

TOWN OF GROTON
SELECT BOARD MEETING
October 16, 2018

In Attendance: John Rescigno, Kyle Andrews and Sara Smith (Administrative Assistant)

Audience Members Present

John called the meeting to order at 7:00pm.

MINUTE APPROVAL

John motioned to approve the Work Session Meeting minutes of October 2, 2018 as written, Kyle 2nd, so voted.

John motioned to approve the Non-public Work Session Meeting minutes of October 2, 2018 as written, Kyle 2nd, so voted.

John motioned to approve the Select Board Meeting minutes of October 2, 2018 as written, Kyle 2nd, so voted.

John motioned to approve the Non-public Work Session Meeting minutes of October 6, 2018 as written, Kyle 2nd, so voted.

OLD BUSINESS:

Public Hearing follow up

The Select Board wanted to follow up on the items that came up at the September 25, 2018 Public Hearing that there were not answers on at the time.

Tax rate estimates

These are estimates and would change depending on the budget appropriations and valuation for that year

- using the information from when 2017 taxes were set and including the bond information:
 - 30 year term: 2019 interest only payment of \$33,000 would bring the tax rate up \$0.42
 - 30 year term: 2020 payment of \$111,763 for interest and principal would bring the tax rate up \$1.41
 - 20 year term: 2019 interest only payment of \$28,503 would bring the tax rate up \$0.36
 - 20 year term: 2020 payment of \$129,339 interest and principal would bring the tax rate up \$1.63
 - 10 year term: 2019 interest only payment of \$24,940 would bring the tax rate up \$0.32
 - 10 year term: 2020 payment of \$191,253 interest and principal bring the tax rate up \$2.41
- using the information from when 2017 taxes were set and including the bond information and increasing the valuation by the 1.4 million:
 - 30 year term: 2019 interest only payment of \$33,000 would bring the tax rate up \$0.13
 - 30 year term: 2020 payment of \$111,763 interest and principal would bring the tax rate up \$1.10
 - 20 year term: 2019 interest only payment of \$28,503 would bring the tax rate up \$0.08
 - 20 year term: 2020 payment of \$129,339 interest and principal would bring the tax rate up \$1.32
 - 10 year term: 2019 interest only payment of \$24,940 would bring the tax rate up \$0.03
 - 10 year term: 2020 payment of \$191,253 interest and principal would bring the tax rate up \$2.09

Underwriting costs

We reached out to the NH Municipal Bond bank. They explained that The NH Municipal Bond Bank does not charge an upfront fee for the bond. The cost of issue that is shared with other communities in the pool is factored into the interest rate. We would need Bond Counsel approval for the bond and they do charge a fee of between \$5,000 to \$7,500.

Current electric and heating costs for HW Garage

The question came up to see how this will affect the electric and heating costs. We didn't have current costs at the Public Hearing. Turnstone mentioned at the meeting that because the building will be energy efficient it will probably be the same or less but didn't have exact amounts as to what the cost would be on the building they were looking at for the Town. Sara pulled past numbers and for the electric in 2017 it was \$916.97 and so far for 2018 it is \$941.33 but that was through this month so we still have two more months. For the heating fuel in 2017 it was \$2,497.33 and so far for 2018 it is \$2,668.60.

Estimate from Turnstone on heating and electric costs for building like that

Turnstone said a good estimate for electric and heating would be \$4,500-\$6,000 but they sent it to the mechanical engineer for more information and have not yet heard back.

Town valuation information

The Department of revenue stated that the building would affect the Town's valuation but not until the building is completely built and assessed for that year. When Sara ran the numbers for the tax rate it actually showed the same information with an increase in valuation actually brought the tax rate down.

EPA codes/requirements from Turnstone

Turnstone sent this out to the civil engineer for the EPA codes and requirements for the collection of water for the building and explained it is regulated by the ENV-Wq 402. They also provide the handouts from Department of Environmental Services which explains why holding tanks for floor drains are needed.

