

# Approved

## Town of Grantham

Board of Selectmen Meeting Minutes  
June 12, 2019

The meeting of the Board of Selectmen was called to order at 5:00 pm on Wednesday, June 12, 2019, by Selectman Garland. The meeting was held in the Grantham Town Building, Jerry Whitney Memorial Conference Room at 300 Route 10 South, Grantham, NH.

Present: Selectman Constance Jones; Selectman Peter Garland; Town Administrator Melissa White; Administrative Assistant Ann Jasper; Sheridan Brown; and Richard Monica

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Town Administrator Melissa White.

### **APPROVAL OF MINUTES**

A motion was made by Selectman Jones to approve the regular and non-public meeting minutes of May 8, 2019, May 22, 2019 and June 5, 2019; seconded by Selectman Garland. **Approved by majority vote.**

### **CONSENT CALENDAR**

1. Payroll Manifest #562
2. Accounts Payable Manifest #628/669 & 629/670
3. 2019 Property Tax Warrant – 1<sup>st</sup> Issue
4. Impending Tax Deed for Unpaid 2016 Property Taxes
5. Building Permits:
  - a. M/L 211-008-000; 605 Miller Pond Road - Shed
  - b. M/L 225-095-000; 60 Troon Drive – Shed
  - c. M/L 226-016-000; 95 Shaw Brook Road – Garage
  - d. M/L 212-003-001; 333 Miller Pond Road – Deck
  - e. M/L 221-016-000; 129 New Aldrich Road – Garage
  - f. M/L 216-187-000; 16 Mill Pond Lane – Deck & Window Replacement
  - g. M/L 211-001-000; Miller Pond Road – New Construction
  - h. M/L 223-048-000; 36 Whitetail Ridge – Screen in Deck
  - i. M/L 234-030-000; 31 Greensward Drive – New Construction
6. Shoreline Protection Cutting Plans:
  - a. M/L 222-150, 151, 154-158-000; Road Round the Lake
  - b. M/L 222-196-000; 5 Trillium Lane
  - c. M/L 215-121-000; 7 Loon Lake
7. Correspondence
  - a. Public Service Company of New Hampshire d/b/a Eversource Energy: The Statement to Customers Pursuant to rule Puc 1203.02(c) was received from Public Service Company of New Hampshire d/b/a Eversource Energy. This is

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their proposal to increase annual base rate revenue by July 1, 2019. Additional information about this is available on the NHPUC's website at: <http://puc.nh.gov/Regulatory/Docketbk/2019/19-057.html>

- b. Derek R. Ferland, Sullivan County Manager: Form MS-46 was received from Derek R. Ferland, Sullivan County Manager. This form reflects the Board of Commissioner's proposed FY 2020 appropriations, revenue, and expenses totaling \$33,082,189.
- c. UVLSRPC E-Bulletin June 2019: The June 2019 UVLSRPC E-Bulletin was received.

Town Administrator White asked to remove item number 4 from the Consent Calendar so the Board can make a separate motion to issue waivers.

A motion to approve the Consent Calendar after the removal of item number 4 was made by Selectman Jones; seconded by Selectman Garland. **Approved by majority vote.**

Tax Deed for Unpaid 2016 Property Taxes (2016 Tax Lien): A motion was made by Selectman Jones and seconded by Selectman Garland to issue Deed Waivers for the following properties:

- M/L 221-062-000; 84 Nightingale Lane
- M/L 222-119-000; 24 Slalom Drive
- M/L 227-267-000; 15 Barn Owl Overlook
- M/L 226-013-000; 870 Dunbar Hill Road

**Approved by majority vote.**

## **OLD BUSINESS**

RFP's for the statistical update: Two proposals for the statistical update were opened at the June 5, 2019 Selectmen's work meeting as follows:

1. Vision Government Solutions: \$44,800.00
2. KRT Solutions: \$50,000.00

After having had a chance to thoroughly review the detailed proposals, the Board decided to accept the proposal from KRT Solutions.

A motion to accept the proposal from KRT Solutions in the amount of \$50,000 for the statistical update was made by Selectman Jones; seconded by Selectman Garland. **Approved by majority vote.**

Class VI Portion of Miller Pond Road: Richard Monica, of 1107 Miller Pond Road (the Class VI portion of Miller Pond Road), was in attendance to continue the discussion from the May 22, 2019 meeting regarding new signs that are directing the public up to the Class VI portion of Miller Pond Road, one of which Monica said is on his private property.

