

Town of Groton  
Select Board Work Session Minutes  
January 17, 2023

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

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

***Budget Items***

The 1<sup>st</sup> Public Hearing on the budget is scheduled for February 7, 2023 at 6:00pm. We may have to schedule another work session after the next meeting and before the Public Hearing to finalize everything. Sara has created the posting for the Public Hearing and this was posted online, on the bulletin board at the Town House and Transfer Station this week and will be in the **1/19/23** edition of the paper.

Sara had put together the budget with the information submitted so far and final 2022 YTD totals. She also printed the budget two ways, one with bond and one with the full building, in case it was decided not to do the bond. She also printed budgets that showed the differences off to the side so they can see what budgets increased from last year and which ones decreased.

She highlighted the areas that were over and explained why. The Select Board looked to see what areas needed to be adjusted. The following areas were agreed on that they need to be adjusted:

- The Select Board think it would probably be best to not bond the building and just raise it all at once since the budget wouldn't increase that much. Also, there would be no interest from the bond that way. It will depend if the engineer increases the numbers by much or not. They will keep it with the bond for now but this may change.
- It was agreed to change landfill testing to \$2,000.00 since we do not believe we will have the extra testing this year.
- The Select Board went over the employees pay to include increases. Sara will adjust the budget to reflect this for the next meeting.
- There were some other lines which increased or decreased a little. Sara will have these reflected on the budget for the next meeting.

***Warrant Articles***

Sara updated the warrant articles based on the discussion at the last meeting. She presented the Select Board with a new draft and a new warrant summary. The Select Board discussed the following:

- As mentioned during the budget, the Select Board think it would probably be best to not bond the building and just raise it all at once since the budget wouldn't increase that much. Also, there would be no interest from the bond that way. It will depend if the engineer increases the numbers by much or not. They will keep it with the bond for now but this may change.
- The warrant article on the budget will change once Sara makes the changes discussed earlier.
- The Select Board agreed to keep the paving warrant article but to reduce the amount to \$15,000.00 to put some money in there to get this started. The roads are good now but we need to plan on maintenance.
- Sara mentioned that Bubba received the quote to refurbish the international but he knows things could change from now until then. The Select Board agreed to change this to \$35,000.00.

### **Next Meeting**

It was agreed that we should meet to discuss the budget and warrant articles before the public hearing. The Select Board would like to meet Tuesday, January 31, 2023 at 5:30pm. Sara will post this.

### **Town Report Items**

Sara has been working on the Town report. Once we have a draft of the budget and warrant articles and all year end reports she can send the draft to the printers. She has already sent the cover photo for them to start working on that. Sara went over options for the cover photo and asked which ones the Select Board liked best. The Select Board agreed they like it best without the border on it. Sara will send this feedback to the printers.

Sara asked the Select Board if they want to do a dedication this year. She said we could do like we did last year and dedicate it to the ones that passed away during 2022. The Select Board agreed this was a good idea. She will work on putting something together for this.

### **Jury Duty**

Per discussion at the last meeting, Sara reached out to many of the surrounding towns to see how they handle jury duty. The majority have the same policy which is:

*Any employee called for jury duty or other subpoenaed court duty shall be excused from work for the duration of the employee's service and shall receive the difference between his/her regular pay and his/her jury pay, provided the employee presents an official statement of pay received. All benefits shall continue to accrue during such absence. If an employee reports to, but is not used for, jury duty, he/she is expected to return promptly to work.*

The Select Board reviewed and agreed to update Groton's policy on jury duty to match other towns and to be fair. Sara updated the policy. **John motioned to sign the updated jury duty policy and adopt it effective today, January 17, 2023, Tony 2<sup>nd</sup>, so voted.**

Sara brought up the point that the employee handbook is very old and outdated and asked if we should look at updating it after Town meeting. The Select Board agreed to Sara working on this after Town Meeting.

### **923 North Groton Road- email from Deb**

The Planning Board discussed the RV at 923 North Groton Road. Deb had sent an email stating the following:

Our Zoning is a permissive Ordinance, if a use is not listed under the district, it is not allowed. Districts A & B do not list RV's and there was not a clause to grandfather any use on existing lots once the use changed. Unfortunately, Mr. Fournier removed his old RV leaving the lot vacant. He did this without informing the selectman it was his intension to replace it, and he compounded the problem by his failure to apply for a building permit. Therefore, it should be removed.

However, on the web-site of the company he bought his RV from they say "A park model cabin is a preassembled, portable cabin on wheels that is 400 square feet or less and is technically classified as a Park Model RV (Oversized RV)". I assume this is done as an attempt to avoid permitting and taxation, as they note as a selling point. Further, the manufacturer says of their models "**they are also known as Park Model Homes, Recreational Park Trailers or Tiny Homes.**" Accordingly, if the dwelling is classified

as a tiny house/home, and viewed as an allowed use for a Single-Family Residential Dwelling, it could be allowed to stay. However, to fit the definition of a Single-Family Residential Dwelling, the trailer must be attached to a permanent foundation:

Basement Foundation,  
Crawlspace Stem Walls on cement footings,  
Concrete Slab Foundation,  
Pier and Beam Foundation.

The intent of the owner must be that the dwelling is permanent and not portable.