John also did some research on his end. John explained that what he found was that potential contamination sources for water are vehicle service and repair shops and salt storage and use are the two primary reasons for contamination of water. The most common cause of water contamination in New Hampshire is the use of road salt. From 1993-2003 the Department of Transportation replaced more than 424 private wells contaminated by the use of storage road salt at the cost of \$3.2 million. Several public wells had to be abandoned due to contamination of road salt. Ground water contamination can be costly to water suppliers in the communities as well as responsible parties. Typical clean up can cost \$20,000-\$80,000 but could exceed \$1 million which is why it is critical to collect this water. There will be salt being washed off the truck or melting off the truck and it needs to be contained or we could run into potential problems. If you do not have these in place the State could not approve the building or shut it down until these are in place.

Example contract from Turnstone

We have received a sample contract from Turnstone and made a few copies but not a lot since it is a lot of pages. If you would like one and didn't get one please share with someone who has one or see Sara at the Town office tomorrow and she can provide you with a copy. This is not finalized and items can be reviewed and terminologies discussed before signing any document.

Plan with salt shed, well, septic and turn radius from Turnstone

The copies for these were on the table so please feel free to grab one. Please note that this plan still shows old buildings and layout but they discontinued the design to save money and not spend additional funds. This plan will have to be reworked should the vote go through. The sand shed will not be included in the new design.

Corrected payment amounts

When the payments were given at the Public Hearing, a few were given without interest. The correct payments with the information we have is as follows:

- 30 year: first payment 2019 interest only for \$32,064.99, first payment with principal and interest in 2020 would be \$111,762.63 and the last payment in 2049 would be \$46,012.50.
- 20 year: first payment 2019 interest only for \$28,502.21, first payment with principal and interest in 2020 would be \$129,339.00 and the last payment in 2039 would be \$71,400.00.
- 10 year: first payment 2019 interest only for \$24,939.44, first payment with principal and interest in 2020 would be \$191,252.88 and the last payment in 2029 would be \$142,450.00.

Superior Court Hearing

The hearing is scheduled for October 22, 2018 at 10:30am at the Grafton Superior Court in North Haverhill. We are given 30 minutes. The summons is posted on the bulletin board in the hallway, at the Select Board office, the Town Clerks office, the transfer station and online. This will determine if we can have the Special Town Meeting.

Mailer

The Select Board agreed a mailer would be a good idea and this was put in the mail today. Sara explained the mailer has the warrant which has the date, time and location of the Special Town Meeting along with the warrant article. There is also a note recommending that the residents call first because the hearing to determine if we can have the Special Town Meeting is on Monday, October 22, 2018.

Other questions and answers from Turnstone (taken directly from the handout from Turnstone)

Q1: Can you also confirm if the floor of the salt shed will be asphalt or what it is?

A1: Yes

Q2: What are the list of codes/requirements (EPA)

A2: We have a question into the civil engineer

Q3: Estimate of heat and electric costs on a building that size

A3: Although this is tough to determine because it's going to depend on how the garage is used. A good estimate for Electrical Costs would be \$4,500 - \$6,000. We have a question into the Mechanical engineer

Q4: Example of the contract (you said you have an AIA document you could supply)

A4: Please see attached.

Q5: An example of the plan with the septic, well, and salt shed which shows the radius needed for turning, etc.

A5: See attached. Please note that this plan still shows the old buildings and layout. We discontinued design as to not spend additional funds. This plan will have to be reworked should the vote go through. The sand shed will not be included in the new design.

Q6: It was stated at the meeting that a building like this does not need a 400 amp service.

A6: We asked the electrical designer about this and the 400 amp service would have been required for the larger building. Not knowing what equipment is going to be used in the building it is hard to determine the exact load that would be required. The cost differential to go with the 400 amp, 208/120 volt service with pole mounted transformers is not significant. This would also allow for expansion on the site or if new equipment was purchased that required more load, it would be able to handle it.

These are questions specifically related to items included in the detail of scope that was handed out at the meeting.

Q01: Division 2 Site Construction 02840 Landscaping 2039sy seeding? Hydro seed?

