

# APPROVED

## Town of Grantham - Board of Selectmen Regular Meeting Minutes April 24, 2013

The regular meeting of the Board of Selectmen was called to order at 5:00pm on Wednesday, April 24, 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; Police Chief Walter Madore; Fire Chief Jay Fountain; Merle Schotanus; William Weber; Brian Harding; Joe Watts; F. Robert Osgood; Ken O'Keefe and Phillip Schaefer

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Town Administrator Melissa White

### ADMINISTRATIVE

- ✓ Payroll Manifest #391
- ✓ Accounts Payable Manifest #366 & 367
- ✓ Building Permits:
  - a. M/L 226-033-000; 52 Rum Brook Lane – Shed
  - b. M/L 237-037-000; Split Rock Road – Construction of New Home
- ✓ Sign Permit: Dunbar Free Library
- ✓ Property Tax Abatements:
  - a. M/L 234-127-000; Howe Hill Road - \$679.73
  - b. M/L 213-028-000; 7 Rolling Hill - \$750.82
  - c. M/L 234-007-000; 87 Longwood Drive - \$716.10
  - d. M/L 225-031-000; 6 Allen's Drive - \$4,396.42
  - e. M/L 225-199-000; 81 Greensward Drive - \$1,360.59
- Yield Tax Levy:
  - a. M/L 243-012-000; 2221 Stoney Brook Road - \$121.40
  - b. M/L 212-016-000; 58 Frye Lane - \$ 254.19

### APPROVAL OF MINUTES

Chairman Kimball requested that there be clarification to page 3, second sentence in last bulleted item of the regular meeting minutes to read "He noted that on Appendix A, page 2, paragraph 2 of the proposal it is carefully stated . . . ". Chairman Kimball asked if there were any other changes to the regular meeting minutes of April 10, 2013. A motion was made by Selectman Story to approve the regular meeting minutes of April 10, 2013 as amended; seconded by Chairman Kimball. **Approved by majority vote - Selectman Jones abstained.**

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## APPEARANCES

Ken O'Keefe appeared to ask for a status update regarding a dumpster issue at 172 Cote Road that had previously been addressed with the Board of Selectmen. Chairman Kimball reported that the Board of Selectmen sent a letter to the residents of 172 Cote Road informing of the violation. The residents returned a letter stating that they were under construction so the Board of Selectmen asked them to notify the town when construction is completed. O'Keefe reported that it has been a long time and the conditions at 172 Cote Road have gotten worse and asked if the town has a policy in place to deal with this issue. Selectman Story answered that the town does not have a formal policy in place but has been successful in dealing with similar issues involving other residents. O'Keefe suggested giving the residents a deadline to comply. Selectman Story added that because this particular issue does keep recurring he agrees a time frame would make sense in this case. Town Administrator White stated she will send another letter to the residents at 172 Cote Road reminding them of the violation and ask them when they plan to have the property cleaned up. Selectman Story added that it should state in the letter that we need a response within 30 days or the Selectmen will set a time frame for them. Selectman Jones specified that the letter will be hand delivered.

## CORRESPONDENCE

- Grantham Recreation Park Committee Resignations (2): Emails were received from Rick Anderson and Todd Cartier tendering their respective resignations from the Grantham Recreation Park Committee effective immediately. The Board accepted the resignations and noted that they have both done a wonderful job as members of the committee and instructed White to send thank you letters.
- Primex: Notice was received from Primex that the town qualifies for the 2013 Premium Holiday (Phase II) for the Workers' Compensation Program and will be receiving a \$11,395.02 credit on July 1, 2013 to be applied to the January 1, 2013 to December 31, 2013 invoice.
- Upper Valley Lake Sunapee Regional Planning Commission: A letter was received from the Upper Valley Lake Sunapee Regional Planning Commission that they have received funding from FEMA to update the Town of Grantham's hazard mitigation plan which expires in August 2013. White reported that she forwarded the letter to Emergency Management Director David Beckley and added that she will work with Department Heads to complete this update.
- Comcast: A letter was received from Comcast informing the town of potential programming changes and the creation of a webpage containing those changes.

