

**TOWN of
ANDOVER**

P.O. Box 61
Andover, NH 03216-0061
(603) 735-5332

Incorporated 1779



Select Board – Regular Meeting

September 3, 2026 – 6:00 PM

Andover Town Hall – Meeting Room

Members Present: Chairman Dana Swenson, Vice Chairman Les Fenton, Member Mark Cowdrey, Member Charlie Stewart, and Member Jim Delaney.

Also Present: Town Administrator Don Sieburg (serving as recording secretary); Highway Department Supervisor Jeremy Cornell; Land Use Coordinator Jessica Rand; and Finance Assistant Cristy Perkins.

Members of the Public: Fire Commissioner John McDonald, Jay Terceira and Christine Murray, Donna Crisp Duclos, Deb Hunter, Jeffery Dickinson, Sooze and John Hodgson, Susan Chase, Ricker and Lisa Miller, Janet Moore, and Jeffery Newcomb.

Note: Town Clerk / Tax Collector Lisa Meier was not present; the Town Administrator served as recording secretary.

I. Call to Order / Roll Call

Chairman Swenson called the meeting to order at 6:00 PM. Roll call confirmed all five Board Members were present.

II. Review of Agenda

Chairman Swenson reviewed the agenda. The Town Administrator requested the addition of a New Business item seeking the Board's approval of a vendor permit for the upcoming Andover HUB Market Days event. No other additions were requested. The Board noted that two non-public sessions were scheduled at the close of the meeting, both under RSA 91-A:3, II(a).

III. Review & Approval of Minutes

August 6, 2026 – Regular Meeting

The Town Clerk had incorporated the amendments previously suggested by the Board and reissued the draft.

Motion: Member Stewart moved to approve the August 6, 2026 minutes as amended. Seconded by Member Cowdrey. All in favor. Minutes approved.



III. Review & Approval of Minutes (cont.)

August 20, 2026 – Regular Meeting

***Motion:** Chairman Swenson moved to approve the August 20, 2026 minutes.
Seconded by Member Cowdrey.*

During discussion, Vice Chairman Fenton moved to amend “New Business” item (G) to more specifically capture the substance of the Board’s discussion on that matter, consistent with the markup he had circulated by email. Seconded by Member Stewart.

***Motion:** Motion to amend Section 3(G) as described. All in favor. Amendment carried.*

The Board approved the August 20, 2026 minutes as amended, with the amended version to be forwarded to the Town Clerk for reissue and redistribution as the final draft. The Board indicated it would not review these minutes again.

IV. Public Comments

Janet Moore – Library and Records

Janet followed up on her remarks from two weeks prior regarding space constraints at the library. She reported that Member Delaney had built shelving in the basement and begun organizing the stored boxes. She relayed two suggestions she had heard: engaging a company to scan records that need not be retained on paper, and shredding records that either had been scanned or no longer need to be kept. The Board noted that these matters would be taken up later in the meeting under the New Business item concerning records retention and the municipal records committee.

Donna Duclos – Tax Collection

Donna expressed concern regarding the collection of taxes, noting that approximately \$400,000 remains unpaid, of which roughly \$137,000 is overdue from the prior year. She asked at what point the Board holds the Tax Collector accountable for contacting delinquent taxpayers and establishing payment plans, particularly in light of the Town’s cash needs and school obligations. The Board responded that the Tax Collector is a separately elected official over whose day-to-day operations the Board has no control, and that the Board’s role arises at the point of lien and deeding. The Board explained that the Tax Collector reports to the Board on delinquencies and the efforts made to reach taxpayers, presents proposed payment plans for the Board’s approval, and follows the applicable RSA process, including certified letters and, in limited cases, delivery by the sheriff’s department or police. Approximately four to five payment plans are currently in place. The Board indicated that the rate of non-payment is roughly consistent with recent experience.



IV. Public Comments (cont.)

John Hodgson – Tax Collection (continued)

John asked whether delinquent taxpayers are informed of the difference between the interest rate applicable when an arrangement is made to catch up and the substantially higher rate that applies when a taxpayer neither keeps up nor reaches out. The Board reiterated that such outreach is the function of the Tax Collector, a separately elected official, and described the deeding process that follows after taxes remain unpaid, including the Town's subsequent options for property that reverts to the Town.