A 01: Yes, our budget anticipated hydro seeding.

Q02: Division 3 Concrete Slab Treatments 03300 Polished concrete office area \$7650.00? Necessary?

A02: Polished Concrete is not necessary. It was selected as a finish as it is a typical application for this use. It is also has a long term lifespan and is easily maintained.

Q03: Division 5 Miscellaneous Metals 05510 Miscellaneous Metals gas utility 4? Heat hook-up – oil

A03: This is bollard protection for the propane storage tanks.

Q04: Division 6 Carpentry & General Quoting 33 weeks- this is almost 8 months-not the 5 months that was said.

A04: This was an error on our part. When we redid the scope for the reduced size of the building and doing the entire project all at the same time and not phased we missed changing that note. We do anticipate the building taking approximately 5-6 months. This will ultimately be determined through final design and when subcontractor bidding is complete. It is also heavily determined by what time of year you get in the ground.

Q05: 06100 Rough Carpentry lifts & hoisting. What is this?

A05: This is for forklifts and/or cranes for erection of the wood framed salt shed.

Q06: Division 9 Finishes 09910 gas utility 4. What is this?

A06: This is for painting bollards that are placed in front of the propane tank.

Q07: Division 10 Specialties Shower seat, shower grab bar, shower curtain, towel bar & robe hooks. No shower on the plan.

A07: We have anticipated a shower as standard equipment typical with DPW Buildings. We have included pending the complete design. If a shower is not required, it will be removed as a part of the scope of work and the cost of the project reduced.

Q08: Division 15 Mechanical Systems 15400 Plumbing Animal control sink, shower, ice maker connection, coffee maker connection? Necessity?

A08: We have anticipated these items as either required or standard items that would be included in a DPW building with animal control. If these items are not required or needed, then they may be taken out of the scope of work and reduce the overall cost of the project.

Q09: Floor drains not shown on schematic?

A09: Trench drains are indicated in the garage plan.

Q10: 15700 HVAC Animal Control Exhaust Fan? Necessity?

A10: We have included as a part of our comprehensive estimate to aide in the removal of the animal odors. This can be reviewed and removed if not required or needed. Again, through design, this could be an item that could possibly be removed and reduce the cost of the overall project.

Questions and comments

- Rick Belanger said that the drain system is only needed if there is a hole in the floor. There are ways around that that which when he mentioned his plans have a water system underneath which would help dry it up. You dry it up, sweep it up and treat it as a salt waste. This which would be a tremendous

savings. John said with his understanding of dealing with hazardous waste that you cannot change the characteristic of a waste and consider it no longer a hazard. John said he deals with hazardous waste and Rick said he does too. John also mentioned that Rick has never submitted any of the plans he mentioned at the Public Hearing.

