

TOWN OF GROTON
SELECT BOARD MEETING
July 7, 2020

In Attendance: John Rescigno, Tony Albert, Ron Madan 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 June 16, 2020 as written, Ron 2nd, so voted. John motioned to approve the Select Board Meeting minutes of June 16, 2020 as written, Tony 2nd, so voted.

NEW BUSINESS:

Deed letter from Tax Collector

Ruth submitted a letter with a list of pending deeds. She asked that the Select Board review them to see if there are any properties that would cause a liability to the Town. Also, due to COVID-19 the Town does have the option of delaying the deed process. If the Select Board wish to delay this, Ruth would like to know when they wish to proceed. The deed process takes about 4.5 months to complete. The Select Board does not see any properties that would cause a liability to the Town. Right now the Select Board does not want to delay the deed process but agreed that they would look at each one on a case by case basis if they approach the Town and present a COVID-19 related reason, such as not working, etc., that is making it hard for them to make the payments.

Ann asked how many properties were on the list. Sara answered that there are twelve.

Abatement application- Map 1 Lot 81

Ruth submitted an abatement request for Map 1 Lot 81. The resident made the lien payment in time but was still charged the lien penalty so this penalty needs to be abated. **John motioned to sign the abatement application for Map 1 Lot 81, Tony 2nd, so voted.**

Amended building permit- Map 6 Lot 47

The resident submitted a building permit which was approved and signed by the Select Board on May 19, 2020. It was then realized that the map and lot number need to be changed to the other lot on the property but the rest of the building permit is correct and will stay the same. We just need to change the building permit from Map 6 Lot 46 to Map 6 Lot 47. **John motioned to approve the amended building permit for Map 6 Lot 47, Tony 2nd, so voted.**

Cemetery Plot Purchase

The Cemetery Trustees received a plot purchase agreement that needs to be signed by the Select Board. **John motioned to sign the Cemetery Plot Purchase agreement, Tony 2nd, so voted.** Sara sealed it with the Town Seal.

Memo-Transfer to Capital Reserve Funds

Sara created a memo to the Trustees of the Trust Fund requesting to transfer the funds appropriated at Town Meeting by Warrant Articles to all the Capital Reserve Funds. **John motioned to sign the memo to request the transfer to capital reserves, Tony 2nd, so voted.**

Junkyard Reports

Ken Knowlton visited all the properties that either have junkyards or have junkyard concerns and submitted the reports to the Select Board for review.

- Case 1 - is in violation. Sara created the letter that states the property needs to be cleaned up within 30 days.
- Case 2 - is in violation. Sara created the letter that states the property needs to be cleaned up within 30 days.
- Case 3, 4, 5 and 6-are on the inactive list
- Case 7- is in violation. Sara created the letter that states the property appears to be in violation needs to be cleaned up within 30 days. This is the property that we have been working with the attorney on. The attorney's latest emails states I'm working on the motion for contempt, but its noted note that the town has been given the authority to go onto the property and clean it up and then get a lien for the costs. This is going to be the best (and probably only) way to actually get the property clean. What we get from a contempt motion is another order for them to clean it up, which we know they won't do. They already owe the town \$44,000 in fees and \$1,020.40 in attorney's fees, so adding additional penalties to that won't really make a difference. Usually the ultimate relief is what we already have an order allowing the town to clean up the property. Cleaning up the property does not allow the town to condemn the house; however, since the house is not occupied by the owner and her family, if the house presents a clear and imminent danger to the life or health of occupants or other personas and protection of life or heath requires vacating the premises, then the town's health officer can order the premises vacated. There is a very specific process that must be followed to do this, so please let me know if the town wants to pursue this and I can walk you through the process. There are no statutory procedures the Town needs to follow to clean up the premises, but the attorney would recommend that the town make a good faith effort to decide if there is anything of value, and if there is, to try to sell those materials to offset the costs of cleanup. But if there's nothing valuable there, the Town can just get rid of it all. Once we have a final out of pocket cost, we can ask the court for an attachment so that those have to be repaid if they sell the property. Might he try to bring charges against/sue the town? Sure. But since the town has been authorized by the court to do this, he's not going to be successful. There is no way to ensure that he won't bring materials back on the property, but if he does, he'll be in contempt of the court's order.
 - Tony will reach out to the Health Officers Association for advice from other towns that have dealt with these cases since this is our first time.
 - Sara will reach out to the attorney and ask the following questions:
 - Can we send a letter to the owner and tenant explaining first that we will be cleaning up the property within the next 30 days like we have done in the past?
 - Do we have the right to enter the property effective immediately? We want to put bids out to hire someone for cleaning up the property so we want to know when we can access it and if there is anything else, we need to know.
 - How much can we clean up?
 - The attorney said to use good faith to decide if there is anything of value, what if our opinion of value is different than his? How do we know what is of value and what is not?
 - Are we only allowed to clean outside?
 - If they bring items back can we clean it up right away and continue to clean and remove items? How often can we go on the property?
 - Can we go inside the building to inspect it and clean it?
 - If it is found that it is a danger and the health officer orders the premises vacated can we put a sign on the house stating no trespassing? Can we padlock it?