Jay Terceira – 219 Flaghole Road

Jay, joined by his wife Christine Murray, addressed the Board at length and submitted written materials for the record. The following summarizes the statements and requests he made. The characterizations recorded below are his; their inclusion reflects only that he made them, not any finding by the Board.

Jay stated that he was raising concerns about what he described as a lack of timely response and support from the Town regarding damage to his property and to his private well-water source arising from dredging activity at 231 Flaghole Road, a matter he said has been ongoing since November 2022 and which he escalated to the New Hampshire Department of Environmental Services (NHDES) on September 11, 2025. He stated his position that the Andover Health Officer bears primary responsibility for well and water contamination, including cease-and-desist authority, and that NHDES is not required to intervene first. Jay stated he had been told by the Town to await an NHDES report.

He described the response to the site by the Fire Department, the Highway Supervisor as a volunteer firefighter, Andover Police, Andover EMS, a private contractor, and a member of the Conservation Commission, and stated that the neighboring property owner at 231 Flaghole Road was asked to stop but resumed the following day. He stated that an NHDES inspector characterized the matter as possible natural seepage from a pond nearly a month later, which he disputes based on photographs, video, and samples in his possession. He further stated that a state-certified survey showed part of the work had been performed on his property, indicating the shared property line was off by approximately thirty feet in his favor along the roughly 900-foot boundary.

Jay alleged that the Town Administrator had made statements to the adjoining property owner to the effect that Jay frequently brings complaints to the Town and that the adjoining owner should file a counter-complaint regarding vehicles on Jay's property. He characterized those alleged statements as encouraging the adjoining owner. He also referenced an August 2025 Conservation Commission discussion in which, he stated, the neighboring property owner at 231 Flaghole Road was advised to obtain NHDES compliance and permission and was not granted permission by the Commission.



IV. Public Comments (cont.)

Jay Terceira – 219 Flaghole Road (cont.)

Jay submitted written materials and requested the following:

1. An internal inquiry under the Town's employee code of conduct into alleged personal actions by the Town Administrator toward Jay Terceira, his wife, and their property.
2. A review of whether the Select Board was fully informed of these matters and whether the responses complied with that policy.
3. A written response, by letter or email, setting out the findings of the inquiry.
4. Notice of how the Town will handle his request that the Andover Police serve a no-trespass order on the Town Administrator, and an assurance of equal process.

The Board stated its understanding is that the Town's responsibility under the RSA extends to public water supplies, not private wells, making the well-water matter a civil matter between Jay and the adjoining neighbor. The Board reiterated that NHDES process is outside the Town's control. The Board stated that it did not have assistance to render on the private-well matter and referred Jay to the applicable RSA, to NHDES, and to civil remedies. Jay acknowledged the Board's response, stated that this was the clarification he had been seeking, and stated that he would leave copies of his documentation for the Board. The Board acknowledged receipt of the written materials. No action was taken in public session.

V. Old Business

a. Lawrence Street Bridge Project – Vice Chairman Fenton

Vice Chairman Fenton reported that all required permits have been obtained and the plan set is complete, and the project will soon be ready to be advertised for contractor bids. A meeting with the consulting engineering firm WSP is scheduled for Tuesday, September 8th, 2026 at 2:00 PM in the meeting room to finalize the oversight agreement, scope of work, and fee. He outlined the anticipated schedule: advertising on or about September 15; a pre-bid meeting on or about September 28 or 29; open (not invited) bidding, with bid opening on October 13; review and submission to NHDOT by the end of October; NHDOT approval expected through November and December; notice to proceed in early December; and contractor work permitted to begin January 11, with the contract engineering firm ramping up in December. Construction is slated to take approximately twenty months, followed by a ninety-day closeout period.

Vice Chairman Fenton noted that the objective is to advertise the project so that the federal funding is committed and cannot be clawed back, ahead of a September 30th federal deadline. He confirmed that all easements are complete, that all affected property owners agreed to the terms negotiated, and that they are receiving their negotiated compensation.



V. Old Business (cont.)

a. Lawrence Street Bridge Project – Vice Chairman Fenton (cont.)

