

**Town of Groton
Selectmen's Meeting Minutes
September 21, 2010
7:00pm**

In Attendance: Miles Sinclair, Kyle Andrews, Christina McClay, Pamela Hamel (AA)

Audience Members Present

Miles called the meeting to order at 7:10pm.

Miles made a motion to approve the minutes as written, Christina 2nd, so voted.

The Board set up a work session with John & Jennifer Fitzpatrick for Tuesday, September 28 at 6:00pm to discuss the Fitzpatrick's request to investigate the possible funding of Groton students who do not attend a school in the Newfound School District

The Board received some correspondence from the Department of Transportation as well as 2 maps from Rodney Peverley pertaining to the intersection of North Groton Road and Blanchette Lane. **Christina made a motion to forward this information to the Town's Attorney, Kyle 2nd, so voted.**

The Board reviewed Junkyard Dog Ken Knowlton's recommendation that a letter from the Town's Attorney be sent to Peter Newton regarding the junkyard violation that exists on his property. **Christina made a motion to refer this case to the attorney to send a letter, Kyle 2nd, so voted.** This is the second case that has been forwarded to the attorney. The first one was the Kirk property on Bailey Hill Road.

Regarding the Zoning Board of Adjustment's (ZBA) decision to grandfather the Ethier gravel pit; Attorney Paul Sanderson from the Local Government Center suggested contacting the Town's attorney regarding this and other recent decisions made by the ZBA. He stressed the importance of the ZBA, Planning Board (PB) and Board of Selectmen being on the same page regarding the Town's Land Use ordinances. In a work session last week the Board voted to contact the Town's attorney Laura Spector, and file an appeal of the ZBA's decision. Attorney Spector informed the Board that it is not the ZBA's decision to determine whether or not a Special Exception is required. That decision belongs to the Board of Selectmen or Planning Board. The ZBA's role is to grant or deny an Exception, or to hear and decide any administrative appeals. She suggested that all three boards meet together with her and possibly another attorney from her office to go over the roles and responsibilities of each board. The Board would like to set up a meeting. First choice is Monday, Oct 4 at 6:00pm. This is prior to the ZBA's regularly scheduled meeting. Pam will try to coordinate with the three Boards.

Miles has taken a look at the work Mr. Cross had done on Coolidge Woods Road. He would like the other two Board members to visit the site before they discuss it at next week's meeting.

Rodney Peverley would like it noted in the minutes that he accidentally found the definitions of Hunkins driveway; 2 slabs under the ground that he believes perfectly align with the stone wall. He agreed to show Miles what he is referring to.

Christina is awaiting a response from the Department of Environmental Services (DES) regarding the Yetman property as her contact at DES is on vacation until next Monday.

The Road Agent had requested that Miles take a look at Province Road to determine what, if any, impact the logging has had on the road and, if there is sufficient impact, what if anything should the town do to address it.

Miles has visited the site and would like Kyle and Christina to do the same before they discuss this at next week's meeting.

The Board read letters of resignation from Travis Austin and William White from the Groton Police Department. Officer Austin would like to spend more time with his family and Officer White has taken an additional position at Police Standards and Training (PST). PST requires Form B to be submitted whenever there is a change in employee status. The Board has taken steps to fill the Chief's position with an interim chief who will serve in an administrative capacity. **Miles made a motion to sign Form B for Travis Austin, Kyle 2nd, so voted. Miles made a motion to sign Form B for Bill White, Christina 2nd, so voted.**

Miles announced that Steve Lindsey has resigned from the Planning Board.

Miles will try to attend the technical sessions for Groton Wind LLC on September 27 & 28. The Board does not feel that the Town's attorney needs to attend.

