

Town of Groton
Select Board Work Session Minutes
June 25, 2019

In attendance: John Rescigno, Ron Madan, Tony Albert, and Sara Smith (Administrative Assistant - AA)

John called the meeting to order at 5:00pm.

Radio Reprogramming Grant

Sara explained that Tony came in Monday afternoon and let her know about a radio grant for the Police Department. We didn't see it since it was sent to the Police email. The deadline has passed but Tony got the approval to grant us an extension as long as we get it in asap. Sara has been working on the paperwork and is just working on the radio serial numbers and such now. The Chair of the Board of Selectmen needs to sign the paperwork. **John motioned for him to sign the radio reprogramming grant paperwork, Tony 2nd, so voted.**

Bryant Paving Proposal

Bryant Paving submitted a proposal for the extra work on North Groton Road and Sculptured Rocks Road. Bubba reviewed it and stated that all looks good. **John motioned to sign the Bryant Paving Proposal, Tony 2nd, so voted.**

Pemi Baker Solid Waste Appointment

Norm reviewed the letter from Pemi Baker Solid Waste and is okay with being appointed as our representative. **John motioned to sign the appointment of Norm Willey to be our Pemi Baker Solid Waste District representative, Ron 2nd, so voted.**

593 North Groton

Sara explained that she sent the attorney the junkyard report which states that the Platts property is in compliance. The attorney explained that the owner was found in default by the court and she filed a request for final judgment which included payment of the town's attorney's fees. She wanted to know if the Select Board wants her to withdraw that and just non-suit the lawsuit since we have compliance. The Select Board thinks we should seek the attorney fees and court fees (\$346.60 and \$1,195.50) but not the civil penalties of \$15,000.00 but think we should mention that it was waived this time but if he doesn't it again, he will be charged. Sara will email the attorney to let her know.

Indemnification

Sara explained that indemnification came up at both her welfare meeting and Bubba's road workshops. It is to protect the employees (Select Board, Road Agent, Transfer Station Supervisor, etc.) against anyone coming against them. The Town has to adopt this but it doesn't have to be at the annual Town meeting. It can be at a work session or Select Board Meeting. NHMA provided some wording which is as follows:

Pursuant to RSA 31:105 the select board of the Town of Groton does hereby indemnify and save harmless for loss or damage occurring to any person employed by the Town of Groton and any member or officer of its governing board, administrative staff or agencies including but not limited to select board members, town administrator, administrative assistant, regional planning commissioners, town and city health officers, overseers of public welfare from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the

indemnified person at the time of the accident resulting in the injury, damage, or destruction was acting in the scope of employment or office.

Sara sent this to Primex and they had no concerns with the wording but provided a few important considerations which were that a town electing to approve this indemnity may choose to purchase liability coverage to assist it in meeting its obligation per RSA 31:107. It's important to note, however, that liability coverage has policy terms, limits and exclusions which in some situations may result in coverage which is not coextensive with the relatively broad scope of indemnity set forth in RSA 31:105 and the adopting motion. To the extent a claim is not covered by the insurance/pool coverage, but is still within the scope of RSA 31:105, the Town not the insurance provider would be financially responsible.

Sara will reach out to see the extra insurance costs and will add this to the agenda for next week.

Mike Ethier Concerns

The last we knew Jennifer Gilbert from the Floodplain Management Program had talked to an Engineer that Mike was working with so it seemed positive. We still sent a letter on May 13th which was a 2nd request for any plans or permits and we haven't heard from him. His neighbor reached back out with concerns again on 6/19/19.

It was agreed to email Jennifer to see what the ramifications are, explain the Town has sent many letters and haven't heard from him and see what the next step would be. Once we get this information it was agreed to send Mr. Ethier a letter stating again that he needs to cease all work, refer back to letter sent 5/13/19, explain it has been brought to the Select Board's attention that work still continues, but we haven't received plans or permits and haven't heard from him at all. The letter should state for him to cease work immediately or further action will be taken by the Town.

John motioned to go into non-public session pursuant to RSA 91-A:3 II (b) at 5:31pm, Ron 2nd, so voted.

John motioned to return to public session at 5:58pm, Ron 2nd, so voted.

John motioned to seal the non-public minutes, Tony 2nd, so voted.

