

TOWN OF GROTON
SELECT BOARD MEETING
February 16, 2021

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 February 3, 2021 as written, Ron 2nd, so voted.

John motioned to approve the Public Hearing on the Budget and Warrant Articles Meeting minutes of February 3, 2021 as written, Ron 2nd, so voted.

John motioned to approve the Public Hearing on the Bond Meeting minutes of February 3, 2021 as written, Tony 2nd, so voted.

John motioned to approve the Public Hearing on the Building Meeting minutes of February 3, 2021 as written, Ron 2nd, so voted.

John motioned to approve the Select Board Meeting minutes of February 3, 2021 as written, Tony 2nd, so voted. Ron abstained.

NEW BUSINESS:

Updates from Public Hearings

There were a few items that came up at the Public Hearing on the Proposed Budget and Warrant Articles that the Select Board wanted to follow back up with everyone on.

- The Voting will still be Tuesday, March 9, 2021 from 11:00am-7:00pm but the deliberative session has been moved to May 8, 2021. Sara has posted this at the Town House, Transfer Station, on the website and on the Facebook page and sent it to the Newspaper for posting. The Select Board asked Ruth to add it to her article too.
- As stated at the public hearing, the Town Clerk wage line was corrected to reflect a 3% increase and was changed to \$31,524. This brought the entire operating budget down to \$791,892.00. This change was also reflected in warrant article 3. This was the only change made.
- The other recommendations for raising lines that had overages was reviewed but the Select Board agreed that it is not needed as a lot of the overages were from the way the bills were paid/received and we shouldn't have this issue this year.
- The recommendation to change the Police Budget to reduce the part time line to \$1.00 was discussed but the Select Board agreed to leave this as is and if someone would like to do an amendment at Town meeting they can do so.
- The recommendation to not budget \$25,000.00 for Groton Roads was reviewed but the Select Board agreed to keep in there and someone can do an amendment at Town Meeting if they would like to. However, it was agreed to change the wording of this line to Groton Road Repairs and Maintenance as suggested.
- The unreserved fund balance has \$39,977.
- It was asked at the meeting what the balance for Conservation Fund is and Old Home Day. As of 1/29/21 the Conservation Fund is at \$8,308.20 and the Old Home Day Fund is at \$4,601.10.

- It was recommended that we double check the wording on Article 2 with DRA. Sara did reach back out to DRA, the attorney and the bond counsel and they confirmed that this is the wording that is needed and that as we thought that we have to open and discuss Article 2 first but then can move to discuss and vote on Articles 4 and 5 prior to the vote on Article 2 so that Article 2 can be amended if needed. The bond counsel stated *“the RSA requirement means that action on the bond article “prior to other business” can occur when the meeting takes action to open the bond article prior to other business and then sets aside the bond article for a period of time to address another article, in particular one which has relevance to the bond article. As such, in Groton’s situation, so long as the minutes of the meeting reflect the Town opening Article 2 and then motioning to take up Articles 4 and 5 prior to the vote on Article 2, such sequence of events should not affect the validity of Article 2.*
- We also found out that since we moved the deliberative session to May 8, 2021, we will have to have another public hearing on the bond 15-60 days prior to the meeting. The Select Board chose April 6th as the next date for the public hearing on the bond. It will be the same information that was discussed at the February 3, 2021 public hearing because it is the same thing, just needs to be done again due to timing. The bond counsel did recommend that at that meeting the Select Board discuss the possibility that the amount might be increased by \$100,000 by amendment on the floor. The bond hearing doesn’t have to have discussion of the exact amount of the bond as sometimes that’s not finalized but it does have include discussion of a project amount that is in line with what is approved at the meeting. The February 3, 2021 bond hearing won’t be counted toward the Town’s compliance with the statutory requirements.
- Sara emailed the DRA to see if they could answer how a million-dollar building would change the valuation and how this would affect the taxes. We are waiting on a response.

Intent to cut- Map 1 Lots 97 &100

The Town received an Intent to Cut for Map 1 Lots 97 &100 for a .75-acre cut. There are no 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 1 Lots 97&100, Tony 2nd, so voted.**

Coalition Communities 2.0 re return of donor town education funding model

The City of Portsmouth has been sending emails to towns and sent this packet to Groton regarding an invitation for Groton to join the Coalition Communities 2.0, a group of towns that will be opposing the return of a donor town education funding model this legislative session. They have provided a intermunicipal memorandum, MOU and various spreadsheet attachments for more detail information. Sara had sent this to the attorney to see if the Select Board should sign this and she responded that ultimately it is up to the Select Board but she would make sure they know what they are signing up for particularly where it’s a 2-year commitment with no way out and there could be a financial commitment as well.

The Select Board agreed to not sign this and not to participate right now. Sara will let them know.