- Case 8 - is in violation and will stay on the yearly check list as it has a junkyard license so the license cannot be renewed until this is taken care of. letter that states the property needs to be cleaned up within 30 days and also reached out to DES on 6/24/20 and 6/25/20 regarding this.
- Case 9 - is on the inactive list and can stay there.
- Case 10 - is compliant and will stay on the yearly check list as it has a junkyard license. Sara created the compliance letter.
- Case 11 - is compliant and will stay on the yearly check list as it has a junkyard license. Sara created the compliance letter. They also submitted their junkyard license renewal application and Ken said this property can be renewed.
- Case 12 - is compliant and will stay on the yearly check list as it has a junkyard license. Sara created the compliance letter. They also submitted their junkyard license renewal application and Ken said this property can be renewed.
- Case 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23 - All cases are on the inactive list.
- Case 24 - is compliant but will stay on the yearly check. Sara created the compliance letter.
- Case 25 - is compliant but will stay on the yearly check. Sara created the compliance letter.

John motioned to sign all of the junkyard letters, Tony 2nd, so voted.

Local septic approval- Map 1 Lot 22-1

Valeriy Kourenkov dropped off a Septic Plan and local approval for Map 1 Lot 22-1. All the information is correct. **John motioned to sign the local approval for Map 1 Lot 22-1, Tony 2nd, so voted.**

Building Permit Map 7 Lot 57

The owner submitted a building permit for a 28x36 garage at her property on North Groton Road. This will not be heated or cooled. **John motioned to sign the building permit for Map 7 Lot 57, Tony 2nd, so voted.**

Email on Purdue Pharma claims

The Town received an email regarding the Purdue Pharma claims. Sara sent the email to the attorney and she responded with the following:

“Purdue Pharma manufactured oxycodone and omitted information about its additive qualities when it marketed the drug thus leading to the so called “opioid crisis.” Lots of state and local governments sued Purdue to recover the costs they had incurred in responding to the crisis, leading Purdue to file for bankruptcy. In order to recover against a bankruptcy estate, creditors have to file what’s called a “proof of claim.” Sometimes we do this when people who owe the town taxes file for bankruptcy, so you may have seen a proof of claim form before. This e-mail is giving the town two options for filing a proof of claim, which you can do even if you are not part of the original lawsuit. You can either file an individual claim as a town, or you can opt into a Consolidated Claim. If you do neither, you will get no money out of the bankruptcy, which is probably what the town was expecting anyway. The web site for the bankruptcy proceedings provides an estimated claim for each town and city in the country, which is very convenient. It is <https://purduelocalgovtclaims.info>. I took the liberty of entering Groton into the estimator and the town’s total claim estimate is \$271,324, consisting of \$58K of damages through June, 2020, and \$212K of potential future costs to the town to address the crisis. In the end, how much the town ultimately receives will depend on the value of the total estate and the number of claimants, and I doubt it will be anywhere near \$271K, but if you file a proof of claim, it should be something. I would recommend opting into the consolidated claim, because then all you have to do is fill out the forms now and then do nothing else until you get a check. If the town would rather file an individual proof of claim, I can refer you to a bankruptcy attorney who can assist you. The town has until July 30 to file an individual claim, or July 15 to send in the paperwork to be part of the consolidated claim.

The attorney recommended that the Select Board discuss this and then we can let her know what they decide and then she can guide us from there. The Select Board said that we probably will not get any money out of this but it cannot hurt to try. The Town does not have any individual claims so it was agreed to do the consolidated claim as the attorney recommended. **John motioned to sign the consolidated claim authorization form, Tony 2nd, so voted.**

SELECT BOARD ITEMS:

Intent to cut- Map 2 Lot 18 and Map 10 Lot 23

The Town received an Intent to Cut for Map 2 Lot 18 and Map 10 Lot 23 for a 219-acre cut. There are no past due taxes owed on the property so a bond was not required and all information on the intent is correct. **John motioned to sign the Intent to Cut for Map 2 Lot 18 and Map 10 Lot 23, Tony 2nd, so voted.**

Bubba explained that he talked to them about the loggers going in and out of the property on North Groton Road where it was just paved. The Select Board agreed that this was just paved so any damage will be their responsibility to fix.

