

**Town of Groton
Selectmen's Meeting Minutes
September 7, 2010
7:00pm**

In Attendance: Miles Sinclair, Kyle Andrews, Christina McClay, Pamela Hamel (AA)

Audience Members Present

Miles called the meeting to order at 7:15pm.

Miles made a motion to approve the minutes as written, Christina 2nd, so voted.

Paul Hatch from the State of New Hampshire Department of Homeland Security and Emergency Management addressed the Board. Mr. Hatch has been working with Emergency Management Director Mike Lemieux and the Selectmen's office to secure a grant for a repeater and portable radios. The State requires the Board to accept this grant in a public meeting. At the 2010 Town Meeting the Town voted to raise and appropriate the matching funds. **Miles made a motion to accept grant money from the State, Christina 2nd, so voted.** After reviewing the documents the Board will sign them in the presence of the Notary.

Mr. Hatch also discussed one outstanding issue regarding the July/August 2008 disaster reimbursement funds the Town received from the State for road repairs. The Road Agent had applied for and received an extension to finish the project by June 30, 2010. To date the paving work has not been completed. There is an additional \$1,800 available to the Town once this work is done as long as the grant is still available. Mr. Hatch said there are only 2 communities in the state that have not completed the work, and his office would like to close out the grant.

Up Dates

The Board has looked through the DES rules regarding wetlands and concedes that the regulations are difficult to understand. Christina will contact DES for clarity, and ask them to visit the site.

Old Business

Kyle made a motion to sign the letter to the Fitzpatrick's, Christina 2nd, so voted.

The Board discussed the Attorney General's (AG) response to Lou Lieto's letter regarding the possible electioneering material from Register of Deeds Bill Sharp in the Town's monthly billing statement and the placement of political campaign signs on public and state property. RSA 658:44-a states in part "no public employee shall electioneer while in the performance of his or her official duties or use government property.....for electioneering." As county Register of Deeds, Mr. Sharp is an elected official and not a public employee; thus the law does not pertain to him. The AG's office did not do any further investigation into that matter. Regarding the placement of political advertising, RSA 664:17 states in part "no political advertising shall be placed on or affixed to any public property including highway rights of way or private property without the owner's consent.....Political advertising may be placed within state-owned rights of way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with the consent of the owner of the land over which the right of way passes." **Miles made a motion that the Town's position, based upon the RSAs, is that Town property cannot be used for posting campaign signs, and as the Moderator is in charge of the polls on Election Day, he will make the decision as to how to run the polling place, including the placement of campaign**

signs, Kyle 2nd, so voted. Christina stressed the importance of the Moderator being consistent regardless of his decision.

Rosemary Perry received and submitted two quotes for repairing the scratch on her vehicle. The Board learned that for this type of claim the Town is not subject to the \$1,000 deductible. Pam has filed a notice of claim with the Local Government Center (LGC). **Christina made a motion to refer this to LGC to let them handle it, Kyle 2nd, so voted.** At this time the Board is not making any changes regarding the current policy to have the attendants assist customers with garbage removal.

In his capacity as Animal Control Office (ACO) Miles spoke with James Tillotson regarding the verbal agreement mentioned in the Smith's letter. Mr. Tillotson confirmed that agreement and said he has every intention of honoring it. Money is a little tight right now but he is willing to make payments. He has not heard from the Smith's directly. In his capacity as ACO Miles will contact the Smiths to let them know of his conversation with Mr. Tillotson.

Regarding the Smith's request that the Board assist them in the retrieval of money owed; the Board believes it is inappropriate for them to engage in the collection of this money. **Miles made a motion to draft a letter to the Smith's regarding their request, Christina 2nd, so voted.**

The Board reviewed the Junkyard Dog's recommendations regarding the possible junkyard violations in town. He is recommending that he continue to work with all of the property owners except one. He feels a letter from the Town's Attorney is appropriate for the Kirk property on Bailey Hill Road. **Kyle made a motion to follow the Junkyard Dog's recommendations regarding these properties, Christina 2nd, so voted.**

The Board has agreed to schedule Saturday, September 25 to begin the hazardous tree removal. Any adults interested in assisting are asked to meet at the Town House at 9:00am. John Faucher has volunteered his time. Pam will contact both Mr. Faucher and Gordon Coursey to let them know the date chosen to begin.

The Board discussed the Zoning Board of Adjustment's (ZBA) recent decision to grandfather Mike Ethier's gravel pit operation even though he was never legally established. They have several concerns including:

- Zoning Ordinance has specific language regarding grandfathering a legally established use of land
- Precedent set by this decision
- Mr. Ethier had submitted an application for a special exception yet this decision was made without holding a public hearing

The ZBA claimed that they had received no official document regarding the legality of this operation. However, many members had been in contact with the Selectmen's office and were made aware that Mr. Ethier had never received a permit from the Planning Board as required under RSA 155:E nor an Alteration of Terrain permit from the Department of Environmental Services. This information would have been made known at a public hearing had one been held. **Miles made a motion to draft a letter of response from the Board of Selectmen to the ZBA regarding their decision and asking them to reconsider, and send a copy to Mr. Ethier and the Planning Board, Christina 2nd, so voted.**

The Board would like the Health Officer to be on the Agenda to give the Town's people an update on the issues he has been working on.

Christina made a motion to approve the Recreation Committee's request for funds for additional port-a-potties and a popcorn cart for the Antique Tractor and Equipment Show on September 18, Miles 2nd, so voted.

The Board received a letter from the Groton Historical Society's Executive Board. It stated that the Executive Board (EB) has voted to turn over to the Town the remaining funds for the Veteran's Memorial to be used to darken the lettering and landscape the area. It also stated that the entire EB has resigned. The letter included a check for \$981.64. Historical Society members who were in the audience said they, along with the President, were unaware of this decision. The Board recognizes that there has been some internal conflict within this private organization and have determined that it would be prudent to return the check. **Christina made a motion to return the check to the PO Box with a cover letter explaining their position, Miles 2nd, so voted.**

The Selectmen's office will be closed Fridays during the month of September.

The Cemetery Trustees and the Board of Selectmen would like to thank Marina Chase for the nice job she did repairing/refurbishing the Bailey Hill Cemetery sign.

Miles made a motion to go into nonpublic session at 9:00pm pursuant to RSA 91-A:3, II (b), Christina 2nd, so voted.

Miles made a motion to return to public session at 9:35pm, Christina 2nd, so voted.

Miles made a motion to adjourn the meeting at 9:35pm, Kyle 2nd, so voted.

Respectfully submitted,
Pamela Hamel
Administrative Assistant