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Monica said that when he was here last, someone was going to look into property lines. Sheridan Brown said he has done that. Brown informed that he obtained a copy of the deed for Mr. Monica's property and a copy of the plan for Tall Timbers that is referenced in the deed. He explained that the deed and the plan it references are what define the boundaries of the property and provided copies to everyone. He referenced the description of the boundary line on Mountain Road on page 1 of the deed and described it as kind of sloping down. The next map that Brown said he looked at was a 1981 tax map that was revised in 1994. He said this map shows the same contour to the road that is present on the original Plan where it comes out and slopes southwesterly and the only place that it shows up differently is the town GIS tax map online. He noted that for some reason that shape file is corrupted and it is showing the boundary as going out to a point which you can see is totally different from the shape that is on the original Plan and the 1981 tax map. Brown explained that tax maps are an approximation and they are not intended to delineate the exact boundaries. The only question that exists is if there might be a slight difference at the northwest corner of the property and thought that could be resolved pretty quickly because there are other markers in the area, other reference points such as stone walls and other surveys from when the Town acquired the Town Forest property. Monica said there was a pin on his boundary line when he acquired the property but it is now missing. Brown recommended sending the Town's surveyor out there to confirm the boundaries before any other changes are made. Lastly, Brown said that he looked at the old map for lot 11 and the septic permits that were obtained for that property. He stated that he didn't know if the Ridge Runners allowed some other access there which at some point they then discontinued but the road is the road and regardless of what the Ridge runners did, it wouldn't change the original location of the road which is consistent through every map that's filed in the Town Archives or the Registry of Deeds. The only thing that differs from that is the shape file graphic in the Town's GIS which the Town can get corrected once the surveyor gives the town an accurate boundary.

Monica asked Brown if he sees the same thing that he is seeing on the town tax map graphic. Brown said he did but the town tax map is non-binding and told him that what is binding is his plan that is referenced in his deed which sets his property boundaries and that doesn't change because of a town tax map graphic.

Monica informed that he was contacted by the person who placed the signs on his road but didn't know who he was. White said he is David Wood, Conservation Commission Chair. Monica said he told Wood that he is a reasonable person and he is okay with what is going on for now. He said he knew that he is still within the 20 year window of anything that he knew had been changed and he just wanted to be sure that he stays within that 20 year window. Monica emphasized that his concern is that if, in fact, that is on his land, he needed to make sure that he is not responsible for the general public using his land. Brown told him that he would not be liable because New Hampshire Statute provides a broad liability shield to private land owners that allow the use of their property for recreational uses so as long as he doesn't charge anything for that use and as long as he doesn't condition it upon anything then he is fine. Brown noted that if the town finds that something is on his property, they will move it. He mentioned that the town owns plenty of property up there so they could create a clearing for a larger parking area and there will be some timber harvesting going on at some point. Monica said he just recently found out about the timber harvesting which raised another question. He said the landowners are responsible for taking care of the road that now has signage on it, which it didn't 16 years ago when he signed the form agreeing to take care of the road. It was sort of open to people going out there

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on occasion but since that time things have changed and the town forest is there. He expressed that he doesn't think it is prudent for the Town to expect people who live there be responsible for a road that the general public is invited to use. Now there is signage up there that directs people where to go, how to get there and how to use this place. He stated that he thinks it is great for the townspeople to have this place and asked when it became prudent for landowners to have to be responsible to take care of the way to get there? Brown said it was a contractual obligation that he took on when he signed the agreement as did his neighbors and pointed out that he chose to build on that road under the circumstances. Brown continued that there are two options: There is an emergency lane up there and the town can do minimal maintenance to allow the passage of emergency vehicles which is what the town does now; or the other option would be for the town to accept it as a public road and the mechanism for that would be to take it to Town Meeting and get it passed by a majority vote. Discussion ensued and Selectman Garland stressed that initially what they should do is have the surveyor go up and determine the positioning of the sign and the boundary lines. The surveyor will report to the Selectmen and they will go from there. He asked Town Administrator White how soon they could get the surveyor up there. She said she would call the surveyor and get this on his schedule. When she has a date, she will let the Board know and contact Monica.

## **NEW BUSINESS**

Lebanon Ambulance – May Report: 7 calls for service; 4 were transported.

Police Department – May Report: The Department received two thank you cards from residents upon return from their winter retreats for the house checks that were completed.

Officer Cameron attended the 5-day FBI-LEEDA – 460<sup>th</sup> Supervisor Leadership Institute training held at Hampton Police Department from May 13-17, 2019.

