

**TOWN OF GROTON
SELECT BOARD MEETING
December 7, 2010
7:00PM**

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

Audience members present

Miles called the meeting to order at 7:05p.m.

Miles made a motion to accept the minutes of November 30 as written, Christina 2nd, so voted.

Jon Martin, a licensed forester representing FORECO, was here to discuss the condition of Old Rumney Road. He stated that they made improvements to the road including installing three (3) culverts and some erosion stone after receiving permission from the Board. The culverts were removed after the logging operation was finished. Miles asked Mr. Martin to report on the condition of the road prior to any improvements being made. Mr. Martin replied that there were three (3) deep depressions, with grass, loam and no existing culverts on the road. The first depression was a deep sharp depression and the most prohibitive. Because of this he was unable to pass with his 4-wheel drive truck. The remaining depressions were also steep but not as bad as the first one. The culverts that were installed belonged to the logger who agreed to install them on a temporary basis. Since Green Acre Woodlands purchased property in 2004 there have been no culverts in that section of the road. There are old, mangled and twisted culverts in the woods, which were used by a former logger in the 1990s. FORECO's position is that they left the road in the same or better condition than they found it. They also left some erosion stone and thus it could be argued that they left the road in an improved state. They did not leave it in worse condition. The Board admitted that they did not take a look at the road prior to any improvements being done. This is something that they need to do for the future. Mr. Martin said that it is FORECO's utmost desire to use best management practices. He quoted from RSA 236:9 & 11 regarding work and restoration on roads. He understands how some residents could think the road is in worse condition because the soil has been disturbed and there is a lack of vegetation.

Miles presented the following scenario to Mr. Martin: if he had to re-deck a bridge to gain access would he remove the planks once the operation is finished? As he is not an attorney Mr. Martin felt it best to not respond as they have clients who have this similar situation. Mr. Martin suggested that in the future they should photograph the roads and submit them via email prior to commencing any road improvement and again at the conclusion of the harvest. Miles' responded that this would be very helpful but it is his position that the Town should go out on its own and do its own examination. The Board thanked Mr. Martin for meeting with them to discuss this issue.

Glen Hansen has made an offer to take the Transfer Station glass to use as a base for a parking area on his property if no one else wants the glass. The Board reviewed the conditions for Aggregate for Construction as listed on the Department of Environmental Services website. They have some concerns regarding the need for engineering and crushing the glass to a certain size. **Miles made a motion to table this until they can have a direct discussion with Glen about it, Christina 2nd, so voted.**

Miles reported on the water test results that he got from Sears. The test results came back that there was no measurable iron content, which is in contradiction to the Department of Environmental Services test results. The Board agreed that there is very little water usage in this building thus a residential unit is sufficient. This discussion also included the possibility of there not being enough water used to activate backwashing and the need to purchase a unit that can schedule this based upon time as well as water usage. Culligan offers a unit for \$1,750 installed. This unit allows the backwashing schedule to be adjusted to meet the water needs. The Company also comes out quarterly and fills the unit with salt. There is no fee for this service but the Town

would pay the cost of the salt. Christina expressed the importance of having the unit maintained quarterly and with Culligan this is taken care of. **Kyle made a motion to purchase the Culligan water treatment system as quoted, Christina 2nd, so voted.**

The Board discussed where to hang the new junkyard brochure rack and posters. Pam will try to get some of the posters laminated so they can be hung outside at the Transfer Station.

The Board reviewed the numbers for the repair work done on Sculptured Rocks Road with regard to the damage done by the We Log Company in September. The total cost was \$1,771.19. In previous discussions the Board had agreed that We Log would not be billed the entire amount as the repair was actually larger than the damaged area. Glen Hansen felt it was necessary to enlarge the area as the road was in poor condition prior to the damage, thus causing a need for repairing a larger area in order to prevent the surrounding pavement from breaking up. Based upon the size of actual damage and the size of the repair, the Board believes We Log is responsible to pay 55% of the entire cost. This comes to \$974.15. Glen had initially said the repair would cost between \$800 and \$1,000. **Miles made a motion to provide supporting documentation, which in the Board's opinion shows that We Log is responsible to for 55% of the cost, and bill them accordingly, Kyle 2nd, so voted.**

Christina made a motion to sign the letter to New Hampshire Police Standards and Training notifying them of the status of the background check for Interim Police Chief Joe Pivrotto, Miles 2nd, so voted.

Christina made a motion to sign the letter to the Site Evaluation Committee concerning the Board's position on the remarks made by Plymouth Fire Chief Casino Clogston, Kyle 2nd so voted.

Miles made a motion to submit the Regional Transportation Improvement Program Project Proposal/Information Sheet as written, Kyle 2nd, so voted. This proposal is to include the Atwell/Orange Brook Bridge in the Department of Transportation 10-year improvement plan.

