

Town of Groton
Select Board Work Session Minutes
June 18, 2024

In attendance: John Rescigno, Tony Albert, Ron Madan and Sara Smith (Town Administrator)

Tony called the meeting to order at 4:00pm.

Joint Loss Safety Meetings

The work session started with the Joint Loss Safety Meeting inspections of the park, garage, Transfer Station and Town House.

Policy Updates-Non-Public Meeting and Minutes Policy

At the last meeting Sara explained that we currently do not have a non-public meeting and minutes policy. This came up at the right to know meeting. There should be a policy in place. Sara created the policy based on the information from NHMA. Sara made copies and asked the Select Board to review this for the next meeting and let her know if any changes that need to be made. The Select Board did review the policy and have no changes. **John motioned to adopt and sign the non-public meeting and minutes policy effective today, Tony 2nd, so voted.**

Computer/Lap Top for Minutes

At the last meeting the Select Board asked Sara to get quote for three lap tops set up and with word. They also asked her to get quotes for a locked cabinet for the shared lap top. Sara provided the following information:

- Dave provided quotes for the laptops, set up and with Microsoft Office 365 Family (includes outlook, word, excel, PowerPoint and more) will be \$1,487.46. The Select Board agreed to have Dave move forward with ordering these laptops and getting them set up.
- Sara looked up locked cabinets and went over the options she found with the Select Board. The Select Board agreed on Sara ordering the two drawer one that locks and was around \$50.00-\$60.00.

Lees Neighbor Update

Sara had reached out to the Select Board on May 22, 2024 to let them know that John, Lees neighbor, called. He saw the minutes and stated that there is no electrical at the cover for the sawmill, he runs a generator. He said he is willing to meet with the Select Board to show them. He also said he has only been out there a few times until 930/10pm and will continue to do so when needed. He said he is sick of the complaints from these neighbors and will get an attorney if needed.

The Select Board agreed that we should see if he will meet with the Select Board on Tuesday, July 2, 2024 at 4pm or 430pm to review this. That way if there are any more complaints the Select Board can say they went out to look at it and can address the concerns. Sara will reach out to him to see if this date works for him and if it doesn't, she will try to schedule a date and time that does.

Hebron assistance with FEMA paperwork

A Selectman from Hebron reached out to Sara to see if Groton or Sara herself would be interested in assisting Hebron with FEMA paperwork. John Fisher normally does it for them and he is retiring and they know that Sara is familiar with doing this. Sara had told the Selectman that she would run it by her Selectmen but it is a lot of work and a lot of back and forth with HSEM and FEMA that she doesn't think the Selectmen would want her to do it on Groton time. They also said they would be willing to pay Sara on her

own time to assist with this. She also said it is a very frustrating process that is a lot of work so she is not sure if she would want to do this more than she had to.

The Select Board didn't think this wouldn't be a good idea because with us being so close to each other, when there would be a disaster that Hebron would need her for, then Groton would probably need her too. They agreed with Sara that it is a lot of work and doing it for one town is enough.

Paving Transfer Station quote

Bryant Paving sent an updated quote for just the Transfer Station so we can decide if we want to move forward with it this year. Sara did let them know that she would run this by the Select Board and that we would want to wait until the new compactor is delivered. The new quote was for \$41,000 for just the Transfer Station. Sara mentioned that since this is over \$10,000, we would need to send this out for bid. The Select Board agreed for Sara to put this out for bid. Sara will work on putting the request for bid together and sending it to the newspaper.

Tony said that we should look at putting together a warrant article for next year for paving the beginning of all town-maintained gravel roads at the intersections. He said we tried this in the past and it didn't go through. He believes it was in 2022 when we did the Town House paving warrant article. Sara will look into this and will add this to our 2025 warrant articles.

Ethier Update/Next steps

Sara mentioned that since the last meeting she has done the following:

- Reached out to Steven Griffin who is the gravel tax appraiser for the DRA since Mary Pinkham is no longer there. He came in and went through the files and was going to go out to the site the same day to look. He said he would send an email with his recommendations regarding the excavation concerns and excavation area afterwards but we have not received the email yet.
- Reached out to Jeffrey Blecharczyk who is the Compliance Supervisor for the Wetlands Bureau at DES. He has been the one involved with the court orders and hearings the State had with Mike. Sara emailed him to see what the outcome of the hearing was. Jeffrey sent back some information regarding this which stated *"Our office through the Department of Justice obtained a court order through the Grafton Superior Court requiring Mr. Ethier to undertake restoration of areas along the northerly banks of the Cockermonth River directly upstream and downstream of Beaver Pond Rd. The restoration work involved removal of gravel berms constructed along the top of bank and then replanting within the waterfront buffer. As of this date Mr. Ethier, thru his counsel and agent, have provided our office with restoration reports for the downstream side. Our assessment of the reports determined work along the downstream side was meeting our requirements. The upstream side restoration work has not been started and remains active. Matters related to repairs along the roadway can be completed without obtaining a permit from our office if the roadway and associated ditches are not expanded within the protected shoreland setbacks. Matters related to work in a floodplain would only require review by our office if the work directly impacted wetlands or resulted in expansion of the roadway footprint within the shoreland setbacks."*
- Sara was sent the restoration plan. Sara emailed back to see who should be contacted if he is not following the agreements of this hearing and the restoration plan and is waiting to hear back.
- Reached out to Jennifer Gilbert from the Office of Planning and Development who we worked with in the past regarding the Flood Plain concerns. She no longer works for this office and now works for DES.
- Obtained a new contact named Sarah Thunberg at the Office of Planning and Development.
- Set up a meeting with Sarah Thunberg which took place 6/13/24. Sara explained that it has been very frustrating and that the Town is more than willing to take care of the enforcement of the concerns but we want to make sure we work with the correct departments of the State to see what