## OLD BUSINESS

- Olde Farms Road Bridge #107/113: White stated that, as the Board is aware, the deadline for proposals was extended to 4:00pm on May 8, 2013 which is the next Selectmen's meeting and explained the reason being that Test Borings and Geotechnical Report must

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be completed prior to the deadline. White reported that work is scheduled to be done April 25, 2013 and hopefully the report will be ready early next week to get to potential bidders. Chairman Kimball has contacted PSNH for the pole relocation that is needed and Bridge Engineer Erin Darrow has been in contact with Fairpoint. White added the cost for the test borings is not to exceed \$3,700.00. A motion to withdraw \$3,700.00 from the Bridge Capital Reserve Fund for payment of Test Borings done by M & W Soils at the Olde Farms Road Bridge #107/113 was made by Selectman Jones; seconded by Selectman Story.  
**Unanimously approved.**

White informed that a quote was received from Michie Corporation for the precast bridge which came in at \$98,980.00. White reported she is waiting for two more quotes.

- Alcohol Use at the Recreation Park: White consulted with Town Counsel who advised to not allow the use of alcohol at the Recreation Park. Selectman Jones added that the town's insurance carrier is also not in favor of alcohol use at the Recreation Park. White asked the Board of Selectmen if they want to consider adopting an ordinance to prohibit the use of alcohol at the Recreation Park. There was discussion and White will draft an ordinance to be adopted at the next Board of Selectmen meeting.
- Sewer Petition: White reported that she received a letter from Town Counsel regarding the Sewer Petition. Town Counsel reviewed letters from Eastman Community Association's attorney and the Village District and advised that the town does need to move forward with the process. White informed that the next step is for the Selectmen to define the boundaries of the proposed district. Town Counsel recommended using the same boundaries established by previous Selectmen in 1981 when the Village District of Eastman was created. Selectman Jones explained that the Village District was created and defined as a Village District which also would include any other district that they might want inside that district such as fire district, sewer district or any other district. Phil Schaefer disagreed and stated that what was defined in 1981 was the water district not a sewer district. Selectman Jones replied that is true, however when the Village District established the water district, it also meant that there could be other districts under that such as sewer or fire, etc. Schaefer responded that was not addressed until this year and they did not get that right inherently and according to RSA 52:1 Village Districts can be created for those other purposes and cited North Conway as having a parcel full of village districts, each one specifically attending to a particular utility or fire or something similar and mentioned if you look at the RSA's they specify it's for the people who are the users of that facility and to redefine the sewer district as the same as the Village District goes against what was specified in the RSA. Schaefer added that he believes the town's lawyer probably so indicated. White specified that Town Counsel reviewed the creation of the Village District and confirmed it was established in part for the purpose of the construction, operation and maintenance of sewer and waste treatment plants. Schaefer commented that he does not believe that other than water was specified at that time referring to the 1981 warrant. White pointed out that Article 1 which stated "to see if the Village District will vote to establish itself as a Village District established for all purposes set forth in RSA 52:1" which includes sewer. Bill Weber, District Manager of the Village District of Eastman, explained that the original creation minutes were done exactly how White read it, it was created for all eight purposes at the time that a Village District could be created for and it was left up to the commissioners as to each task that they would take on over the years, i.e. the roads, the waste water, fire protection, ornamental, safety, etc. so the adoption meeting was

