

**Town of Groton
Select Board Meeting Minutes
October 19, 2010
7:00pm**

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

Audience Members Present

Miles called the meeting to order at 7:05pm.

Miles made a motion to approve the minutes of October 12 as written, Christina 2nd, so voted.

Updates

Pam contacted a representative from We Log regarding the damage on Sculptured Rocks Road; the Board is awaiting a reply. In the mean time Miles would like Kyle and Christina to look at the size of the area damaged and compare it to the area prepped for repair.

Pam was able to contact via phone one property owner who was impacted by the damage caused by We Log. She had a letter drafted to send to the second property owner. **Kyle made a motion to send this letter to Mrs. Middleton letting her know of the damage caused by We Log, Miles 2nd, so voted.**

Miles reported that although he had announced that the joint Planning Board, Zoning Board and Select Board meeting with the attorney was public, Attorney Spector informed them the day of the meeting that it was nonpublic due to attorney/client privilege and no minutes or postings were necessary as sessions with the Town's attorney are not considered meetings. The Board apologized for any inconvenience this might have caused.

Old Business

The Board reviewed the spreadsheet submitted by Avitar regarding the dooimage amount to be assessed against Robert Powell. **Christina made a motion to assess dooimage as far back as 2008, Kyle 2nd, so voted.** Dooimage amount is \$2, 411.64. Pam will include a copy of the Assessor's recommendation with the bill.

The Board reviewed John Fitzpatrick's building permit application. Kyle does not feel comfortable signing this permit as they have not seen any septic permits or a pump schedule for his tank. Dave Leone said the State does not normally grant a permit for a closed system. The Board would like Pam to contact the Health Officer regarding this issue. **Miles made a motion to table this until they receive additional information, Christina 2nd, so voted.**

Miles reported that Frank Tolman has decided he no longer wants to pursue licensing for his junkyard. He is currently taking advantage of some assistance that was offered to him to clean up the site. The Board reaffirmed that they are always ready to work with any property owners that are moving toward compliance.

The Board would like to reschedule a work session with Bill Jolly and Lou Lieto regarding the Local Auditor's position for October 28 at 6:00pm. This will be followed by a budget work session.

The Board reviewed Avitar's contract for the 2011 re-evaluation. In 2006 the Board signed a 5 year contract with the Company which began in 2007 and included 2 re-evaluations, annual data verification and pickups. The cost was split over this 5 year period. The contract for the 2011 re-evaluation is a part of the original contract. The decision discussed was whether or not the Town wants to pay an additional \$600 for bonding to insure that the re-evaluation is completed. The Board would like Pam to contact Avitar to see if there is some way around

this bonding issue as they do not believe the Town should be responsible to pay a bond to insure that the company does its job. Normally a bond would be required by the one receiving the service and paid for by the one supplying the service. The Department of Revenue (DRA) has reviewed the contract and does recommend a bond as a safeguard. This is a usual recommendation by the DRA and does not reflect their opinion on the Company's reliability. Up to this time Avitar has supplied all the services contracted. Other options include withholding payment but as the Town has been doing level funding for the last five years some of the re-evaluation costs have already been paid for. **Miles made a motion to table this until they get additional information, Christina 2nd, so voted.**

Miles made a motion to order the free Junkyard posters and brochures supplied by the Department of Environmental Services, Kyle 2nd, so voted.

Section 7 of the Groton Wind LLC agreement deals with Emergency Services. Since the Town of Rumney would be the first responder for any fire or EMS emergency dealing with the Wind Farm, the Groton Select Board felt that portions of this section, specifically section 7.2, were better dealt with in Rumney's agreement with the Company and had removed it from Groton's proposed agreement. The Town of Rumney has now requested that the Select Board include this section in their agreement for the following reasons:

1. The Wind Farm is in Groton,
2. any special or additional equipment needed is not equipment their department would routinely request,
3. there would be additional costs for insuring, maintaining and replacing this equipment later on, and
4. if for any reason Rumney should no longer be the primary unit for fire protection for Groton, Rumney would be left with equipment the Town does not need.

Miles made a motion to contact Ed Cherian to let him know that the Board would like this section reinserted in their agreement, Kyle 2nd, so voted. The Board will meet with Roger Thompson regarding whether or not he feels Groton needs any additional specific equipment for fire protection. This equipment would be stored on site.

The Board reviewed a building permit application for Hesselton. Mr. Hesselton would like to construct a small seasonal cabin with no running water and a composting toilet. The applicant says he will bring in bottled water for dishes, etc. **Miles made a motion to table this until they get an opinion from the Health Officer regarding the legality of this proposal, Kyle 2nd, so voted.**

The Cemetery Trustees reported that they have adopted new rules and regulations. These are available for view at the Town Office. They also discussed the need to find an access for the open plots on the left hand side of Rolfe Cemetery. Currently, these plots cannot be accessed by the main gate. They are proposing removing a portion of the rock wall at that end of the cemetery in order to gain access. Any vehicles would need to pass between the Veteran's Monument and the leach field, and approach the cemetery by traveling along the rock wall which serves as the boundary line between this property and the abutting property owner. They would like the Board to look at the area and give them an opinion on whether or not this is plausible or if the Monument will hinder a vehicle from passing.

Pam Yinger reported that 105 people attended the Groton Historical Society (GHS) program on Sunday. She expressed her thanks to Paul Adams for his donation to GHS of many maps of the area.

Christina reported that the Library Trustees spent about 10 hours cleaning the library and going through and cleaning the basement area. They will continue to work on getting the Library prepared for regular hours of operation.

Miles made a motion to go into non public session at 8:24 pm Christina 2nd,so voted.

Miles made a motion to return to public session at 9:05pm, Kyle 2nd, so voted.

The Board discussed John Fitzpatrick's request for them to consider accepting an invoice for his daughter's education as they have chosen to place her in a different school district. Although they support the concept of a parent's right to choose where and how their child is educated, the Town is not prepared to deal with all the issues surrounding this concept. This could open a flood gate of parents deciding to education their children someplace other than in the Newfound School District. What Mr. Fitzpatrick is proposing is change from the bottom up. Any changes should be made at the State level. Also, they have some concern regarding the legality of receiving and paying such an invoice after contacting the Local Government Center for more information, and currently there is no legal provision to transfer tax dollars from one SAU to another. They would like Pam to draft a letter to Mr. Fitzpatrick letting him know their position on his request.

The State has asked that the Groton Police Department submit their order for the 2010-2011 New Hampshire State Law Books. The Board directed Pam to order 2 of each, one for the cruiser and one for the office.

Kyle made a motion to adjourn at 9:15 Miles 2nd, so voted.

Respectfully submitted,
Pamela Hamel
Administrative Assistant