Miles asked Kyle and Christina if they would think about considering asking the Site Evaluation Committee (SEC) to resolve the current decommissioning issue the Town has with Groton Wind LLC. At this time they have been unable to reach an agreement with the company. There was some discussion regarding the fact that having the SEC resolve the issue could go either way: they could propose an agreement that the Town feels is appropriate or one that the Town does not find acceptable. The Site and Facility permit granted to Lempster Wind includes a decommissioning agreement reached between the Town and the Company. The Board does not feel that that agreement is acceptable. Miles will plan to speak to Attorney Iacopino regarding this issue.

The Board was confused as to what action William Dufresne wanted them to take on the literature for his business, Christian Computer Care that he left with Pam on Election Day. Pam will contact Mr. Dufresne. **Miles made a motion to table this until they know exactly what he would like the Board to address, Christina 2nd, so voted.**

Miles read a letter of complaint from Gail Catanzaro regarding the Atwell/Orange Brook Bridge. Glen Hansen has already checked the bridge approaches and surface as well as the walls and deck structure. He doesn't feel that there are any serious safety issues involved with this complaint. He will be making repairs to the affected paving areas when the bridge rails and supports are replaced this fall. **Kyle made a motion to draft a letter of response to Mrs. Catanzaro, Miles 2nd, so voted.**

The Department of Safety has asked Municipal Administrators to fill out a questionnaire regarding the Town's policy for anyone seeking a Hawkers, Peddlers and Vendors permit to be required to:

1. Submit to both a New Hampshire and FBI criminal history record check
2. Submit to a NH criminal history record check only
3. No criminal history record check required.

The Board had a number of questions regarding this issue including who would be responsible to cover the costs of any record checks and whether or not the Town would have to establish an ordinance regarding permitting for Hawkers, Peddlers and Vendors. **Kyle made a motion to table this until they get further information, Miles 2nd, so voted.**

Miles made a motion not to hold the November 2 Selectmen's Meeting due to the election, Kyle 2nd, so voted.

The Board will be holding their future Selectmen's meetings in the Library.

Howard and Irene Graham have requested an abatement for an interest penalty of \$29.36 assessed for paying their taxes late. The Graham's claimed they never received their July tax bill and due to other circumstances,

forgot about them. They also allege that they faithfully pay their taxes in a timely fashion. **Miles made a motion to table this until they can verify what is in the letter, Christina, 2nd, so voted.**

In his capacity as Emergency Management Director (EMD), Mike Lemieux had used the laptop computer from the Selectmen's office when drafting the Emergency Operations Plan. The Administrative Assistant suggested that Mike purchase a laptop for Emergency Management with funds from his budget as she would like to use the Selectmen's laptop to take minutes during the Selectmen's meeting and, as a Supervisor of the Checklist, to do same day voter registration on Election Day. The Board supports this. Pam will contact Mike to let him know.

Jo O'Connor wanted to know if the State requires a 2 acre minimum to keep a horse. Miles said he will get that answer for her.

Barrie Sawyer asked the Board about the trailers on Bailey Hill Road. They have been stripped of any metal. The Board informed Mr. Sawyer that the Junkyard Dog had recently visited the site and determined that a junkyard violation exists. He has spoken with the property owner, John Faucher, and the process has begun for working with him to come into compliance.

Jo O'Conner asked that the Junkyard Dog address the abandoned trailers on the property behind her. Pam will verify whether or not he has ever visited the property.

Miles made a motion to go into non public session pursuant to RSA 91-A:3 II (b), at 8:23pm, Kyle 2nd, so voted.

Miles made a motion to return to public session at 9:17pm, Kyle 2nd, so voted.

Pam mentioned that the fax machine is not printing very well. She attempted cleaning it without much success. The rollers still need cleaning. At this time the faxes can barely be read. The machine was not very expensive and it would cost more money than it is worth to have someone come out and try to clean/repair it. Pam will work on cleaning the rollers to see if there is any improvement.

The Board discussed the need to clean out the few remaining items in the former town offices. There is an old metal desk, refrigerator, toilet and a few other items still in the building.

Miles made a motion to adjourn at 9:28pm, Kyle 2nd, so voted.

Respectfully submitted,
Pamela Hamel
Administrative Assistant