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very clear and the statute has not changed since 1981. Weber stated he concurs with Town Counsel as being accurate. Chairman Kimball asked Schaefer if that made sense to him. Schaefer replied that it makes sense but the Sewer Petition is specifically from people who are on the sewer system to have their own district such as is the case in North Conway so that group of people can control its own destiny. He said as it stands now within the Village District, those people are outvoted more than 4 to 1 and they have no control. Schaefer added that there is nothing that prevents the creation of a separate sewer district such as is the case in North Conway which has nine separate districts. Chairman Kimball stated Town Counsel said that the district has already been established. Schaefer disagreed. White reiterated that it's the Board's decision and responsibility to set the boundaries and that Town Counsel was only bringing to the Board's attention that the Village District has already set the boundaries and the Board of Selectmen could use that as the boundaries for this petition if they so choose. Weber commented that, hypothetically, if the Board of Selectmen were to adopt the boundaries that the current Village District has, which he cannot say would be correct or incorrect, there is one wastewater company inside the boundaries. He continued that the voters voted March 21, 2013 at the annual meeting that they want the sewer company to be operated by the Village District of Eastman. Weber added that they are literally four days away from a Purchase and Sales agreement which means that that wastewater company will now be off the table. It won't exist to create a Village District with anyone until such time as either the Purchase and Sales were to fail or the Selectmen of the town of Grantham were to establish different or other boundaries. Weber wished to emphasize that the voters of the Village District of Eastman were properly noticed of the annual meeting and the Village District of Eastman includes sewer users who voted not only overwhelmingly, but even took the bond issue by a super majority to take over the debt of the wastewater company. Weber questioned how anyone could overturn the vote of a municipality as it stands now saying again that the voters of this district have already spoken. Schaefer interjected that is precisely the reason that this petition arrived here and explained that prior to discussions and the votes that were taken at the Village District meeting, there was never any consultation with sewer users as to what they wanted. He said there was a suggestion at the Village District Commissioners meeting to do a survey to find out what the users wanted but Eastman refused to cooperate and allow the Village District access to the email because that was the only way to do it. Schaefer continued that the problem is that of the 169 people who voted at that meeting, 31 were sewer users and they are outnumbered by more than 4 – 1 and the non-sewer users care nothing about the cost of running the sewer system. He added what they are trying to accomplish is to get the sewer users to have their own system where they as a group can run the system in their best interest.

Chairman Kimball expressed to Schaefer that he has difficulty understanding how the sewer users, either together or separately, were caught, as he presents it, off guard and asked if this was a surprise. Schaefer responded that it is easy to catch people off guard and that Eastman is well known for it and stated they had a public meeting 10 days before Thanksgiving when no one is particularly interested, then they have a vote eight days after the first of January when people are just recovering from the holiday. Schaefer said furthermore, unless there has been some activity at the Public Utilities Commission (PUC) of which he is not aware because the PUC has to sign off on the sale of the sewer company, he challenges what was said.

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Selectman Jones asked Schaefer how many of the 560 people in Eastman are current Grantham residents and registered to vote here. Schaefer answered 210. White asked how many are sewer users. Schaefer answered 535 properties and a couple commercial properties.