Sculptured Rocks Road Concerns

A few different concerned residents reached out with concerns regarding Sculptured Rocks Road.

- The first concern was regarding the parking. This past weekend there were cars parked on the side of the road almost all the way down. There were sections that an emergency vehicle couldn't get through if they needed to. The resident feels we should make a larger section no parking and need to enforce this. Chief Bagan said he did give out some parking tickets this weekend. It was agreed that the signs that are there need to be spaced out more and that we can look into getting a sign to put at the beginning that says "No parking on pavement". It was agreed that the Police Chief will look to see if we can raise the cost of the parking ticket since it is \$10.00 and he doesn't know how old they are. John asked what happens if people do not pay the parking ticket. Chief Bagan said he can issue a warrant if they don't pay it within the 14 days. Chief Bagan said he talked to Eric Nelson from the park about the issue as well.
- The other concern was regarding the speeding. There is a lot of speeding on that road. There was also an accident on this road recently due to speed. The resident said the Police Chief needs to enforce the speed limit on this road especially this time of year with all of the traffic and out of towners coming in. The Select Board told the Chief they notice that he does patrol a lot but asked that he could spend more time on this road. Tony asked if he could change some hours to cover the evening commute home from work, maybe between 3:00pm-5:30pm. John said that when the Town voted for a part time Police Chief that he explained it will be 25-29 hours so there will not be 24/7 coverage so he will not be able to catch everything.

DEPARTMENT ITEMS:

Highway Department

- Bubba explained that the old library/Town House has been torn down and seed and stone has been put out. They put out ballast for the fire department to give more room for them to pull in.
- They are moving forward on the big projects. Tony asked when the culvert project is supposed to start. The plan is the third week in July.
- Bubba said there is heavy rain coming in Friday into Saturday. He is going to be out of Town Thursday into Friday late afternoon/night. They will be moving all of the equipment before then so there are no issues.

Police Department

- Police Chief Bagan explained that he had a busy weekend on Sculptured Rocks Road. As he mentioned earlier, he gave out 7 parking tickets this weekend.

QUESTIONS AND COMMENTS:

Maxam property for sale

Slim mentioned that he heard that the Maxam property is for sale. He contacted them to see if it was for sale. He was informed there is a new president when it switched owners and they are looking into why they had so much land. There is 3800 acres and they do not think they need that much land and if not, they will be selling what they don't need. Slim had thought that when they bought the property, they said that since it has explosives it has to be 1 ½ miles away from any other building but Maxam told him that BATF regulations is 1500 feet. The building is in Groton and some land but the majority of the land is in Alexandria. Ruth said there are not a lot of taxes that are paid and there are not a lot of trucks that they register with the Town.

Dry Hydrant on North Groton Road

Dave Leone mentioned that he thinks a sign should be put out by the dry hydrant on North Groton Road so people know it is there. Shortly after it was installed, there was a call at night and he came down the road and there were a lot of bright lights there and he didn't know what was going on and it was hard for him to see. He wanted to know if they could turn off the lights that shine down the road when they are using this. Tony said they could put out the temporary road signs that say "emergency ahead" instead of a permanent sign since they don't use the hydrant that often, maybe twice a year. They try to put a flagman out as well.

Tony said that even when it was really dry out, they were able to get a lot of water out of that hydrant so it is a real good hydrant.

Halls Brook Property

The property on the corner of Halls Brook that had the fire has not cleaned up the property and the Town sent a letter requesting clean up. Sara will send a second letter. Dave said he may have a phone number for him so he will call him about cleaning it up.

Fireworks

Slim said that it was put in the paper to contact him if anyone is interested in Fireworks and he hasn't received any calls on this so he isn't aware of any interest. Ron said that he mentions it to people at the Transfer Station as well. There is money for it this year and there wouldn't be food or any other event, just fireworks that people would watch from their cars or chairs, etc. A decision has not been made yet.

Having no other business to conduct, John motioned to adjourn at 8:00pm, Tony 2nd, so voted.

Respectfully Submitted,

Sara Smith
Administrative Assistant