SELECT BOARD ITEMS:

Planning Board Work Session

The Planning Board wishes to notify Groton residents that there will be a Work Session Meeting for Planning Board Members @ 7:00 PM on Wednesday, February 24, 2021 at the Groton Town Offices, 754 North Groton Rd. This will be in session to attend a NHMA webinar on Private Roads, RSA 674:41 and RSA 231:81:A. Residents are also able to attend this meeting. The Select Board and Bubba are also invited to attend but can also do it from home so when Deb gets the link for the meeting, she will forward it to Sara so she can forward it to those that need it.

School Budget Public Hearing

John mentioned that the School held a public hearing in Groton last Tuesday, February 9, 2021 and went over the two petition articles regarding the tax cap. The first one was to modify the tax cap by changing the 2% tax cap to 3% and if adopted the budget committee shall not recommend a budget that increases the amount to be raised by local taxes based on the prior year's actual amount of local taxes raised, by more than 3%. The other one was to rescind the tax cap so that there will no longer be a limit on increases to the recommended budget in the amount to be raised by local taxes?

John said that his take away from the meeting is that they are wording it very interesting to make it enticing to the public but the first thing to know that both pass the second article is the one that holds ground so it would be the article to get rid of the tax cap that would stand. They are playing the 3% in an interesting way. It's not really a 3% increase, it is a 2.5% increase and they went through the explanation of this which explains the increase is not on grant money. John raised the question then if the 2% is really just 1.5% and they said it is actually 1.2%. He said that 1.2% is smaller than 2.5% so they would be increasing the taxes. They are trying to make it sound like its not the 3% so it would be better.

John said that another thing to keep in mind is that at another meeting, not at our meeting, they said the 2% increase covers the teacher's wages. John said the 2% increase would cover everything whether that is pencils, papers, books, computers, teachers' salaries, it covers everything. They are playing it out that they aren't getting an increase that it is just for the teachers and kids would be deprived on the books and sports and everything else if the increase doesn't happen.

John just wanted to share his thoughts with everyone since he attended the meeting.

New truck

John mentioned that the new truck is in for service due to some issues they have been experiencing. It has to do with electronics so it is in the shop right now and they are looking at it. The Town is addressing the issue so hopefully it will be resolved soon. If it is not, the Select Board will take the next step needed but it doesn't appear we are at that step yet but we are addressing it and will not be stuck with something that doesn't work right. Miles wanted to confirm that it is still under warranty and it is. Bubba said they think they have figured it out and it may be a ground issue but we wanted to make everyone aware of the issues.

DEPARTMENT ITEMS:

Highway Department

Bubba went over the following

- Bubba just plowing and sanding. They held off with the storm today because it was weird day. It switched to freezing rain and came down hard. He put salt down the night before. The state had scraped and salted which Bubba felt made it more slippery so he wanted to leave some as a traction and to avoid the glare ice issues. He saw that other towns were doing this as well and he felt it was a better way to go and then go back and clean it up after the rain/mix.

QUESTIONS AND COMMENTS:

Province Road

Miles said that he noticed from reading the work session minutes from January 19, 2021 that there were notes that said "The Select Board agreed that no one should be plowing Province Road or riding the snowmobiles on the road as it can cause damage to the road and the Town has been working hard on the condition of that road." Miles feels that if any type of decision like that which will upset people in town that snowmobile, himself included, should have a disclosure are a regular meeting, not just at a work session meeting. He said the Select

Board is within its rights to make the decision in a work session but it should be communicated to make people aware because not a lot of people read the work session minutes. Before he says anything more on that he would like to hear from the Select Board why they think the snowmobiles are causing damage to Province Road.

John mentioned that snowmobiles are not supposed to be ridden on the regular roads. Bubba said he thinks this was more of a concern about the plowing more than the snowmobiles. The Snowmobile club has always groomed sections of Province Road but this was an individual who owns property out on the road taking it upon himself to plow the road which is not winter maintained. Sara said the concern was about plowing but also regarding the snowmobiles as far as the people who were going off the trail on Province Road and riding on the road that wasn't groomed. Bubba said that it is not about the people staying on the marked trail, it was about people going off the trail and into the ditches but the main concern for Province Road was for the plowing. Miles understands the concern with the plowing but wanted to get clarification on the snowmobiles.

Tony said that we are also having issues with other roads such as Sculptured Rocks Road where people are riding down the pavement which can ruin the work that was just done. John and Sara said these minutes were not about Sculptured Rocks Road because those concerns came up after. John said the concern was about snowmobilers riding the entire road and off the trail. John said they do not want the people using the entire road as a trail if it is not a groomed trail. They can cut across the road where the trail is or follow the trail if it runs down a portion of the road but shouldn't be riding off the trail.

Miles said he is a snowmobiler and has lived here for 23 years but has been snowmobiling up here since 1990. This is the first time he has ever heard that snowmobiles would damage the road. Snowmobiles need snow to operate the way they are intended. Snowmobiling is done well before the frost comes out of the road. Province Road is a public road and is classified. The problem with Province Road is just like with mud season, it is when people drive out when they shouldn't but the snowmobiles are on the road before the frost comes out so he feels that thinking snowmobiles cause damage to the road is a false premise.