Miles made a motion to sign the letter of denial to Mike Ethier regarding his Intent to Excavate, Christina 2nd, so voted. The letter references RSAs 155-E:2, 155-E:3, 485-A:17 and 72-E:5.

The Hazardous Tree removal scheduled for December 4 was cancelled as Miles had to attend a funeral. Miles would like to know if the other Board members feel this should be discontinued until next year. John Faucher has said he will continue in the cold and snow. Christina mentioned perhaps finishing the last two (2) trees on Sculptured Rocks Road and continuing with the project next year. All Board members were in agreement. Miles will contact Mr. Faucher. He went on to say that Mr. Faucher has donated his own time and bucket truck for this project (with the exception of reimbursement of fuel). The Board would like to thank him for this and send a thank you card to him. Miles will pick one up and have it ready for next week. Anyone can sign it.

Pam contacted the Local Government Center (LGC) regarding the concerns raised by Ken Brown who owns several lots off of Victoria's Mountain Way (VMW). The attorney at LGC told her that the issue with the Browns is between them and the owner of the road as VMW is private. The fact that the Planning Board approved a subdivision off this road does not make the Town responsible for the current situation. As far as the tax assessment for these lots; the Browns are already being assessed at a reduced rate due to the location of the lots. They own a total of seven (7) lots; four (4) off of VMW and three (3) off of Halls Brook Road. The lots off Halls Brook Road have a higher value than the ones off VMW because of access and location. The Browns may still opt to file for an abatement. **Miles made a motion to contact the Browns and let them know the Board's position Christina 2nd, so voted.**

The Federal Government is requiring that all road signs be replaced using larger, upper and lower case retro reflective lettering by 2018. This is at a great expense to taxpayers. T-squared (T²), a training group from the University of New Hampshire Technology Center, sent an email informing municipalities that the public forum

is reopening for comment because of a report aired on Good Morning America regarding this issue. Christina would like the Board to consider submitting something to this public forum. This new law includes all road signs, not just street signs. Miles expressed that if someone cannot read the current road signs then perhaps there is something else they cannot see while driving and therefore, shouldn't be driving. The Board's position is that this is an unfunded mandate, municipalities are already dealing with budget issues, there are more important issues that should be dealt with and the government is adding an obligation to replace perfectly good signs.

The alarm system at the Town House is plugged into a ground fault interrupter (GFI) outlet. Sometimes when we lose power it trips this GFI switch causing the alarm system to run off battery power even while the generator is running and after regular power is restored. Eventually the battery power runs out and this triggers a call from the alarm monitoring company. 1-2-3 Lock-Key Security has asked that we plug in the system in a non-GFI outlet. The Board would like Pam to find out if a GFI outlet in the basement is a building code requirement, if the alarm box must be in the basement and if there is anything else on that same circuit that would require a GFI. **Miles motioned to table this until we get the necessary information, Kyle 2nd, so voted.**

The Board reviewed the paperwork authorizing the appropriate transfers into the Capital Reserve Funds (CFR) as appropriated at the 2010 Town meeting. **Christina made a motion to approve the transfers to the CRF, Kyle 2nd, so voted.**

Miles made a motion to sign the memo to the Trustees of the Trust Funds with respect to the Old Home Day Expendable Trust Fund, Christina 2nd, so voted.

The Site Evaluation Committee has made a decision to extend the time frame for reaching a decision regarding a permit for Groton Wind LLC until April. In light of this, the Board would like to get an initial answer from Ed Cherian on whether or not the company wants to initiate tax negotiations at this time.

Kyle asked the Board to discuss who is responsible to open the shelter, when should it be opened, and whether or not someone should be required to be here when the shelter is open (such as a member of the Board, police or Emergency Management Director (EMD)). Mike Lemieux had responded to these concerns by listing some criteria he considers when determining when/if the shelter should be open. Miles noted that the Board also has authority to open the building even when an 'emergency' has not been declared. Kyle expressed that he feels someone should be here at the building when it is open as a shelter. Miles said that is ideal. It would be the EMD, a member of the board, someone for the Police Department or possibly someone else with approval of the Board. The Board would like Pam to check on getting a specific phone number from the New Hampshire Electric Co-op (other than the number that is available to the general public), which they can use to find out how long an outage is expected to last. Depending upon the circumstances the Board could opt to open the building. This will be dealt with on a case by case basis.

The Board scheduled a budget work session with interim Chief Pivrotto for Tuesday, December 14 at 6:00. Miles will verify his availability.

The Board would like to receive a hard copy of the transcripts for the Site Evaluation Committee's adjudicatory hearings that were held in November.

Christina requested that the Library Trustees be allowed to decorate the Town Hall for the Christmas party prior to the 18th. Miles and Kyle are fine with this. The party is scheduled for 1-4pm on December 18. Goodies and food donations are still needed. They have a DJ for Christmas and children's music, games, crafts and Santa will be making an appearance at about 2pm. They are still looking for an elf.

Kyle made a motion to adjourn at 9:03pm, Miles 2nd, so voted.