In response to a question, he explained that a \$7,000 monthly payment to Hoyle Tanner reflected additional work related to utility and wetlands permitting that was not anticipated in the original scope, and that the Town will be reimbursed 80 percent of the engineering costs. He offered to email the full project schedule to the Board.

b. Planning Board Update – Vice Chairman Fenton

Vice Chairman Fenton, ex officio member of the Planning Board, reported the following:

- A membership change has occurred: an alternate member is moving to a permanent seat and a permanent member is moving to an alternate seat due to family circumstances, leaving one open seat on the Planning Board to be filled.
- A lot on Flaghole Road containing two houses has applied for a condominium designation, which would establish separate deeds for the two houses on a single lot. The application has been referred to legal counsel for review.
- A large subdivision is being contemplated on the east end of Bradley Lake on steep, mountainside terrain. The applicant initially sought a non-binding consultation and then asked to cancel and reschedule. The proposal faces significant hurdles, including access, slope and terrain, and a state overlay of restrictions applicable to a public water supply, which imposes stricter setbacks and sediment control.
- A master plan work group focused on economic development, of which Vice Chairman Fenton was a part, produced a 35-page document covering housing, transportation, infrastructure, village-center revitalization, home-based business, agriculture and forestry, recreation-focused employment, and a possible overlay zone targeting light manufacturing and professional services. He stated that the subject is more complex than can be addressed in a few paragraphs of the master plan and forms the basis for the Economic Development Committee request taken up later under New Business.

During this item, Jeffery Dickinson addressed the Board briefly, noting approximately thirty years of professional experience in municipal economic development work. He offered to share resources and association contacts, and observed that while the subject is complex, it may be more manageable than an AI-generated document would suggest given the scale of the Town. He then departed.

c. School Board Update

The Board received an update from the Merrimack Valley School District. It was reported that the District has closed out the prior fiscal year (ended June 30) and will return an unreserved fund balance of \$832,287 to Andover taxpayers, which will directly affect the December tax bills.



V. Old Business (cont.)

c. School Board Update (cont.)

The Board discussed the structural cash-flow issue that arises because the school calendar does not align with the Town calendar. The Town makes regular monthly payments to the District of approximately \$550,000, while the Town's leanest months are October through December, between tax collections, and the District's larger obligations are front-loaded. A Town subgroup consisting of Chairman Swenson, Member Stewart, the Town Administrator, and Finance Director Reed met with District representatives Catherine Masterson, Sam York, and Assistant Superintendent Jenn Moore to work toward a payment schedule that accommodates both the District's obligations and the Town's revenue timing. The meeting was described as productive and collegial; nothing was decided, and further work will follow. Options discussed included a tax anticipation note to maintain cash flow at modest interest cost, and adjusting the timing of payments to the District.

Chairman Swenson noted that the payables manifest this evening included the monthly school payment of approximately \$550,000 within a total of approximately \$661,000, and that the Town currently holds approximately \$1.6 million on hand against roughly \$100,000 per month in operating costs.

It was noted that the returned fund balance represents roughly ten percent of the District budget; that a recent change in state law limits the District's retained fund balance to approximately 2.5 percent; and that the District has changed health insurance providers from HealthTrust to SchoolCare at favorable rates. It was noted that these changes, likely mean that the Town has been overpaying against the monthly figure, and that an adjustment is expected once the tax rate is set. Member Stewart noted that he serves on the collective bargaining subcommittee and will be involved in the teachers' agreement this year.

d. Police Department Building – Member Stewart

Member Stewart reported that a meeting with the Fire Commissioners is needed. A prior, informal understanding that the Police Department could expand beside and behind the Fire Department was never documented, and the current Fire Department leadership is not prepared to hold to that position, which may return the location question to an earlier stage. The Board agreed that a meeting among the Commissioners and Board representatives would be useful and will continue to explore the site.

e. Municipal Bond – Member Stewart

No further update was provided on the municipal bond at this time.



VI. New Business

a. Andover HUB Market Days – Vendor Permit (added item)

The Town Administrator requested authorization to sign off on a NH Liquor Commission Form A009 (one-day license) permit for Cathedral Ledge Brewing Co. to sell at the Andover HUB Market Days event. The vendor participated the prior year and wishes to return.

