

**TOWN OF GROTON
SELECT BOARD MEETING
July 5, 2011
7:00 PM**

In Attendance: Miles Sinclair, Kyle Andrews, Ron Madan, Pamela Hamel (Administrative Assistant)

Audience members present

Miles called the meeting to order at 7:01pm.

The Board asked Pam to contact 1-2-3 Lock-Key Security to schedule the annual alarm monitoring system maintenance and have the non functioning carbon monoxide detector removed from the system.

Minute Approval

Miles motioned to approve the minutes of June 28 as written, Ron 2nd, so voted.

Miles reported that Helen Santoro had approached him after last week's meeting to tell him about a ditching/water flow issue affecting her property. Miles visited the property and has shared his observations with the Road Agent. Ron and Kyle will take a look at the situation this week and the Board will discuss this at the next Select Board meeting.

Groton Wind PILOT Proposal

The Board reviewed the responses from Attorney Spector and Attorney Upton regarding the Groton Wind PILOT proposal. Attorney Upton feels the Town might receive more revenue if they pursue the gross revenue PILOT proposal over the fixed payment approach. Using the 5% of gross revenue calculation, 28% capacity factor and \$.13 per KW the Town could receive \$765,000 annually. The Board said that in their conversations with Ed Cherian, when they crunched the numbers, the fixed rate actually brought in an additional \$411,000 plus over the life of the PILOT. Ron pointed out that there is no guarantee with the gross revenue basis. The fixed payment option offers more stability. Miles said he did not get the impression that they were being misled when discussing the gross revenue option with Ed Cherian. Also, the fixed rate is not affected by the high/low wind year factor, however outages affect both options. Regarding the fixed payment option, Attorney Upton stated that the 2.5% annual escalator over the life of the agreement represents a significant increase. The Board had made the decision to go with the fixed payment plan, and they are not looking to revisit this right now. They will discuss any questions and concerns with the public during the hearing. Kyle stated that in coming up with the current proposal he believes the Board pushed as much as they could without blowing it. Attorney Upton also recommends that the clause requiring the Town to bill the company should be removed. The company has a set schedule for when payments are due and the Town should not have to invoice them. The Board agreed to make this request. If the Company does not agree they do not see this as a deal breaker. Miles had spoken with the Town Clerk regarding this issue and she does not believe that generating a quarterly invoice will be a problem for her.

Attorney Spector suggested that the Town incorporate language into the PILOT to explain the reasons for entering into a longer than 5 year agreement. Longer terms are allowed by statute when to do so is advantageous to the parties involved. Groton Wind should probably incorporate some language as to why it is advantageous to the company as well. Ron stated that a longer PILOT term provides stability as well as allowing the Town to do some long term planning. Kyle agreed and added that the company is not favorable to a shorter PILOT term. The Board agreed to insert the following language:

- "Finding that it is advantageous as it provides the Town with a long term predictable revenue stream that enables enhanced long term planning and infrastructure opportunities while allowing property owners the chance for property tax relief."

A public hearing to discuss the PILOT is scheduled for Tuesday, July 19 at 6:00pm. Both Ed Cherian and Gary Roberge are willing to attend the meeting should the Board think it necessary. The Board agreed that they do not think either gentleman needs to attend. The Board will meet in a work session on Thursday July 7 at 6:00pm to discuss the final proposal. Copies will be ready for the public by July 12.

Groton Wind Decommissioning Guarantee Authorization

The Company submitted a Decommissioning Guarantee Authorization. After an initial review of the proposal Miles expressed concerns over some of the language. The Board would like to meet with Ed Cherian regarding these concerns.

Everett Hobart Memorial Park

The Board chose a set of nets for the soccer goals and some throw down bases. The base set includes home plate. If they find that the park is used more they will consider purchasing more expensive bases. **Kyle made a motion to pay for the soccer nets and baseball bases from the GRC revolving fund, Ron 2nd, so voted.**

Old Rumney Road

The Board reviewed the minutes regarding the work FORECO did on Old Rumney Road. Based upon the minutes the Board is under the belief that all three ditches would be mitigated. Pam will contact Jon Martin to clarify if this was his intention. The Board would like her to convey that they appreciate the nice work that was done on the first ditch.

Junkyard Letters

Ron motioned to sign the letters to be sent out to the various parties, Miles 2nd, so voted.

We Log

Malcolm Washburn has not contacted the Board regarding the bill for the damage done by We Log. The deadline was June 30. The Board had talked about filing a claim in district court. Miles will pick up some information from the court regarding this. **Miles moved to table this until he gets that information, Kyle 2nd, so voted.**

2011-2012 Heating Fuel Bids

Unfortunately fuel costs increased since last week so the Dead River bid increased to \$3.48 per gallon. **Kyle made a motion to sign the contract with Fred Fuller, Ron 2nd, so voted.** The contract is for \$3.375 per gallon. There was some discussion regarding the type of hot water heater currently being used in the Town House. The Board agreed to revisit this issue in the future.