However, if the selectmen are looking for a reason to allow this RV as a pre-existing use, see below:

#### **Article 5: General Provisions**

- A. Parcels or Usage Existing Pre-Enactment of this Ordinance
  - 1. Uses. Any use as of the effective date of this Ordinance may continue uninterrupted, however, the use shall not be changed to a different use or expanded.
  - 2. Lots. Any lot of record as of the effective date of this Ordinance may be built upon if all provisions of state or federal law are fulfilled and a building permit is otherwise lawfully issued.

Deb said she has to advise; however, this is a slippery slope since:

- 1. The use was interrupted when the old RV was removed and the lot stayed vacant for so long
- 2. A building permit should have been submitted and
- 3. The use has been expanded – building is larger

The resident has been in contact and is asking what was decided. The Select Board agreed to send this to NHMA to see if they can help and if they cannot then the Select Board agreed to send this to our attorney.

#### ***160 Halls Brook Road- email from Deb***

The Planning Board emailed to ask the Select Board to discuss the RV at 160 Halls Brook Road. Apparently, it arrived around the second quarter in 2022 but there was no pre-existing use and is clearly placed in a district that does not allow RV's.

This will be the same case as above. Sara will send this to NHMA and then to our attorney if needed.

#### ***Letter from resident at 11 North Groton Road***

The resident of 11 North Groton Road sent the Select Board a letter that has been in the review folder for a few weeks. The Select Board did review this and feel that she was just passing feedback on about her concerns so there is no need to respond at this time.

#### ***School payment discussion***

Sara wanted to let the Select Board know that the Towns noticed the valuation wasn't correct on the school payments so we messaged back to SAU4. They looked into it and worked with DRA. In the meantime, most towns still paid the higher amount to get the payments in by the due dates. Now it has been figured out and we did over pay for December and January. Sara put this information in the review

folder but wanted to discuss this. She will be sure to deduct our overpayments from the February payment so that payment will be lower and then March will go back to the actual payment amount.

### ***Deliberative Session Flyer***

Sara did work with the company that did a previous mailing for us and they were going to mail the flyer out for us. However, no one submitted a petitioned warrant article by 1/10/23 so there is no warrant article to change the school funding formula. Due to this, John asked Sara to stop the mailing. She was able to stop it and told them to bill the Town for whatever work they have done up to this point.

John also provided a handout regarding an update on the school funding formula. There was no petitioned warrant article submitted so there will not be a change to the formula for 2023. However, it is important that people still attend the deliberative session on Saturday, February 4, 2023 because they will discuss the SAU budget and that is a big part of the taxes. Sara made copies of the handout and John will discuss at the Select Board meeting.

### ***NLRA update***

Rebecca Hansen from NLRA emailed Sara that she realized she is long overdue to give an update on the Atwell Brook project. She attached the final report from Streamworks which Sara has had in the review folder this week, but Rebecca had already sent it previously. There were only minor changes after the draft in September.

Rebecca reported that they didn't receive watershed plan (319) funding. DES assured her that the project was a good one, but they had a record number of applications and some big-ticket projects that took priority. She is now looking at applying for Aquatic Resource Mitigation funding from DES. She is also working with John Magee from Fish and Game to secure funding that they can use as match. She said to let her know if the Select Board would like her to come to a meeting in the next month or so to discuss where we are with this project. There is no need for a meeting right now but if anything changes we can meet to get an update. Also, Sara will let them know if they need help with a letter or anything to let us know.

**John motioned to go into non-public session pursuant to RSA 91-A:3 II (a) and (b) at 6:00pm, Tony 2<sup>nd</sup>, so voted.**

**John motioned to return to public session at 6:45pm, Tony 2<sup>nd</sup>, so voted.**

**John motioned to seal the non-public minutes, Tony 2<sup>nd</sup>, so voted.**

### ***Meeting with Bubba***

Bubba wasn't able to meet with the Select Board because there was freezing rain so he was treating the roads, but he did give Sara a few things to go over with the Select Board:

- There was an email on the backhoe today. The unit did invoice to United Construction & Forestry at end of the day on the 13<sup>th</sup> so the unit is now complete. Factory delivery to United is still scheduled for the 30<sup>th</sup>. It may be in by Friday but he will know more tomorrow.
- There have been some concerns with Province Road. Back in December of 2021 we reached out to NHMA regarding our concerns about the plowing and access in the winter and asked NHMA what our options are and if we can put up a gate. They didn't really answer the gate question but did respond with the following:

*"The select board has authority over all municipal roads pursuant to RSA 41:14-a. As a consequence, the select board can license (or not) the maintenance of municipal roads, including class VI and seasonally maintained class V roads. If the residents are unwilling to abide by the*

*select board's control, then your best option is to contact town counsel. Counsel will likely start with an attorney-letter explaining the situation to the residents and requesting that they stop, but other options are available as well including, up to, filing for an injunction to prevent such maintenance."*

The Select Board agreed to send this to our attorney and ask if we can close the road to wheeled vehicles from December to April and see if we are able to put up a gate.

**Having no other business to conduct, John motioned to adjourn at 6:55pm, Tony 2nd, so voted.**

Respectfully submitted,

Sara Smith  
Administrative Assistant