***Motion:** Chairman Swenson moved to authorize the Town Administrator to sign the Form A009 permit for Cathedral Ledge Brewing Co. for the Andover HUB Market Days event. Seconded by Member Stewart. All in favor. Motion carried.*

b. Notice of Limitations of Municipal Responsibility and Waiver of Liability for Building on a Class VI Road

Vice Chairman Fenton and Land Use Coordinator Jessica Rand introduced the updated form, noting that the final version had been reviewed and corrected by Town Counsel and that the underlying requirement follows from a state law change effective July 1. The Town has a comparable form in its records, and this action updates it to conform to current state law. Jessica Rand advised that the item should be adopted as acceptance of the updated form and its associated liability provisions rather than as an ordinance, as the Town is conforming to state law. The Board discussed the provision, added by Town Counsel, concerning transportation of children to the nearest school bus stop; Member Cowdrey noted it is not stated in the RSA but agreed it is a reasonable addition, and Member Stewart noted that it appropriately informs those building on a Class VI road of their responsibility to reach the school bus stop.

***Motion:** Vice Chairman Fenton moved to accept the updated Class VI road notice and waiver form as revised by the Land Use Coordinator and Town Counsel. Seconded by Member Stewart. All in favor. Motion carried.*

c. Highway Supervisor Report – Jeremy Cornell

The Board received Highway Supervisor Cornell's written report, dated as of September 2, 2026, which he reviewed for the Board as a snapshot of recent activity and planned work. He noted that this season's paving projects came in approximately \$25,000 to \$30,000 under budget.

The Supervisor also reported that he is exploring a multi-year, fixed-price paving contract with the Town's preferred vendor, under which pricing would remain fixed except for adjustments tied to oil prices. The Board expressed support for the forecasting and budgeting benefits of such an arrangement, confirmed that it would require a formal RFP and bid process, and noted it could be aligned with the forthcoming Road Surface Management System (RSMS) to prioritize roads for the coming seasons. The Board also discussed the importance of committing to both base and top coats on paved roads and of maintaining previously improved roads.



VI. New Business (cont.)

c. Highway Supervisor Report – Jeremy Cornell (cont.)

The Town Administrator reported that he had reviewed the budget with Finance Director Reed earlier in the day, with particular attention to the Highway Department, which represents approximately one-third of the Town budget. Overall the Town is running approximately three percent under budget for this point in the year. Using conservative estimates drawn from a five-year historical review and the most recent year, the Highway Department is projected to finish with a surplus of roughly \$40,000, absent unusual events such as early or severe storms, against a Highway Department budget of approximately \$774,000.

Vice Chairman Fenton commended the Supervisor on the overall numbers while noting that several line items, in particular ‘small tools’, are significantly over their budgeted amounts and warrant attention. The Board discussed that the overall bottom line is the Board’s primary concern, while the department heads and finance staff manage the individual lines, and that the current spending on tools reflects the build-out of a relatively new department that had few tools on hand. The Board also discussed, as a matter for the coming budget cycle, revising certain line-item labels and reducing the granularity of the Town’s chart of accounts to make the reports clearer, while preserving the historical comparability that the Budget Committee relies upon.

c. F-550

The Board discussed the condition of the Town’s F-550, a 2015/16 truck now approximately eleven years old and the first truck purchased when the Highway Department was established. The truck is currently at the shop, with a repair estimate of approximately \$17,662 for major work, including pulling the engine and replacing axles. A more limited estimate of approximately \$5,367 would make the truck drivable as an emergency spare only. The Highway Department equipment capital reserve balance is approximately \$40,000.

The Board reviewed the options, including a limited repair to serve as an emergency spare through Town Meeting; a full repair, which carries risk given the truck’s age; and retiring the truck at the state auction while pursuing a serviceable used replacement (examples in the \$40,000 to \$80,000 range were discussed) or a lease or financed purchase. A new F-600 was noted to cost approximately \$180,000 to \$200,000 with a two-year to two-and-a-half-year delivery time. The Board also discussed the current fleet status, including recurring service issues with two of the trucks. The sense of the Board was to bring the truck home and park it for now, monitor the used-truck market, and develop options, potentially including a warrant article and use of capital reserve, for Town Meeting. No formal action was taken.



VI. New Business (cont.)

d. Discussion – Guardrail on Elbow Pond Road

The Board discussed a suggestion to install guardrails on Elbow Pond Road near the brook before the cemetery, where the edge of the road drops off approximately ten to twelve feet. It was noted that the road is relatively slow and lightly traveled, and that a number of other locations in town could also warrant guardrails. The item was raised for discussion; no action was taken.

e. Discussion – Formation of an Economic Development Committee

Vice Chairman Fenton, on behalf of the Planning Board, asked the Board to consider forming an Economic Development Committee as a standalone advisory committee appointed by the Select Board. He explained that broadening the Town's tax base beyond residential property has long been discussed but not systematically pursued, that economic development has been under-addressed in the master plan, and that the subject is complex enough to warrant a committee with a defined mission, membership requirements, and scope of work rather than a brief master plan entry.