Selectman Jones asked Schaefer if they have everything in place to run the sewer district themselves such as a sewer manager, a board of directors, etc. and how they would run it. Schaefer replied there is a sewer company and all of the functions are outsourced to a licensed sewer company operator that operates water and sewer facilities. White asked if he is referring to the way it functions now and what if this petition moves forward and the new district is created. Schaefer stated that the company that has contracted to do the work has, as of the last sewer company meeting, agreed to put in its contract that the contract for operating it is transferable and that was to accommodate the Village District and could easily be transferred to a new sewer district. He added that there is already a verbal agreement that the Village District would, by contract, do the office work and billing, etc. for the sewer district for the same rate that the sewer district has been paying Eastman to do the same services for it. Brian Harding, Assistant General Manager of Eastman Community Association, stated he would like to make a couple clarifying comments; 1) Mr. Schaefer's comment that the sewer company does not have a manager is not correct because he is the manager. He added that he thinks he was referring to the fact that we do contract the operation of the sewer system, the water system and operators; and 2) Regarding Mr. Schaefer's comment about the lack of notice to the community, Harding pointed out that the Eastman Community Association as owner of the Eastman Sewer Company held a community wide forum on November 17, 2012 that was well advertised and all Eastman owners to include all sewer customers were invited to attend and listen to the presentation of what was being proposed. He added questions and comments were invited and after the meeting was concluded, within a few days, a package of information to include all of the materials presented at the meeting were sent to every single Eastman owner which, of course, included Eastman sewer customers. Schaefer responded that at the presentation in November and in the package that was distributed to everyone, there were substantial errors which lead people in the position of saying let's go ahead with this. He added that those errors were corrected, for the record, at the last Eastman Sewer Company meeting which was last week. The errors were of the type; 1) if we do it through the Village District, your payments for capital expenses will be tax deductible. This was wrong and was corrected at the last meeting which was last week; 2) It was also stated that one of the reasons for what they are proposing was a need to improve the sewer operations because the fluid that they are spraying on the golf course no longer meets state requirements because the state has tightened the requirements for total suspended solids when, in fact, the state had loosened the requirements for total suspended solids. Schaefer suggested they haven't been in compliance with the state for years, probably four, so there were misleading things in the packet and in the meeting that he believes would affect how people would vote on that issue.

White announced that she has a map that shows where the sewer lines are. Selectman Jones stated that it would take an in depth mapping procedure, not just where the sewer lines are located and questioned what happens if the Selectmen define the boundaries and in the future it has to be changed because more people need to go on the sewer line. White felt Town Counsel should be consulted further. Weber requested that the Board

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of Selectmen request a legal opinion from Town Counsel to be passed between the Village District attorney and the Eastman Sewer Company attorney and the Board of Selectmen to give clearer direction. Chairman Kimball asked Schaefer if he believes that the new district should only include the residents that are on the sewer. Schaefer answered that it should include every property that is on the sewer and every property that is crossed by sewer mains even though they are not connected because they could potentially be connected. White asked Weber and Harding if they know of any expansion plans in the next twenty years. Harding responded that there are no plans for expansion in the next twenty years beyond its current capacity and possibly connecting, as Schaefer said, any undeveloped lots that lie along the system, if a home is built, they could connect and they have identified 20 lots or so that fall under that category. Harding added that there has been no discussion about expanding the lines. Weber stated that there is a statutory provision that if a home is built within a certain distance of a sewer line that it must be connected meaning that this district could expand. Weber said he would be happy to get a copy of the statute. Schaefer added that there are a lot of properties in Eastman that were traversed by sewer lines and they were not allowed to connect, he believes, because of capacity. He believes the sewer company is only using 55% of the capacity and noted that there was a slide in the material that was sent out that states the costs include a 30% expansion of the capacity. Harding responded that they probably should have done a better job communicating this but according to their engineers, in the proposal that is being discussed to build a wastewater disposal system to move away from spraying on the golf course, the state mandates that your discharge system be at least 20% greater than your expected capacity in case there are additions to the system or some kind of problem with the system. White asked for clarity in what Weber was asking for in an opinion letter from Town Counsel. Weber clarified that he would like Town Counsel to offer the Board of Selectmen direction for the next three steps. Selectman Jones explained that the only thing the Board of Selectmen are charged with is defining the boundaries of the District and holding an election of the people that are going to be contained in that District. White stated that Town Counsel outlined that in his first letter. Selectman Jones emphasized that they don't want to reinvent the wheel and spend a lot of tax payer money on this project and that's why they need to choose the right way to define the boundaries. White reported that Town Counsel advised that we don't draw boundaries in a checkerboard or zig and zag approach, that it be a clean boundary. White said she will work on this and will check with Town Counsel on how far out the boundaries should go. White added that at the next meeting she hopes to have a map for the Board that shows the proposed boundaries for the proposed District.

