

APPROVED

Town of Grantham - Board of Selectmen Regular Meeting Minutes May 8, 2013

The regular meeting of the Board of Selectmen was called to order at 5:03pm on Wednesday, May 8, 2013 by Chairman Warren Kimball. The meeting was held in the Grantham Town Building, Jerry Whitney Memorial Conference Room at 300 Route 10 South, Grantham, NH.

Present: Chairman Warren Kimball; Selectman Ken Story; Selectman Constance Jones; Town Administrator Melissa White; Administrative Assistant Ann Jasper; Police Chief Walter Madore; Police Sergeant John Parsons; Fire Chief Jay Fountain; Athletics Director Marsha Googins; Conservation Commission Chair Richard Hocker; Renee Gustafson; Erin Darrow; Mauri Schwartz; Bob Schwartz; William Weber; Maynard Goldman; Brian Harding; Phillip Schaefer; Marylou Schaefer; Barry Sleath; Jeff Starcher; Troy Simino; Josh Stevens; Robert Fairweather; Adam Ricker; Bob Logan; Geri Logan and others

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Town Administrator Melissa White

ADMINISTRATIVE

- ✓ Payroll Manifest #392
- ✓ Accounts Payable Manifest # 368
- ✓ Building Permits:
 - a. M/L 212-048-000; 38 Butternut Road – Roof
 - b. M/L 212-014-000; 1751 Route 10 North – Demolition Shed/Garage
 - c. M/L 212-014-000; 1751 Route 10 North – Shed
 - d. M/L 234-008-000; 89 Long Wood Drive – Roof
 - e. M/L 226-033-000; 52 Rum Brook Lane - Shed
- ✓ Notice of Intent to Cut Wood or Timber
 - a. M/L 243-012-000; Stoney Brook Road
 - b. M/L 220-028-000; Dunbar Hill Road
- ✓ Property Tax Abatements 2012:
 - Approved:**
 - a. M/L 237-017-000; 735 Route 10 South
 - Denied:**
 - b. M/L 215-017-000; 20 Knob Hill

APPROVAL OF MINUTES

Chairman Kimball asked if there were any changes to the regular and non-public meeting minutes of April 24, 2013. A motion was made by Selectman Story to approve the regular and non-public meeting minutes of April 24, 2013 as written; seconded by Selectman Jones.

Unanimously approved.

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PROPOSALS/BIDS: OLDE FARMS ROAD BRIDGE #107/113

The following Proposals/Bids for Olde Farms Road Bridge #107/113 were opened in the following order:

- K.A. Stevens & Son Construction, Inc. \$208,900.00
- Neil H. Daniels, Inc. \$219,825.00
- Michael Hansen Construction, LTD \$164,740.00
- Andrews Construction Co., Inc. \$197,670.00

APPEARANCES

- Adam Ricker, Upper Valley Lake Sunapee Regional Planning Commission: Adam Ricker, Assistant Planner of the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC), explained that the UVLSRPC is coordinating the public outreach for a project that is going to be conducting assessments of rivers and streams in the Sugar River Watershed this summer. Ricker noted that the New Hampshire Department of Environmental Services (NHDES) is coordinating the project and a private contractor will be doing the assessments. Ricker handed out copies of a map and explained that sometime in July or August a private contractor will be walking the stretches of rivers and streams that are hi-lited on the map to measure different qualities of the river to identify areas that are prone to erosion or flooding with the result being data that will be used in the update to hazard mitigation plans in the future. Ricker reported that on May 16, 2013 the UVLSRPC will be sending out a letter to all of the property owners that abut these reaches explaining the process and inviting them to a meeting at the Senior Center in Newport on May 30, 2013. Ricker added that the contractor and the coordinator from NHDES will be at this meeting and will demonstrate what they are looking for and what can happen in situations when problems are not addressed. Ricker advised that all of the assessments will take place from the stream bed and occasionally there might be a scenario where they have to step onto the shore just to hold a measuring tape but only if a property owner allows them to.
- Mauri Schwartz: Mauri Schwartz addressed the Board of Selectmen and stated that according to the March 27 Selectmen Meeting Minutes, Mr. Schotanus announced that he was resigning from the Grantham Conservation Commission on March 31, 2013 and asked if that were true, did he resign? Chairman Kimball replied that he has resigned and agreed to do what he (Schotanus) calls consulting work. Schwartz reported that his name was mentioned 36 times in the minutes of the last Selectmen's Meeting of April 24, 2013 under the section of the Grantham Conservation Commission's presentation of the Open Space Protection Plan and said she would like to know under whose aegis he was working. Chairman Kimball answered that he was not familiar with that term. Schwartz explained that it means: Shield, protection, authority. Selectman Jones clarified that Schotanus is working under the aegis of the Conservation Commission. Schwartz requested that the Selectmen please have his correct status listed in the minutes of this meeting because his resignation is at least a prevarication and at best disingenuous.