He identified potential resources, including a soon-to-be permanent resident who serves as Director of Economic Development for the City of Colchester, Vermont; Jeffery Dickinson, who offered his professional experience; and former Selectman Roland Carter, who has served on an economic development committee in Pittsfield. The proposed committee would be advisory to the Planning Board, the Select Board, and other bodies, including on zoning and the capital improvements program. The Board expressed support for the concept and authorized Vice Chairman Fenton to develop draft guidelines, membership requirements, and a scope of work to bring back for the Board's review before any members are appointed.

f. Discussion – Records Retention Policy and Municipal Records Committee (RSA 33-A:3)

As a policy task force item, Chairman Swenson discussed a draft records retention policy developed after reviewing the policies of eight other municipalities. The draft addresses electronic records, including camera and meeting-related media, and provides that town business conducted on a personal device or private account is not private and must be transferred to the approved town repository. The draft includes an employee quick-reference appendix directing that town systems be used, that records be identified and captured, and that departing officials and employees transfer records and not clear accounts without authorization. The task force will continue to refine the policy.

It was noted that RSA 33-A:3 requires the Town to have a municipal records committee, which Andover does not currently have. The committee is composed of the municipal officers or their designee together with the town clerk, treasurer, an assessor, and tax collector, and acts collectively. It was noted that in Andover the Town Clerk and Tax Collector roles are combined, and the Town Administrator and Treasurer roles are combined, resulting in a committee of roughly three to four members.



VI. New Business (cont.)

f. Discussion – Records Retention Policy and Municipal Records Committee (RSA 33-A:3) (cont.)

The retention and disposition schedule is set out in RSA 33-A:3-a. It was suggested that the committee, once formed, determine among its members who will oversee day-to-day records management. Member Stewart also emphasized the importance of consistent records practices across officeholders to avoid gaps that create exposure under RSA 91-A.

The Town Administrator further reported that he has been in contact with a records-digitization firm (Ricoh) and referenced others in the field, with the goal of obtaining preliminary cost figures. It was also noted that an RFP specification must be precise, citing instances where large digitization projects have failed. It was also noted that a new state law effective July 1 permits use of a state records repository, though the Town is not required to use it and further state guidance is awaited.

The Board agreed to authorize the task force to continue gathering information for the Board's review. The Board also agreed to move forward with forming the municipal records committee required under RSA 33-A:3, with Chairman Swenson serving as the Select Board's representative to begin.

VII. Signatures

The following were reviewed and signed by the Board:

- **Peckham Road Corporation (Plains Road project):** \$267,860.64
- **Payroll Manifest (9/4/26):** \$43,382.44
- **Payables Manifest (9/4/26):** \$660,835.11

VIII. Non-Public Session

Both non-public sessions below were held under RSA 91-A:3, II(a) (the dismissal, promotion, or compensation of a public employee).

Motion: Chairman Swenson moved to enter non-public session under RSA 91-A:3, II(a) at 8:15 PM. Seconded by Member Cowdrey. Roll call vote, unanimous in favor. Motion carried.

The Board entered non-public session at 8:15 PM and reconvened in public session at 9:15 PM.

Motion: Chairman Swenson moved not to seal the minutes of the non-public session. Seconded by Member Stewart. Unanimous in favor. Motion carried.

Motion: Moved and seconded to enter a second non-public session under RSA 91-A:3, II(a) at 9:18 PM. Roll call vote, unanimous in favor. Motion carried.

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The Board entered the second non-public session at 9:18 PM and reconvened in public session at 9:52 PM.

Motion: Chairman Swenson moved not to seal the minutes of the second non-public session. Seconded by Member Stewart. Unanimous in favor. Motion carried.

IX. Adjournment

Motion: Member Stewart moved to adjourn at 9:56 PM. Seconded by Member Delaney. All in favor. Motion carried.

The meeting was adjourned at 9:56 PM.