- Doug Millett asked if when John mentioned the road salt issue is it because of the brine. Kyle said he doesn't think it is because of the brine but it is the salt itself. John agreed.
- Slim Spafford what time the Special Town Meeting is at. It is Tuesday, October 23, 2018 at 7:00pm.
- Ann Joyce mentioned that on the question and answers from Turnstone, the first one isn't clear if it is asphalt. Sara confirmed that it is asphalt.
- Ruth Millett asked if it such a big deal to collect the salt off the truck why is it okay to spread it all over the road. This is a good point. John mentioned that in the DES guide to groundwater protection it mentions that they have to take into account the safety of the public so they need to use the salt on the road but at the garage is a contained area and we can try to protect the environment there.
- Jim Joyce said that speaking to what Rick said, there is a question on the fact sheet handout that asks "Can I continue to discharge to the ground?" The answer says that the State does allow some groundwater discharges as long as they are properly registered or permitted. So he doesn't understand why we would need this drain. John said the way he is reading all of this stuff is that if it becomes a problem it becomes a major problem. The cost of this is minimal when you look at the cost of the building.
- Doug thought we had said that we had contacted other contractors but no one else responded. John explained that we sent out a Request for Proposal (RFP) and only a few companies responded and Turnstone had the best proposal at the time and we did research on them and reached out to other companies that have used them. Turnstone is the company that is designing the building and will oversee the construction but it will go out to bid so subcontractors can put in bids on the project whether it is for the foundation, the site work, etc. The \$1.4 million is the maximum amount the building will cost if the vote is approved but once goes out to bid it could come in less.
- Rick Belanger states that he knows we were beat up really hard at the last meeting and will be again at the next meeting which is the life of the Selectmen. He knows the Select Board has done a lot of work on this and it is appreciated. He said the minutes that Sara does are very good. Rick thanked everyone for their work. He asked if when the attorney said it was okay to do this in her eyes, did she give us any other case studies to go by where this has worked in the past. John said that every case is looked at individually. Rick said that the Select Board isn't going to like what he has to say but he doesn't think we should go before the judge. Kyle asked why he says that. Rick said that this is not an emergency and he thinks the judge will not be impressed and will think it is a waste of time. John said we have the hearing so we are going to go before the judge and explain why we believe it is an emergency and that we are trying to save the town \$300,000.00. The worst case scenario is that they say no but it would be more damaging to the Town to not do this and not try to save the Town \$300,000.00.
- Rick asked if the judge says no and recommends that the Town wait and bring it before the voters in March, is the Select Board is going to put the same things before the Town. Kyle explained that we cannot bring the same exact things because the price wouldn't be the same, it would be \$300,000.00 more. John said the plans we have now would be the same and the information would be the same but the price wouldn't be.

There were no more questions or comments on the Special Town Meeting so the Select Board moved on with the rest of the Select Board Meeting.

NEW BUSINESS:

Workers' Compensation Posting

Primex sent the updated State of NH Workers' Compensation Law, Notice of Compliance. The Select Board needs to sign this and then Sara will make copies and it will be posted in all work locations. **John motioned to sign the workers' compensation notice of compliance, Kyle 2nd so voted.**

State of NH- November 6th polls

Ruth submitted a posting for the Select Board to sign which states that the polls will be open on Tuesday, November 6, 2018 from 8:00am to 7:00pm at the Town House. **John motioned to sign posting for the November 6th polls, Kyle 2nd so voted.**

Set Warrant Article submission date

Sara submitted a Memo with the date the Warrant Articles will be due, which is January 3rd, 2019. The Select Board is okay with the due date. Sara will get the Memo out to Department Heads by the end of the week.

Letter from Avitar

Avitar sent a letter to the Select Board regarding NNETC, Northern New England Telephone Company, 2016-2017 Appeals. The test case for the NNETC appeals for the valuation of the Public Right of Way (PRW) for Groton was recently heard and decided. The decision was that there is a value for the PRW and it must be allocated to each user. Avitar doesn't agree with the decision and it is under appeal. At this time there is no need for the Town to do anything but wait and see what happens. However, Avitar took the court methodology and applied it to our assessments to see what the risk was and to help the Town decide if we want to keep incurring legal and expert fees for the appeals. In applying the methodology, Avitar computed a refund based on the 2016 and 2017 tax rates and a refund for both years without interest would be \$1,947.64. This settlement would end this and any future appeals with NNETC.

The Select Board agreed to continue forward with how we have been and not make a settlement payment at this time. Sara will let Avitar know.

Building permit- Map 6 Lot 93

The owners submitted a building permit for a 20x20 garage on their property at 47 Dodge Road. They have submitted a release of municipal liability and responsibility form in the past. **John motioned to sign the building permit for Map 6 Lot 93, Kyle 2nd, so voted.**

SELECT BOARD ITEMS:

Snowmobile Trail Permission- Baker River Valley Snowmobile Club

A request for snowmobile access was received as we get every five years. We usually send a letter with the approval which clarifies the locations and the types of roads that they can access. Sara used the same letter and the Select Board agreed to the term of five years. **John motioned to sign the request for permission to use certain Town roads for snowmobile access, Kyle 2nd, so voted.**