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Schwartz stated the next item she would like to bring up are the wells and Eastman drip fields. She pointed out that according to the Grantham Master Plan dated June 2005 (which Schwartz noted still says "Draft" on the Town Website) "it says Two very important groundwater aquifers are located in Grantham. One is in the area of Stocker Pond and the vicinity of Bog Brook. The other follows a portion of the North Branch Sugar River and NH Route 10. These groundwater reserves are likely sources for substantial fresh water supplies in the future. Grantham does not require, I'm going to say that again, Grantham does not require a public water supply at present. But this groundwater resource is limited and irreplaceable, and thus should be protected for the future, in case Grantham ever finds it both necessary and economically feasible to develop a public water supply. Careful control of human activities that could pose threats to the quality of any groundwater is essential." Schwartz pointed out that there is no municipal water supply in Grantham at this time, the need for one has not been established and the location of the possible future water supply has not been determined. Schwartz requested that the Selectmen make this clear in the minutes of this meeting. Schwartz added that at the various prime wetlands meetings the Conservation Commission vociferously insisted there were no designated wells or municipal wells contemplated in Grantham. Schwartz continued that according to the Master Plan, Stocker Pond is not the only possible water supply and noted along Route 10 at the intersection of Exit 13 there are two high capacity wells in existence. She stated they were required for the approval for a 60 unit hotel and restaurant and pointed out that location is closer to the center of town and Eastman should at any time in the future it is deemed that Grantham requires a water supply. Schwartz said it should be noted that none of the possible water sites have been tested for capacity, volume or purity, however, this past December 19, 2012 the Sustainable Eastman Committee wrote "two possible future town of Grantham well sites situated around Stocker Pond and over near the old Cote and Reney Lumber property might be affected by wastewater on the Heath property, however, after much discussion with the engineering company, Duncan Wood of the VDE and others, it was determined that the Heath property is a viable site for drip dispersal. The privately owned property is also viable and preferable if the purchase can be made." Schwartz stated that the Eastman Community Association did purchase the 79 acres and "viable site for drip dispersal" means dripping effluent, grey water and excrement on the property that leaches into Bog Brook, which goes into Stocker Pond, where the Conservation Commission thinks Grantham's drinking water should come from. Schwartz asked the Board of Selectmen to please address this issue. Schwartz added that in the Conservation Commission's draft for the Open Space Proposal, they said "the piece of land next to Stocker Pond that contains the municipal water supply." Schwartz emphasized there is no municipal water supply.

Schwartz stated the next thing she wants to comment on is the population of Grantham and said that "according to the Conservation Commission's Open Space Proposal it says that in the period from 2000 to 2010, Grantham was the second fastest growing town in the Upper Valley at 37.7%." Schwartz continued "according to the current population statistics from Citi-Data, Grantham's population grew 16.2% from July 2000 to July 2009. It did not grow 37.7% - that is an old statistic. Grantham grew 16.2%. Springfield which grew more quickly was at 20.4% and even Newport beat us at 19%." Schwartz read from the Handbook for New Hampshire's Conservation Commissions, Chapter 5, as it applies to an open space index and read as follows "keep an index of all open space". She went on