Respectfully submitted,

Don Sieburg, Town Administrator



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9/3/26, 4:54 PM

Gmail - Jay and my wife Christine, 219 Flaghole Rd Andover NH



Jay T <ceejaysinc@gmail.com>

Jay and my wife Christine, 219 Flaghole Rd Andover NH

1 message

Jay T <ceejaysinc@gmail.com>

Thu, Sep 3, 2026 at 11:42 AM

To: Jay T <ceejaysinc@gmail.com>

Would like to have a inquiry about a lack of timely response and support from the Town again

We submitted request for support and actions from the towns HHS department head. On actions of dredging that damaged our property and well water source.

This situation has been going on since 11/2022 threw a escalated case filed with NHDES on 9/11/2025

It was stated by the Andover DHH official has to wait for the NHDES action report first. I submitted the NH rules and response from NHDES states that the Andover HHS has the unmated responses and responsibility and if necessary a cease and desist actions not NHDES to intervene on the dredging actions at 231 Flaghole Rd.

We had the fire department non emergency dispatch respond to our complaint of "contamination" as stated by the property owner in our text message thread, into the creek and well supply water. I followed the up link line on how to report. We took pictures, videos.

The towns fire department, fire chief, which included the towns highway supervisor as a volunteer member, Andover police department, Andover Ems responded. Earlier in the day a local reputable contractor. To inspect the situation. The suspected violation person was even asked to stop until resolved by the police department. Yet it contained into the next day. Rush to clean it up the action but not the reaction??

Also a conservation board member stopped by. Everyone response was between this is bad and very bad.

Threw all the actions and lack of response the project was finished and covered up.

The NHDES finally stopped in for his inspection almost a month later and stated seems like slight natural seepage from a pond. Even though I supplied a video of a back how bucket sludge being dropped on to the land and draining into the creek. We have samples and pictures.

The last visit by the inspector states before I "dredge" the creek to clean up I have to hire a specialist to determine the contamination and get a permit from the state to repair. I would have to cover and sue civil to recover the costs. Yet there is no permit for the initial work nor as he stated he is not aware of any permits. The property owners stated that they were "given permission" to dredge the pond. Yet there is no supporting documents and nothing but denials from anyone i inquire with.

The Conservation board member stated they were approached outside of meeting about the operation and it was put onto their 30 day notice of addenda for inquiry back on 8/2025. They determined and suggested they get NHDES compliance and permission.

I supplied video and pictures of the suspected source of our property about 280feet by 3feet wide of our property. With a video and pictures of the backhoe digging and dumping the sludge.

So with all the lack of support and follow threw we possibly may have seemed to find out why. As in my last email to the state, the NHDES inspector, town administrator and chief of Andover police we find out from the neighboring owner that we being "Massachusetts people" should sell and move. Which she states has "plenty of money to fight". I stated ok write me a check--- and i will close 30 days and leave. Stated that it is not worth that. I responded well my tax assessed value and insurance value which I am charged for and pay yearly says differently.

She stated the town administrator told her, "I am always up at the town and complaining and she should go and counter complain about the cars on my property". It seems to of given more support and authorization by the town administrator and town to the property owners to continue and or justify their actions. She is not pleased with us since the recent property survey done by a state certified team. Along the adjoining property line of 900+ feet long starting at the road pin as 0 down to just the 400' aprox point we were off 30 feet in our favor. In fact part of the unapproved operation was actually on our property.

Yes I am a avid automotive and tradesman enthusiast 50+ years and rebuilder. A business owner in car sales that was attempting to move the operation to NH but as we spoke before in the non public meeting my inability to obtain 3 times so

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9/3/26, 4:54 PM

Gmail - Jay and my wife Christine, 219 Flaghole Rd Andover NH

we diverted to another source of income for the future. Two were due to suspected then confirmed as possible EPA issues. One is a possible future Gov building construction.

Recently 2 pieces real estate and a venture with Tye recently stopped due to the apparent lack of support especially one property backs up to wetlands.

Do we have to submit lineage of family blood line of which goes back to nearly 1600's, of and in New England states including NH not to be considered a Massachusetts trespasser to get a fair and equal assistance. The board has stated in earlier meetings of avoiding vocal actions or acting with governance in non select board meeting environments.

I am asking for internal HR inquiry of "Towns employee code of conduct policy" on multiple personal actions against myself-wife and our property by the Town administer. The possible lack of responses by the select board that may not of been informed and or actions in compliance to the Towns employee code of conduct policy and a responding letter or email of findings of the inquiry. We maybe wrong but we would like a a communication of so and a response.