Individual Assistance Preliminary Damage Assessment Training

The tentative date for this training is Tuesday, July 26 at 5:30pm.

Sewall/Friend Property

The Select Board met with the Planning Board last week to discuss the Sewall/Friend property. In a letter to the Planning Board dated May 9, Attorney Ray stated that Billy Robertie has asserted that all items will be removed by August 1, and the property owners are requesting that the building frame be allowed to remain. After consulting the Local Government Center (LGC), the Select Board recognized that the

authority to make decisions regarding the Sewall/Friend property belongs to the Select Board. However, they do appreciate the Planning Board's input. Ron feels the owners should be allowed to keep the building up as long as all the remaining items are removed by August 1. Miles asked if, by sticking with this deadline, the Town would be setting them up to fail. He would like to see this resolved without going to court. Miles stated that the more reasonable the town looks the better opportunity to prevail in court should it come to that. Ron is willing to allow them 2 additional weeks. Kyle suggested that the Town send a letter letting them know that the question regarding the building frame will be revisited after the August 1 deadline for removing all the other debris. The Junkyard Dog visited the property on May 26 and noted that there are still 85 plus boats, outboard motors and parts, and other debris on site. After some additional discussion Kyle suggested a September 1 deadline to have all the boats and other debris removed. This would be verified by a site visit. If the items are removed by that date the frame will be allowed to stand. If not, then the next step is to begin court proceedings. Pam will draft a letter to Attorney Ray by Thursday for the Board's review. In the event that the Board does not meet for a work session on Thursday, **Miles motioned to sign the letter once it is approved, Kyle 2nd, so voted.**

Parking at Spectacle Pond

Kyle reported that he was at Spectacle Pond on Monday and there were a number of vehicles parked in the no parking area. Pam reported that Chief Pivrotto has been looking for an appropriate parking ticket template.

Letter of Resignation from Judy Demers

Miles motioned to accept Judy Demer's letter of resignation with regret, and thank her for her service to the town, Ron 2nd, so voted. The Town House cleaning position will be posted in various local areas as well as on the Town's website. Deadline to submit an application is July 19.

Warrant for Unlicensed Dogs

There are 4 residents who have failed to register their dogs. The Town Clerk has sent out letters to each and Miles as Animal Control Officer (ACO) has contacted each as well. **Ron made a motion to sign the warrant for unlicensed dogs, Kyle 2nd, so voted, Miles as ACO abstaining.**

Jolly Disposal Agreement

Comingled asphalt and rocks have been stored behind the town garage for a number of years. Glen Hansen says the town does not have any use for this material. Ron said it would cost the town money to have this removed. Bill Jolly is interested in taking this material to use on his driveway. Glen Hansen would be hauling this as a part of his private business. Miles expressed some concern that this could be misconstrued by someone who might think that Glen is having this material removed in order to generate work for his private business. The Board is okay with Bill Jolly taking the material but they do not want Glen hauling it. They stressed that this is a perception problem as they do not believe that Glen is having the material removed for personal gain. The Board has had discussions in the past regarding the appropriateness of storing these types of materials at the garage as it is in the flood zone. Kyle stated that Mr. Jolly making his own arrangements for hauling provides protection for Glen from those who would want to accuse him of using his position as road agent for his own benefit.

Miles made a motion to allow Bill Jolly to have access to that material but he must make his own arrangements for its removal which do not include the road agent or his assistants, Kyle 2nd, so voted, Ron abstaining.

Time Warner Cable (TWC) Notices

TWC sends mandatory notices to the Town regarding their ongoing contract renewals with various networks. They would like to discontinue the written notices and send them via email. **Miles motioned to allow TWC to send these notices via email, Ron 2nd, so voted.** Pam will review each email and let the

board know if there is anything of significance that needs to be brought to their attention.

Hutchins Junkyard License Renewal

Kyle motioned to sign the application for renewal for the Hutchins' Junkyard, Ron 2nd, so voted. Ken Knowlton will be conducting a site inspection in the near future. Pam will make him aware of the layout diagram submitted by the Hutchins.

July 12 Select Board Meeting

There will be no Select Board meeting next Tuesday. Pam will reschedule the July 12 work session with the Health Officer.

Health Officer

Miles would like to clarify with LGC whether or not the Health Officer is considered an employee of the Town. He gets a stipend and is covered by workers comp. Ron and Kyle agreed.

Kyle made a motion to adjourn at 9:29pm, Ron 2nd, so voted.

Respectfully Submitted,
Pamela Hamel
Administrative Assistant