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to say "Webster's definition of index is a list describing the items of a collection and where they may be found. The Society for the Protection of New Hampshire Forests says at present approximately 89% of New Hampshire can be classified as open space. The handbook further says that a commission should check to be sure all town owned conservation land is included and undeveloped land owned by other institutions such as schools and colleges should be identified and open space is a term that may describe formal designated areas such as urban parks, playgrounds, village greens, cemeteries, areas that are open as a result of their use such as farms, flood control lands and areas minimally affected by human activity such as forest and wetlands." Schwartz reported that she created an index and held it up for the Board of Selectmen to see. She explained it is a list of 181 properties in Grantham that are of 10 acres or more and that it contains the acres, the map, the lot, the owner, the address and the location of the property. Schwartz added that she was also able to index all the Grantham town properties which number 47. She informed that it cost her \$4.00 not \$8,400.00. Schwartz noted the Conservation Commission states in its Open Space Proposal and read "More importantly, from the standpoint of available open space, note that Grantham is a small town. Containing just 17,778 acres, it has very little buildable land left to continue to absorb growth of this magnitude. This is a major underlying factor in the growing concern that Grantham is losing its rural character." Schwartz continued and said "in fact, the 181 parcels of 10 acres or more equal 12,628.22 acres which is 71% of Grantham's land area". She commented that stating in the Open Space Proposal that Grantham has very little buildable land left to continue to absorb growth is a dissembling of the truth. She went on to say that the Conservation Commission also states in their Critical Conservation Lands Index which is on the town website that "At the time of this study, there are approximately 2,300 acres of conservation land in Grantham or 12% of the land area." She added she assumes this is up to date. Schwartz stated that Grantham needs a new Master Plan to provide a way to protect our rural character, but it should not be done by fear mongering.

Schwartz addressed Open Space Planning and said there are many ways to plan and conserve open space. She stated "the Grantham Master Plan suggests encourage the private use of deed restrictions and conservation easements as a method for protecting important open space areas and natural resources." She continued that the handbook for New Hampshire's Municipal Conservation Commission warns in chapter 6 and read "Outright, or fee simple ownership of land provides the greatest control over its use. It is also the most expensive option for a municipality, since it involves the loss of future property tax income as well as acquisition costs." Schwartz reiterated there are many ways to plan and conserve open space and suggested the town look into that very carefully.

Schwartz stated she wanted to quote the following instructions regarding behavior from the Handbook for New Hampshire's Municipal Conservation Commissions, Chapter 3, Relations with Municipal Officials and the Public and said:

"A conservation commission needs to establish and maintain good relations with other municipal boards and officials;

A commission must establish credibility in the eyes of municipal officials and citizens to dispel misconceptions, such as impractical ideas;

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A successful conservation commission must work to ensure public understanding of its concerns and projects;

It must be polite, pleasant and positive. Approaching a person, board or agency employee with negative or angry attitude either in words or demeanor – is likely to evoke a similar reaction and;

They must establish and maintain good relationships with residents, landowners, and other town officials”.

Schwartz said none of these attributes or objectives can be used in describing Grantham's Conservation Commission. Schwartz declared she is not stating anything that the Board of Selectmen have not heard from Grantham residents or personally witnessed. She continued and The Grantham Conservation Commission states “that the reason for its Proposal for Open Space has to be under the authority of the Selectmen is because the land use boards in this town don't communicate and in order to get this kind of thing done”. Schwartz stated that there is no communication problem in Grantham among the various boards or committees except for one. Schwartz went on to say the residents and taxpayers in Grantham feel the Conservation Commission is adversarial, arrogant, pompous, can't get their story straight and are out of touch. Schwartz stated this was made obvious in the 2012 Town Meeting and resoundingly evident in the 2013 Town Meeting. Schwartz commented that the Grantham Selectmen now have an opportunity to make an important change with the Open Space Project and Committee.

Schwartz concluded the next step should be as follows and stated:

- “Grantham should create an Open Space Committee.
- It should not be a permanent part of our town government. We have enough committees. Once the index is made, their job is done. Maintenance will be simple after that.
- The Committee should not have members from Planning, Zoning, Selectmen, or Conservation. These committees have enough work to do and Grantham needs some new blood to provide reasonable and acceptable standards.
- The general direction for this project, as in many other towns, should come from the new Master Plan.
- The Open Space Committee needs to be independent and made up of creative thinkers who are good listeners and are in touch with the residents of the town. It needs to embody good will, and balance.
- Using Swanzey as a model for the Grantham's Open Space Plan is a poor choice. Their population was 7,230 in 2010, more than twice Grantham's, and it is located in the southern tier of New Hampshire with little in common with our town.”

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Schwartz ended by asking the Selectmen if there were any questions. Chairman Kimball asked her if she would have time to work on the committee to which she answered, no, she feels that she would rather stay in the background and be able to speak up and get a lot of residents to speak up so the Selectmen will know how the residents feel. Schwartz added that she does know people who would be interested in working on the committee and has encouraged them to send letters.