- Conservation Commission Proposal to Establish a Grantham Open Space Protection Plan: White reported that the Grantham Conservation Commission's proposal to establish an open space initiative was discussed in part last week but Selectman Jones was not present so Merle Schotanus and Joe Watts are here to answer questions. Selectman Jones stated that she knows that this is a good idea and understands that this is one of the mandates of the Conservation Commission to do. She continued that RSA:36-A:2 states "It shall keep an index of all open space and natural, aesthetic or ecological areas within the city or town, . . . ." and asked if that is what the open space committee is going to do, make an index of what lands are open space. Merle Schotanus explained that the Conservation Committee is suggesting that an open space committee establish an inventory and prioritize it. Selectman Jones asked if that comes under the Conservation Commission. Schotanus replied that it can but it won't get done if it does. Selectman Jones said she understands

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that but the RSA states that the Commission can appoint a committee to do that and asked if they are suggesting that the Selectmen are the people who are supposed to appoint a committee. Schotanus responded that is what the Commission's proposal suggests, that the Selectmen establish a five member committee, three from the public, one from the Conservation Committee and one from the Planning Board. Schotanus went on to say that this committee will automatically get the public involved in the process and believes that is what needs to happen because if you are going to get the public to support protecting open space, you have to get them involved and that is what this is designed to do. Schotanus added that the reason it is proposed 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, it's going to take some more authority than the Conservation Commission has or the Planning Board has and secondly, the Conservation Commission is only advisory, it has no adjudicatory or regulatory authority. Selectman Jones pointed out that Schotanus said that this committee would have more power. Schotanus responded that it will only have the power that is delegated to it by the Board of Selectman, the convening authority. Selectman Jones questioned what authority the Selectmen have to give this committee authority. She said she understands the tasks the committee are supposed carry out but from what she read in the proposal, it looks like the committee will supersede other Boards and is not quite sure how the Board of Selectmen get the committee to that point because the Board of Selectmen is the group that looks over the prudential affairs of the town, specifically, the finances. Selectman Jones continued that as this project evolves, we are looking at bonding and raising large amounts of money so the Conservation Commission can buy this land or however the Commission wants to do this. Selectman Jones pointed out that the Selectmen have to look at this another way and stressed that during budget time when they are looking at services can be provided in addition to adding large amounts of money, perhaps \$50,000 to \$100,000 to the budget for buying land which will be taken off the tax rolls. Selectman Jones continued that if the land is put into conservation easements and things of that nature, then the town can't use it for anything. Selectman Jones said that she could understand more if the town were buying the land and it would become an asset to the town at that point but when the land gets tied up so that the town can't really do anything with it in the future, for example, if 20 or 30 years down the road we might need to build a school, another recreation park or another building. She questioned if all of our open spaces or our land is taken up with restrictions, what does the town do and stressed that the Selectmen have to think about that aspect too, how to protect the town's assets. Schotanus responded that is why you have an open space committee; to advise the Selectmen and give options. Schotanus added the Selectmen make the decisions not the committee. Schotanus explained that this committee is purely advisory; it is proposed to do the leg work and establish the inventory. He continued that every year after the inventory is established and priorities are established, the committee would report to the Board of Selectmen and make recommendations and the Selectmen would decide if the committee should go forward. Schotanus added that it is up to the Selectmen whether to make this committee a permanent committee and noted that the Conservation Committee suggests that they do. Schotanus stated that if it were permanent, every year the inventory of undeveloped property would be reviewed by the open space committee and recommendations would be made to the Board of Selectmen. Schotanus stressed that whether the Board of Selectmen wanted to act on those recommendations such as deciding to put money in a capital reserve fund to either leverage or buy a conservation easement or acquire is the Board's decision and said he does not believe an open space

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committee worth their salt would advise the town to buy any land for the very reason that Selectman Jones mentioned of taking it off the tax rolls, unless it were the piece of land next to Stocker Pond that contains the municipal water supply. Schotanus reported that there are many different ways to protect and conserve undeveloped land without title to it. Schotanus stated he really doesn't understand the problem because the Board of Selectmen has the authority to make the decisions and the committee does not have the authority and is purely advisory. Schotanus called attention to page 6, item 3, of the open space proposal where it states that "It is extremely important that the committee be given a narrow mission that establishes firm boundaries to insure no overlap with the missions of the Planning Board and the Conservation Commission." Schotanus emphasized that is very important.