can be enforced and what cannot. We also don't want to duplicate efforts for items that the State is already working on. It is very confusing because there are so many different issues and Sara feels that all departments should meet to decide who is doing what so we can go from there. Sarah agreed and said that she would try to set this up and would even involve Jennifer Gilbert who has been involved in the past. This meeting would help us all discuss the issues, who should take care of what and who should attend a site visit to look at the work that is being done in the flood plain, etc.

- Sarah from OPD did send an emailing to all involved (Sara for Groton, Jennifer Gilbert, and Jeffrey Blecharczyk) to see if we could set up a meeting to discuss the concerns and the next steps. We are waiting to hear back from everyone regarding this.

Sara asked what the next steps should be. She said that Jeffreys email as listed above mentions wetlands and mentions shoreland setbacks but not the flood plain concerns or the excavation concerns. Sara said what she is getting from his response that the hearing did not cover any of the floodplain concerns or excavation concerns so we still need to look at what the Town can do to address these concerns. Sara asked if the Town should do the following:

- Should we email our attorney and give her a heads up of the latest concerns and the steps we have taken. The OPD is a resource for us but they do not handle any enforcement for the flood plain concerns, that would be the Town. Should we ask the attorney for our next steps regarding this? The Planning Board creates the flood plain regulations so should they be the ones looking into this and enforcing this or should the Select Board? Would this also be a question for the attorney? The last time the attorney was involved the Town had sent Mr. Ethier a letter on 8/13/19 stating he need to cease all work on the road which is in the floodplain until he takes the steps to submit the Floodplain development Permit application. He was told he would have to show all permits from governmental agencies, including DES and show all work being done is performed in accordance with standard engineering practices and will not increase the flood levels in the community. This would be done through hydrologic and hydraulic analyses, which means hiring a wetlands scientist. On September 9, 2019 our attorney sent him a letter because we were told he was still doing work on the road in the floodplain and to our knowledge he still had not obtained the permits from the town or DES. Sara asked if we should send the attorney all of the recent emails and see what she recommends the next steps be. Sara said her concern is that this has been brought to the Town and even though we have proof we have reached out to the State we want to make sure we are doing everything on our end regarding enforcement, etc. The Select Board agreed we should reach out to the attorney and bring her up to speed on all of the recent concerns and get her advice for the towns next steps.
- Also do we reach out to the attorney regarding the grandfathering and the next steps if he is outside of the grandfathered area? We can run it by her and let her know we may have more information when we receive the email from Steve Griffin.
- Steven Griffin from DRA is working on the excavation side but the department that handles the Alteration of Terrain permits is a different department, which is NHDES Land Resources Management. Should we reach out to them as well or wait for Steven Griffin's email with his recommendations? It was agreed to wait and see what Steven Griffin says and what the attorney says first.

DOT Letter and Road Inventory Form

The DOT sent the yearly letter which requires a letter regarding federal funding, the road inventory form if any roads were added or changed and the list of town officials and hours to update if any changes. Sara drafted the letter stating that the Town did not receive \$750,000.00 or more in federal funds. There were no changes to the Map this year. There were two changes to the town officials and hours. **John motioned to sign the DOT Letter and Road Inventory Form, Tony 2nd, so voted.**

Meeting with Bubba:

The Select Board met with Bubba and went over the following items:

- 1610/1612 North Groton Road letter: We have sent this resident many letters in the past regarding the concerns with the driveway they put in at their residence and it still has not been fixed. The permit states this needs to be completed or the permit is null and void. The Select Board agreed that since it has been over a year and the Town has attempted to reach out to get these issues corrected multiple times, the permit is null and void and a new permit is needed for the work that needs to be done. Sara drafted another letter stating this. The Select Board and Bubba reviewed the letter and are good with what is stated. **John motioned to sign the letter, Tony 2nd, so voted.**
- Bubba said that Dave Madden looked at the truck and can repair the damage for the same cost as the deductible. It was agreed to have him do the work.
- Bubba said he is trying to get Morrison out here for the work that needs to be completed.
- They are going to open the bids tonight for chip sealing.
- They were going to start mowing but this week has been too hot.
- They picked the older mower up this morning. It is all fixed.

Having no other business to conduct, John motioned to adjourn at 6:50pm, Tony 2nd, so voted.

Respectfully submitted,

Sara Smith
Town Administrator