CORRESPONDENCE

- National Joint Powers Alliance (NJPA): Notice was received from National Joint Powers Alliance (NJPA), the town's Life and Disability plan holder, that the Life and Disability benefits are scheduled to renew July 1, 2013 for two years. White reported that there will be no change to the rates at this time and added this company has been good to deal with. A motion to authorize Town Administrator White to sign the renewal contract with National Joint Powers Alliance to renew the Life and Disability benefits for two years was made by Selectman Jones; seconded by Selectman Story. **Unanimously approved.**

OLD BUSINESS

- Olde Farms Road Bridge #107/113: Bridge Engineer Erin Darrow provided a project update as follows: Darrow explained that she, the Board of Selectmen and Town Administrator White will review the bids. Darrow said she would like to come up with either the selected qualified proposal or the top two proposals by next Tuesday, May 14, 2013. Darrow commented that the bids seem to be within the anticipated project budget of approximately \$168,000.00. She added that there are other items within the total bridge budget that allow a little flexibility. Darrow reported that she has also requested a few estimates for the pre-cast bridge which will be purchased separately and that there are two qualified proposals: 1) White Mountain Precast Bridge; and 2) Michie Corporation. She said that she is in the process of following up with questions and details for each bid and added that each one is going to need to be modified. Darrow stated that the project has an approximate start date of sometime in August; but would like to begin as soon as possible so as not to interfere with the school bus schedule. She stated that she is requesting an expedited review for the Wetlands Permit which will be submitted this week. She added that there have been a few changes in design due to construction planning issues. Darrow reported that she and Chairman Kimball met with the Public Service of New Hampshire and Fairpoint engineers and she had to realign the road very slightly to accommodate where they are going to relocate a pole. In addition, Darrow reported that the FEMA grant has been approved by FEMA and the Department of Safety and is scheduled for review by the Governor's Council on May 15, 2013 which is the final step and explained that once it has been approved by the Governor's Council, the funds can be allocated to the town. Chairman Kimball reported that he spoke to the property owner of where the trees will need to be cut and the owner is happy to allow that. He added that he has contacted three tree cutting companies for an estimate. Darrow asked Chairman Kimball if he has received a response from Fairpoint to which he responded he has not. Darrow said she will follow up with Fairpoint.

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- Troy Simino: White reported that Road Agent Newcomb provided recommendations on care for the road regarding Troy Simino's request to clear brush on the Class VI portion of Dunbar Hill Road. White stated that she emailed a copy of Road Agent Newcomb's recommendations to Troy Simino. Chairman Kimball asked Simino if he had any questions. Simino asked if he had to wait until June 1st. Chairman Kimball reported the Selectmen would follow Road Agent Newcomb's recommendation. Selectman Jones added as long as that road is not muddy at all. Simino stated he is confident when he completes his work that the road will be in far better condition than it is now.
- Recreation Park Development and Geese Control: Googins informed the next phase being to fund raise for the pavilion. Googins added care and maintenance of the Park is going well.

(Geese Control) White reported that Sergeant Parsons has been very helpful in providing information for the Wildlife Scare Away Pyrotechnics (WSAP) Program. White informed that this is a low cost program, about \$130.00 for all of the equipment, and the Recreation Department has the funds to pay for it. White reported WSAP would only be used by members of the Grantham Police Department in uniform and under specific guidelines that take into account the time of day, weather conditions and presence of others on the recreation field. White added that WSAP will not be used if anyone other than an employee of the Town of Grantham is present in the area and will not be used outside of the Town of Grantham. Additionally, White advised that the town is required to have a safety policy in place for WSAP which Sergeant Parsons has written. Additionally, White reported that everything will be properly secured at the Police Department. The Board of Selectmen thanked Sergeant Parsons for his work on this project. Googins added that she spoke to the property owner next to the park who informed her that she has no problem with the WSAP Program. The Selectmen instructed White to send letters to all abutters within 200 feet of the Recreation Park notifying them of the WSAP Program and when it will be implemented. A motion to approve the WSAP Program was made by Selectman Story; seconded by Selectman Jones. **Unanimously approved.**

- Sewer Petition: White reported that an amendment to the Sewer Petition was received on May 3, 2013 asking to consider the boundaries be made smaller than the existing Village District. Selectman Story expressed that due to the nature of this petition and what is being asked for in terms of the boundaries, he felt more time is needed to research and obtain information. Chairman Kimball and Selectman Jones agreed. Chairman Kimball announced that this matter will be tabled until more information is obtained.
- Conservation Commission Proposal to Establish a Grantham Open Space Protection Plan:
White reported that this item was left on the Agenda because the Selectmen have not yet appointed anyone to the Open Space Committee. Selectman Story stated that is one of the things he would like to talk to Conservation Commission Chair Dick Hocker about and explained that he attended the Conservation Commission meeting where it was discussed about coming up with a list of recommendations to be approved by the Selectmen and asked Hocker if there has been any progress with that. Hocker replied that at this time, they

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have between six and nine names that the Commission would like to put forward for consideration. Hocker said he will forward those names to White within the next few days. The Selectmen instructed White to put out notices for committee members on the List Serve, TV and post office.