Recycling Concerns

Waste Management emailed back and stated that the Town would need a front load commercial recycle box in order for them to recycle but they do not go this far for commercial so they wouldn't recycle our items if they continue to get wet and really couldn't confirm at all. They also said the price will be going up as of July 1st so we need to decide if we want to have them pick up their containers. In 2018 we paid Waste Management \$6,739.28 to "recycle" with them and the budget line is only \$6,200.00. So far in 2019 we have already spent \$5,915.10 and it isn't being recycled. The budget is still \$6,200.00.

Casella got back to us and using our tonnage for 2018 that Waste Management did for us, the cost for year would be \$20,220.00 (\$1,685.00 per month) to recycle plus their E&E fee is 6.49% which would be of the total bill. These are approximate prices based on one pull a month.

The budget doesn't allow for either of these for this year and it doesn't allow to build a roof over the current container either.

It was agreed that we should do away with recycling and have an extra overflow container from Casella. John asked if we should use the extra container to practice recycling and once, we can get it housed and clean and dry, and once the people recycle correctly, then we can look at recycling again. It was agreed it would be too

much work to monitor this. It is very costly and it is not in the budget right now especially if it isn't being done correctly.

Sara will reach out to Waste Management and let them know that we are not going to continue recycling with them and ask them to pick up their containers. If needed we will reach out to Casella about getting an extra overflow container from them. Sara will ask Norm first if we need the extra container. We still should look at covering the open containers to avoid them getting wet. Sara will add recycling to the agenda for next week's Select Board Meeting so the Select Board can let the Town know what was decided. **John motioned to stop recycling effective immediately and to contact Casella for an extra overflow container. Tony 2nd, so voted.**

Building Permit

Deb Johnson had made some changes to the building permit. The Select Board reviewed the new building permit and have the following suggestions:

- On the building permit it references the Town of Groton's Zoning Ordinance contains surface water buffer performance standards. The Select Board couldn't find this on the current zoning ordinance. Sara will ask Deb Johnson if this was on the ordinance that was not passed.
- The Cockermouth River is mentioned in two different places, once with Punch Brook and once with Spectacle Pond. It seems strange that it is on there twice. Sara will ask Deb why this is.
- It was agreed to remove the section on if this is a new residence.
- It was agreed to remove the part that mentions "on a separate sheet" and just put the section that was on the old permit that asks for a description of the proposed building or improvements.
- The rest of the permit looks good.

Sara will send the questions to Deb and will work on making the changes to the permit.

Emergency Management Meeting

In attendance: John Rescigno, Ron Madan, Tony Albert, Sara Smith, Bill Oakley, Patti Oakley, Robert "Bubba" Ellis, and John Fischer

Bill mentioned that the Emergency Operations Plan (EOP) needs to be updated. It was created the same year that Hebron did theirs and they are in the process of updating this as well. Sara explained that this is in the works and we have talked to June Garneau about this, along with the grant for this but we need to complete the Hazard Mitigation Plan first.

Bill said the plan does say how to start the emergency operation and how to shut it down. The current plan is outdated and a lot of it applies to bigger towns or cities but it does have a lot of good information. He hasn't completed looking it through entirely but he will do this so we can pass it on to the next person. The EOP states that whoever the on-duty Police Officer is would be the one to start the process, then Road Agent, Select Board Chair, EMD, Administrative Assistant, etc. Bill said there is a lot of paperwork and special numbers to call for NHEC. The important thing to remember is to document everything and to take pictures, save invoices, take notes, etc. even if we do not know if it will be declared a FEMA event.

Bill and Patti do get the updates for Flood watches, storm warnings, etc. so they know when there are warnings ahead of time.

Bill will call the State WebEOC about user names. Sara will reach out to Lakes Region Mutual Aid to make sure they have the information for the current EMD, RA, etc. and see if they need anything else from us.

Sara will put a list of phone numbers together and send it to everyone to add to their phones so they can send group texts or call people in the event of an emergency. It was agreed that ideally everyone should meet at the

Emergency Operations Center (EOC), which is the Town House and then decide who goes where from there. Sara will update Bills email to reflect the live.com email.

Depending on the storm some people may not be able to get here if there is flooding in other parts of the Town. Bubba said to keep in mind there is spotty cell phone service and even the repeaters for the radios do not work everywhere which makes it tough.

It was agreed that we should move the EOC base unit to the SB office.

It was also agreed that everyone should take the IS100, IS200, IS700, Hazmat awareness classes online. They are free but do take a few hours.

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

Respectfully submitted,

Sara Smith
Administrative Assistant