The administrator has all correspondences you can view which includes all departments involved I recommend you view.

We also will be asking the Andover PD department to serve a non trespass to the administrator. We have previously shown enough supporting action to have a trespass to the adjoining property owner and companion, though It took days to have our request served. It took less than 1 hour for me to be served a non trespass with no supporting actions. If so we would also like to be informed

Jay and Christine 219 Flaghole Rd Andover NH

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meeting notes

1 message

Jay T <ceejaysinc@gmail.com>

Thu, Sep 3, 2026 at 11:57 AM

To: Jay T <ceejaysinc@gmail.com>

Question for the Select Board Jay and Christine
219 Flaghole Road

Andover, NH Good evening. We would like to ask about the lack of timely response and support from the Town regarding damage to our property and well-water source from dredging at 231 Flaghole Road. This matter has been ongoing since November 2022. We escalated it to NHDES on September 11, 2025. We asked the Town Health Officer for action. We were told the Town had to wait for an NHDES report. We provided NHDES rules and correspondence stating that Andover Health has primary responsibility, including cease-and-desist authority if needed, and that NHDES is not required to intervene first on the dredging. We reported contamination of the creek and our well supply after the neighboring owner used that word in our text messages. We followed the online reporting process and documented the site with photos and video. Fire Department dispatch, the Fire Chief, a highway supervisor serving as a volunteer firefighter, Andover Police, and Andover EMS responded. A local contractor also looked at the site earlier that day. Police asked the person doing the work to stop until the matter was resolved. Work continued the next day. A Conservation Commission member also stopped by. Those who responded described the situation as bad to very bad. Despite that, the work was finished and covered. NHDES inspected nearly a month later and called it slight natural seepage from a pond. That does not match the video we provided of a backhoe dumping sludge onto the land and draining into the creek. We have samples and photographs. On a later visit, the inspector said that before we could clean the creek we would need a specialist to assess contamination, a state permit, and that we would have to pay first and sue civilly to recover costs. He also said he was not aware of any permit for the original work. The neighboring owners said they were "given permission" to dredge the pond. We have found no supporting documents, and people we have asked have denied giving that permission. A Conservation Commission member said they were approached outside a meeting, that the item was placed on a 30-day agenda in August 2025, and that the Commission advised the owners to obtain NHDES compliance and permission. They did not grant permission. The affected area on our property is about 280 feet long by 3 feet wide. Part of the unapproved work was on our land, as shown by a recent survey by a state-certified crew along more than 900 feet of shared line. From the road pin, at about the 400-foot point, the line was off by about 30 feet in our favor. After all of this, we believe we may understand the lack of follow-through. In communications that included the State, the NHDES inspector, the Town Administrator, and the Andover Police Chief, the neighboring owner said that we, as "Massachusetts people," should sell and move, and that she has "plenty of money to fight." I said she could write a check and we would close in 30 days. She said it was not worth that. I pointed out that the Town's assessed value and our insured value, which we pay for each year, say otherwise. She also said the Town Administrator told her I am "always up at the Town complaining" and that she should counter-complain about cars on our property. That comment appears to have encouraged the neighboring owners rather than addressed our complaint. She has also been unhappy about the survey. I am a longtime automotive tradesman and business owner. We previously discussed in non-public session our unsuccessful attempts to relocate a car-sales operation to New Hampshire. Two sites involved possible EPA issues; one involved possible future government construction. We turned to other income, including real estate. Two recent properties and a venture with Tye have stalled, in part because of the lack of support here, including a property that backs to wetlands. We should not have to prove a family line in New England back to the 1600s in order to receive the same assistance as other residents. The Board has previously said town business should not be conducted through informal comments outside Select Board meetings. What we are asking

1. An internal inquiry under the Town's employee code of conduct into alleged personal actions by the Town Administrator toward my wife, me, and our property.
2. Review of whether the Select Board was fully informed and whether responses complied with that policy.
3. A written letter or email with the findings. We may be wrong on some points; we still want a clear answer. The Administrator has the correspondence involving all departments. We ask that you review it.
4. Notice of how the Town will handle our request that Andover Police serve a no-trespass order on the Administrator. Our earlier request regarding the adjoining owner and companion took days. A no-trespass was served on me in less than an hour with, in our view, no comparable supporting facts. We ask for equal process and to be informed of the result.

Thank you.

Jay and Christine
219 Flaghole Road, Andover, NH