White asked if the Commission has a proposed mission for this committee if the Board were to approve it. Schotanus replied that they do. Selectman Story called attention to page 6, item 6 which mentions the proposed mission. Schotanus explained that is the initial proposed mission and if the Board of Selectmen decided to expand that or make it narrower they could certainly do that. Selectman Story expressed thanks to Schotanus and the Conservation Commission for all the work they have put into this project and wanted to be sure the Board recognized that. Selectman Story added that he believes getting the open space inventory done is a tremendous idea and proposed, if Chairman Kimball and Selectman Jones agree with him, to establish the open space commission as it is outlined in the proposal but the initial mission would be strictly to complete the inventory with the idea that the Board of Selectmen could revise and expand that mission later on if they so choose. Schotanus explained that is exactly why the proposal is written in two phases.

White noted that the Proposal indicates initial administrative costs of approximately \$3,000.00 and that the committee members would be volunteers but we would need to have somebody take and transcribe the minutes of the meetings. Schotanus said that if we use in-house secretarial staff, as mentioned, it would save money. Schotanus added that if this plan were adopted by the Board of Selectmen, the plan could then be used to go to the State Conservation Committee and request a Moose Plate Grant which could cover that \$3,000.00. Additionally, Schotanus said this grant could cover the \$5,400.00 that the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) has quoted to run the survey, which is the heart of this whole project. White expressed concern that no money has been budgeted for this project and that there is no guarantee that the grant would be approved and that there is no money currently in the budget for this project. Schotanus stated that he believes that once this committee is organized and starts looking into possible sources of funding, they will find it.

Selectman Jones asked if the survey that the UVLSRPC will run is the same type of survey that the Master Plan would be sending out. Schotanus replied that it is similar. Selectman Jones asked if it is similar, would the UVLSRPC have to run a second survey. Schotanus said it could be coordinated in such a way that the second survey could probably be avoided.

White asked to clarify that in the next fourteen months, there would only be administrative costs for secretarial work and not the \$5,400.00 mentioned on page 7, item 2, for the survey and the map. Schotanus confirmed that is correct because the survey and the map are a pretty involved process.

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White asked Schotanus if the Conservation Commission will guide the committee. Schotanus replied he would hope so. Selectman Jones said she doesn't believe it would be up to the Selectmen to guide the committee and doesn't see that in the proposal. Schotanus asked if the Selectmen appoint the committee, does Selectman Jones see the Selectmen giving the committee some initial guidance. White and Selectman Jones asked what kind of guidance. Schotanus replied its missions for starters as it is outlined in the proposal but did add that the Conservation Commission would be there to help guide the open space committee but would not make the decisions.

Selectman Jones referred to page 6, item 4 as it reads “. . . unless external financial support cannot be obtained, would be supported by municipal funds with approval of the Select Board.” and advised that municipal funds have not been appropriated at town meeting to do this. Schotanus said they understand that but the Conservation Commission does have funds that could be used in the interim to cover these operations before appropriations are made. White asked Schotanus if he was referring to the Current Use fund to which Schotanus answered yes. Selectman Jones asked if the Conservation Commission is willing to do that. Schotanus said he did not know. Joe Watts confirmed that the Commission has not voted on that. Selectman Jones informed them that the Board of Selectmen has to know the answer to that before they commit to this project. Selectman Story and Chairman Kimball agreed. Watts said he doesn't think it will be a problem but can't speak on behalf of the Commission.