Hazard Mitigation Grant- Sculptured Rocks Road Project

Sara explained that she has been working with Homeland Security and Emergency Management regarding a grant to replace three culverts on Sculptured Rocks Road. These are located near Map 4 Lot 6, Map 5 Lot 141 and Map 5 Lot 54. We had an engineer come out and give recommendations and he recommends all three be changed from the regular culverts to open bottom box culverts. To change all three would cost \$735,282.00 so the federal portion that would be covered if approved would be \$551,461.50 and the Town portion would be \$183,820.50. Sculptured Rocks Road has been closed on different occasions due to the flooding caused by

these culverts not being the correct size to handle the flow when it increases during a storm. In order to qualify for the grant, Homeland Security needed quite a few things that Sara has been working on putting together. We definitely need to do fix these because with every big storm the road is being damaged and is costing the Town money. However the amount we would have to come up with is \$183,820.50 and they need a program match letter signed stating we will come up with that. We would have to submit a warrant article and let the Town vote so if they turn it down we cannot move forward with the grant. Sara did ask if we get approved but the Town voted this down, if we could turn the grant down. They said that the way the process works and the time it takes, we wouldn't know until spring if we were approved anyway so this would allow time for the Town to vote and we could turn it down at that time if needed.

John asked if this is a grant that comes up every year. Sara explained that they are not. This type of grant was opened up due to the October Storm. There are hazard mitigation grants that only open up when there is a disaster and for Towns that experienced damage to allow the Town to fix items to avoid this from continuing to happen in the future. This is why we were qualified to apply for this grant now. The Select Board stated that they would be willing to submit a warrant article for this.

Bubba mentioned that the thing that really helped us with qualifying to apply for the grant is the fact that there is no detour for this road so there is no other way for residents to get in or out. Sara explained that is another reason they are saying we should do this now because Dorchester is getting close to being approved for a grant for the bridge and if that happens there will be a detour option which will hurt our chances of us qualifying for the grant. Bubba said these culverts are so undersized that they water is rushing in and also blowing out the banks so the longer it goes the more bank we lose which will make the box culverts even bigger which could end up being a bridge which would cost more money.

They needed letters for the following: road closure information, annual project maintenance, program match, estimated year culverts were built. Sara drafted letter for all of these. She also has to complete the application which is almost done, along with some other forms and maps. This all needs to be presented before October 26, 2018. Sara brought what has been completed so far for the Select Board to sign and asked that they vote to come in and sign the rest once it is complete since we do not meet again until after this is all due. **John motioned to sign the grant letters and to come in and sign the rest of the forms once they are complete, Kyle 2nd, so voted.**

DEPARTMENT ITEMS:

Highway Department

- Bubba explained that the reclaiming on Sculptured Rocks Road that was supposed to start this week didn't happen because of all of the rain. They are tentatively saying next week but we won't know until Friday for sure.
- Bubba mentioned they have been getting ready for winter by getting the trucks, sanders and plows ready. There is snow in the forecast for Wednesday night into Thursday.

COMMITTEE UPDATES:

Collection Boxes

Ruth mentioned that Elizabeth wanted to remind everyone that the collection boxes are out in the hallway. She was also thinking about putting out the information for the families in need that she knows of. We cannot give the names but we can put out the gender, sizes, interests, etc. to help people shop for them.

Road Committee

The Road Committee is meeting again on Monday, November 12, 2018 at 7:00pm. Sara will post this.

Conservation Commission

The Conservation Commission is sending two of the new members to classes at Pembroke academy. They will be registering but there is a cost. Sara explained that she did talk to Cynthia Carpenter and told her to make the reservation and print off the paperwork and I will cut a check and mail it in together.

QUESTIONS AND COMMENTS:

Lewis Albert

Kyle informed everyone that Lewis Albert passed away. There will be a graveside service Saturday, October 20, 2018 at 4pm at cemetery at Town House.

Having no other business to conduct, Kyle motioned to adjourn at 7:45pm, John 2nd, so voted.

Respectfully Submitted,

Sara Smith
Administrative Assistant