- 172 Cote Road: White stated the property owner has agreed to have the property cleaned up by June 7, 2013.
- Zoning concern at 71 Burpee Hill Road: White informed that she was not able to speak with Zoning Chair Conrad Frey about the concern of two dwelling units at 71 Burpee Hill Road because Frey was leaving for vacation.

NEW BUSINESS

- No Alcohol Ordinance: A motion to approve the ordinance entitled “Use of Alcoholic Beverages in the Town of Grantham” was made by Selectman Story; seconded by Selectman Jones. ***Unanimously approved.***
- Conservation Commission Appointment: A motion to appoint Constance Howard to the Grantham Conservation Commission was made by Selectman Jones; seconded by Selectman Story. ***Unanimously approved.***

DEPARTMENT/COMMITTEE REPORTS

- Police Department – April Report:
 - On April 1st the Department welcomed two new officers, Ryan Gamble and Dakota Titorenko-Geary. They will begin the Full Time NH Police Academy on June 10th and end on September 13th.
 - On April 27th the Department participated in the Drug Take Back Day. The Department is happy with the public's response to this event as 2 boxes of prescription drugs were collected that were turned over to the DEA on April 29th.
 - Sgt. Parsons received a thank you note and a cake from the Grantham Parent Teacher Group in appreciation for volunteering to work at the musical fundraiser which featured a local artist with the Sharna Stack Band.
- Fire Department – April Report:
 - Responded to 18 calls consisting of 8 EMS and 10 Fire/Rescue.
 - Chief Fountain attended the Mid-Western Hazardous Materials meeting.

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- Grantham Fire Department hosted a vehicle extrication class that was attended by Springfield and Croydon Fire Department members as well as Grantham personnel.
- Training for May will be Ladders and Ventilation along with a walk through of both the town office and the South Cove Activity building.
- Trustees of the Trust Funds – As of April 30, 2013: Report as of April 30, 2013 was reviewed.
- Town Administrator:
 - Notice was received that the final health insurance rate will increase 8.8%.
 - The Town Clerk's office is now able to process boat registrations.
 - The list of impending tax deeds for the unpaid 2010 property taxes was reviewed. White noted that deed waivers will need to be signed for any property they do not wish to take.
 - Laurie Field will be hosting her Town Wide Yard Sale on June 1, 2013. For more information visit the website at www.granthamnh.net
 - On Monday, May 27, 2013 the Town Office and the Transfer Station will be closed for Memorial Day.
 - Meeting Schedule:
 - The Conservation Commission meets Monday, May 20, 2013 at 7:00pm;
 - The Zoning Board Meeting for May has been cancelled;
 - The Trustees of the Trust Funds meet Tuesday May 14, 2013 at 1:00pm
 - The Recreation Park Committee meeting on May 21, 2013 is cancelled;
 - The next Planning Board Meeting is Thursday, June 6, 2013 at 7:00pm.

NON-PUBLIC

In accordance with RSA 91-A:3 section II-a, a motion was made by Selectman Story, seconded by Selectman Jones to enter into a Non-Public session at 6:04 p.m. to discuss a personnel matter. Present were: Chairman Warren Kimball, Selectman Ken Story, Selectman Constance Jones; Town Administrator Melissa White; Administrative Assistant Ann Jasper and Athletics Director Marsha Googins.

A motion to seal the minutes of this non-public session was made by Selectman Jones; seconded by Selectman Story. ***Unanimously approved.***

Following proper vote, the Board returned from Non-Public session at 6:28 pm.

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ADJOURNMENT

There being no further business, Selectman Story moved to adjourn, seconded by Selectman Jones; **by unanimous vote, the Board adjourned at 6:28 pm.**

The next Selectmen's Meeting will be held on **Wednesday, May 22, 2013** at 5pm in the Grantham Town Building; Jerry Whitney Memorial Conference Room at 300 Route 10 South, Grantham, NH.

Respectfully submitted,



Ann Jasper
Administrative Assistant