Joe Watts addressed one of Selectman Jones' concerns about taking land in open space off the tax rolls and that the town will be losing tax money. Watts stated that it has been shown there is an initial cost up front but in the long run there are monstrous savings to the town tax wise and gave an example of a 400 acre parcel being subdivided to build several houses on 20 acre parcels and money would be spent for schools, infrastructure, etc. There was much discussion on this subject and Selectman Jones reported she is concerned because the town is not in the great financial position that it used to be for various reasons.

A motion to adopt the Grantham Open Space Initiative as proposed by the Grantham Conservation Commission with two conditions; 1) The mission for now be restricted to completing the open space inventory and 2) that the Board of Selectmen's approval be conditional upon the Grantham Conservation Commission approving, at their next meeting, the use of the money currently available to them to cover any costs that are incurred by the proposed committee until a warrant article can be written and passed was made by Selectman Story; seconded by Selectman Jones. **Unanimously approved.**

## **NEW BUSINESS**

- **Planet Aid Solid Waste Agreement:** An email was received from Planet Aid which has the clothing collection boxes at the Transfer Station that have been there for several years. White reported Planet Aid is proposing to pay the town \$0.01 per pound of the clothing that is collected in a two year agreement. White spoke with Transfer Station Supervisor Chris Scott who is in agreement. There was discussion that the clothing collection boxes are well used and convenient. A motion to enter into the two year Agreement to Host a Collection Bin between the Grantham Transfer Station and Planet Aid, Inc. was made by Selectman Story; seconded by Selectman Jones. **Unanimously approved.**

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- Recreation Park Committee Appointment: A motion to appoint Nicole Mason to the Grantham Recreation Park Committee was made by Selectman Jones; seconded by Selectman Story. **Unanimously approved.**
- Building Permit: White reported that a building permit was submitted by Raymond Sanville who lives at 52 Rum Brook Lane which abuts Skinner Brook, a fourth order stream and is subject to the Shoreland Water Quality Protection Act regulations. White stated she did not move this forward for approval at this meeting because she needs to find out if Sanville has to go to Zoning Board and if he needed a permit from the Department of Environmental Services (DES). White reported that she found out that afternoon that he does not need the permit from DES because it is less than 150 square feet and more than 50 feet from the brook. A letter will be sent to the Sanville's outlining the state restrictions. Also, White spoke with Zoning Board Chair Conrad Frey who said that if the Department of Environmental Services doesn't require a permit, they don't need to go to Zoning Board. White said she will put forward this permit at the next Selectmen's meeting.
- Zoning concern at 71 Burpee Hill Road; M/L 216-038-001: Zoning Board Chair Conrad Frey received a call from a woman who said someone referred her to him regarding the question: rental versus sale of a second house on a parcel. White reported that the woman identified the parcel to Frey as 71 Burpee Hill Road which has two dwelling units on this parcel. Frey specified that either a single family or a duplex dwelling is permitted in that zone but only one such building per lot. White stated she went through the property file owned by Todd and Erin Cartier and looked at the permit process. White reviewed the timelines with the Board of Selectmen as follows: In September 1998 they applied for a building permit for a mobile home which was approved and situated on the land; In May 1999 they applied for a building permit for a garage which was completed; In April 2002 they applied for a permit to build a home and in that permit they show a site plan of where the proposed house will be located and the existing garage and there is an asterisk to see attached note in which Todd wrote "To whom it may concern, We are currently living in the garage until we get our house built. Upon completion of the house, the bottom of the garage will be used for garage/workshop area and the top level will be used for storage." In May 2004, they applied for a building permit for a garage which he built in the area of where the mobile home was located. White said that now there are two separate dwellings on the property and they do not qualify as a duplex. White asked the Board how they want to address this issue. Chairman Kimball suggested having the Cartiers subdivide the property. White reported the regulations as they are now would prohibit that. Selectman Story asked if applying for a variance would be an option. White said she will look into that.