Miles said that beyond that, once permission is granted for the Snowmobile Club to use the road, the Select Board cannot rescind that without holding a public hearing first. When Miles was active with the snowmobile club, Dorchester had a public hearing on this. They were initially claiming it was a safety issue, they wanted to plow the road all the way through, but they changed their mind and allowed the snowmobile club continue to use it. He has never heard any one before claim that snowmobiles are damaging the road. That is a major corridor trail in Groton and always has been. The last few years the full length hasn't been used as much because with the wash outs there was trail damage. He doesn't think the snowmobile club is aware of this yet. He was out there this weekend and where the Jewell Hill trail comes out on to Province Road, there was a note that they are going to fix trail damage next year. Right now they are not fixing it or grooming it this year but there are some people that are riding out there on their own. Up to this point, the Snowmobile club has been granted permission from the Town to use that road.

Miles asked Sara if there is still an agreement in place. Sara said that there is but wanted to explain that the Select Board is not trying to shut the trail down or take away any part of the trail. It is absolutely okay that they ride the groomed trail but this was for those going off the trails. John said they are not talking about the parts of the groomed trail but they are talking about the full length of the road.

Miles said they have been using the road as the trail since he has been snowmobiling up here and this is the first Select Board that has decided that they don't want to allow that. Bubba said the trail is not the entire road, it is only a portion and again this was only for those riding of the trail and was more for the plowing concern. Bubba said the Select Board are not trying to shut down the trails. Bubba said there is someone that lives in Dorchester at the end of Province Road and he knows we cannot stop them from getting there. Miles said that is their land and he is very familiar with that situation. Bubba said it is their land but that doesn't mean they can drive

wherever they want or plow wherever they want. It is a non-maintained road this time of year and that is the problem. Bubba asked the Select Board if what he is saying is correct and they confirmed that what he was saying is correct. John said that no one is trying to shut down the snowmobile trail. Bubba said that he stopped the person and told them that he would talk to the Select Board because the Town just put \$250,000.00 into the road and if they just start plowing the road and do damage or plug up the culverts it will do more damage come spring melt. Bubba said that himself and the Select Board agreed they shouldn't be plowing the road.

Tony said the problem is that they don't want snowmobilers riding off the trail. When he worked for DOT there was a dirt road in Ellsworth that they had to close the snowmobile trail because the snowmobilers would ride in the ditches and it would pack the snow in the ditches. Then when spring came the water was running down the road and took the road out. Tony said as long as the snowmobilers are staying on the trail it is fine but they do not want them off the trail and they don't want the road plowed.

Miles said he thinks the way the last minutes were written, it appears the Select Board have revoked permission for the snowmobile club to use that road. John said they have not revoked permission and this wasn't the intention. Miles said he finished up working with the snowmobile club in 2014 and they were grooming the entire road at that time and the entire time he was in the club which was 2006-2014. He said even before that when he was riding the trails, it was the entire road that was groomed up to the camp. When he did the perambulation for Dorchester/Groton town line with Sherman Howard, when he was on the Board of Selectmen for Dorchester, he let Miles know that he researched the issue and that road had been discontinued in Dorchester since the late 1800's and there was a dispute about if the people could shut down the trail at the time and it sounds like legally, they could and they had. So, you can no longer go the full route but back in 2014 Hardy Country Snowmobile Club, himself included since he was a groomer, were maintaining the entire route all the way out and even used to go across the bridge. Bubba said that they don't go that far anymore. Miles said they don't but it sounds like they intend to because they will be doing repairs out there. Miles said if the Town was to reach out to the snowmobile club, he is sure they will say that they had no idea the Town was looking to limit the snowmobile use on Province Road.

Sara explained that the Town is not looking to limit the use of the existing snowmobile trails or any future trails. Right now, the trail doesn't use the entire road so the Select Board is looking to keep the snowmobilers on the trail. Sara said as a snowmobiler, the ones that ride off the trail are the ones that cause us to lose trails. The Select Board are just looking to keep people on the trails. When you ride, everywhere has signs that say "stay on the trail" whether it someone's land, a road, etc. This his is how people lose rights to the roads, and to the land, is when they ride off the trail because it can cause damage to other areas. This was not intended to revoke permission of the snowmobile club or to take away any existing trails, it is just to keep the riders on the existing trails.

John said that these minutes will clarify that snowmobilers are allowed to ride on the trails on Province Road but not on the road where there are not trails. These minutes will clarify that the Town is not looking to shut down the trails or revoke permission of the snowmobile club, it is just to keep the snowmobilers on the trail.

Having no other business to conduct, John motioned to adjourn at 7:30pm, Tony 2nd, so voted.

Respectfully Submitted,

Sara Smith
Administrative Assistant