocked. That appeared to address Gerngross' fears. The need for a new clear span bridge at the transfer station is now a priority. It has been needed for years. The Town will apply for a mitigation grant when that possibility opens up this fall. Samson indicated that our ability to manage Orange Brook rests on the fact that we own the land bordering the Brook up to Chapmans/Vaniers property. Further, we need to own the Brook and do the work or contract to do the work if we are to receive 75% reimbursement from FEMA. Private owners do not qualify. Third, the FEMA project will probably not close out until 2021. We just closed the 2017 flood project this spring. Fourth, we should control the use of the forested area on our side of the Brook to manage run-off into the Brook during a major storm. The recommendation is to not sell any of the land at this time. Also to not log or otherwise do any development on the sream side of the elevation behind the gravel pit and the wastewater plant. Low impact uses like trails or no motorized activities would be ok. Finally, the pit area will be necessary for use until the new pit is

licensed and operating some time next year. We will still need to use material from the pit to make highway repairs this year. We have completed most of the Brook clean-up as far as Emerson Smith's property. Samson conveyed that Vanier did not want the property sold to Gerngross. Samson indicated that it can't be sold to anyone including both Gerngross and Vanier if we want to be able to manage the Brook in the future. Samson indicated that it may be possible to sell a much smaller piece to Vanier next year. The land to be sold should stay away from the Brook and border Vanier's land. It is too premature at this time to sell any property. Samson said that we have not signed a purchase and sales agreement yet and Town Counsel directed that we reject all bids as the cleanest way to retain the property. Counsel noted that we retained the right to do so in the bid solicitation. Motion by Posnanski and second by McAlister to reject all bids on the sale of the excess transfer station property and to not entertain any sale for at least a year. Unanimously approved. There was extensive discussion about the new spillway that will release water and debris from the bridge area if there is another flood. Elwin made several suggestions about managing the water and debris. Some of the ideas would include diuagnonal swales draing water back to the Brook without any debris in it. There was also discussion about how to retain debris on Town property rather than Elwin's fields. The Board by consensus directed that all highway reconstruction money (including paving and Prospect Hill pre-cast culvert monies) be dedicated first to flood damage recovery.

At 7:40 PM Selectman McAlister moved to enter non-public session to discuss litigation. Posnanski seconded and motion passed unanimously.

At 7:52 PM McAlister moved to exit non-public meeting. Seconded by Posnanski and it was unanimously passed.

At 7:52 PM Selectman Posnanski moved to seal the minutes. McAlister seconded the motion and it was unanimously passed.

At 7:52 PM Selectman Al Posnanski moved to adjourn. Second by Dave McAlister. Unanimously approved.

Scott Borthwick, Chairman

David McAlister

Al Posnanski
Canaan Board of Selectmen