## DEPARTMENT/COMMITTEE REPORTS

- Transfer Station – March Report:

Solid Waste – 6 runs with a total tonnage of 63.3 tons

Construction Demolition Debris – 4 runs 13.22 tons

Glass – 1 load 7.31 tons, Expense \$168.13

Light Iron – 1 load 4.7054 tons, Revenue \$1,105.77

OCC Cardboard – 1 load 20.98 tons, Revenue \$2,307.80

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Electronics – 1 load 2.6245 tons, Expense \$815.37  
Aluminum – 1 load .83 tons, Revenue \$893.50  
Fibers – Mixed Loose – (Paper) – 2 Loads, 9.61 tons  
Revenue \$552.40  
Expense \$500.00  
Comingle – w/o glass – (Plastic) – 2 loads 3.3 tons  
Revenue \$0.00  
Expense \$57.75

Total Tonnage of Material taken away 125.8799 tons  
Tickets collected at Transfer Station \$925.00

Total Revenue from recycling \$4,859.47  
Total Expenses from recycling \$1,541.25  
Net Revenue from recycling \$3,318.22

➤ Tax Collector Report for Impending Tax Deeds for unpaid 2010 Property Taxes:

- A report was received from the Tax Collector for the impending tax deeds for the unpaid 2010 property taxes. White stated if the Board decides not to take any of the properties, the tax collector will need signed deed waivers.

➤ Town Administrator:

- Primex has announced a new program called Center for Public Sector Advancement which has a new human resources staff person to help with human resource related issues.
- Local Government Center will hold a webinar called Demystifying the Tax Deeding Process which is scheduled for noon on May 15.
- An email was received from Clint Bean, our representative to the Planning Commission's Transportation Advisory Committee (TAC), updating the town that Route 10 is not in the ten year plan and the Route 114 project also remains unfunded. Bean feels the Betterment Funding Program might be able to be utilized for the 114 project.

## OTHER

- Troy Simino: Troy Simino, a Forester, said he is appearing before the Board on the recommendation of Road Agent Joe Newcomb to ask about clearing some brush on the Class VI portion of Dunbar Hill Road. Selectman Jones informed Simino that the Road Agent Newcomb will give them some type of a memorandum of understanding as to what he expects that portion of the road to look like when his work is complete. Simino asked if they would forward that to him and the Board said they would.

# APPROVED

- F. Robert Osgood: Bob Osgood appeared to thank the Board of Selectmen and Town Administrator White for the response letter dated April 3, 2013 addressing his concerns at Town Meeting. Osgood expressed concerns about the rules of order at Town Meeting. There was much discussion and Osgood said he has one other point that he wants to be a matter of record which is on Article 17, when we were getting ready to vote on it, Moderator Smith said, We're going to vote on Article 17 and then she made the statement that we're voting on that Tahoe that sits in front of Willis' Garage. Osgood stated he felt that was in very poor taste because the moderator should not try to sway the crowd on an Article that's on the floor. Selectman Story agreed that a moderator should remain impartial.
- Town of Croydon Request: Selectman Jones said that she discussed the request of Croydon's Selectmen to form a Regional Police between Croydon and Grantham. After discussions with the other two Selectmen and with Chief Madore, they all agreed that it is impractical; that Croydon would be getting less coverage for more money.

## NON-PUBLIC

In accordance with RSA 91-A:3 section II-a, a motion was made by Selectman Jones, seconded by Selectman Story to enter into a Non-Public session at 7:15 p.m. to discuss a personnel matter. Present were: Chairman Warren Kimball, Selectman Ken Story, Selectman Constance Jones and Town Administrator Melissa White.

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 7:22 pm.***

## ADJOURNMENT

There being no further business, Selectman Jones moved to adjourn, seconded by Selectman Story; **by unanimous vote, the Board adjourned at 7:22 pm.**

The next Selectmen's Meeting will be held on **Wednesday, May 8, 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