Department Secretary Judy DiPadova attended NHCOPSA training at New London Police Department on May 17, 2019. Kim Roberts from NH Highway Safety Grants discussed the grant procedure, required documents, and the filing of quarterly reports. Alison Farina, Administrative Assistant with the Grafton County Attorney's office gave a PowerPoint presentation on how cases are created once received at the county Attorney's office. Major Parenteau and Chief Merrill from NHPSTC also gave a PowerPoint presentation on the forms required by PSTC for new hires, how to access online forms and publications, annual reports and the various forms for discipline or change of status of an officer.

Memorial Day weekend was relatively uneventful.

The Department is still working with NH Homeland Security Emergency Management for another EMPG Grant that would provide funding for several projects within town hall and that would benefit all of the departments within.

Chief Parsons reports that they are finalizing all of the 2018-2019 budget year expenditures/paperwork in anticipation of the start of the 2019-2020 budget year.

Transfer Station – April Report:

Solid Waste – 8 runs; 81.69 tons

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Construction Demolition Debris – 8 runs; 34.29 tons  
Light Iron – 1 load; 4.0625 tons; Revenue: \$528.13  
Glass – 1 load; 7.31 tons; Expense: \$255.85  
Fibers – Mixed loose – (Paper) – 2 loads; 7.94 tons  
Revenue: \$ 0.00  
Expense: \$1,376.38

Comingle – w/o glass – (Plastic) – 2 loads; 2.64 tons  
Revenue: \$ 0.00  
Expense: \$295.68

Total tonnage of material taken away: 137.9325 tons  
Tickets collected at Transfer Station: \$1,410.00

Total revenue from recycling: \$ 528.13  
Total expenses from recycling: \$1,927.91  
Net expenses from recycling: \$1,399.78

Town Administrator: White requested a reimbursement from the reclamation fund to the general fund in the amount of \$15,151.00 which is for tires and two containers for the Transfer Station.

A motion to transfer the amount of \$15,151.00 from the reclamation fund to the general fund for reimbursement of tires and two containers for the Transfer Station was made by Selectman Jones; seconded by Selectman Garland. **Approved by majority vote.**

White reported that the email migration is underway thanks to Sheridan Brown's support.

Selectman Garland informed that the Lebanon Police Department has started a Special Needs Registry which he thought might be a good thing for Grantham to do. He explained that the Special Needs Support Center and, he believed, the Senior Center have worked out a program with the Police Department on a voluntary basis to register people with special needs so that if the Police Department gets a call, they know that the person may have a different way of reacting when the police come so that it can help prevent an escalating situation. He said that when the call goes to dispatch, it will come up on the computer in the cruiser.

In accordance with RSA 91-A:3 section II-b, a motion was made by Selectman Jones and seconded by Selectman Garland to enter into a Non-Public session at 5:56 pm. Present were: Selectman Constance Jones; Selectman Peter Garland; Town Administrator Melissa White; and Administrative Assistant Ann Jasper

Roll Call vote to enter non-public session:	Chairman Warren Kimball;	Absent
	Selectman Constance Jones;	Yes
	Selectman Peter Garland	Yes

A motion to leave Non-Public session and return to Public Session at 6:10 pm was made by Selectman Jones; seconded by Selectman Garland. **Approved by majority vote.**

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In accordance with RSA 91-A:3 section II-c, a motion was made by Selectman Jones and seconded by Selectman Garland to enter into a Non-Public session at 6:10 pm. Present were: Selectman Constance Jones; Selectman Peter Garland; Town Administrator Melissa White; and Administrative Assistant Ann Jasper

Roll Call vote to enter non-public session:	Chairman Warren Kimball;	Absent
	Selectman Constance Jones;	Yes
	Selectman Peter Garland	Yes

A motion to leave Non-Public session and return to Public Session at 6:14 pm was made by Selectman Jones; seconded by Selectman Garland. **Approved by majority vote.**

A motion to seal the minutes of this non-public session was made by Selectman Jones; seconded by Selectman Garland. **Approved by majority vote.**

In accordance with RSA 91-A:3 section II-c, a motion was made by Selectman Garland and seconded by Selectman Jones to enter into a Non-Public session at 6:14 pm. Present were: Selectman Constance Jones; Selectman Peter Garland; Town Administrator Melissa White; and Administrative Assistant Ann Jasper

Roll Call vote to enter non-public session:	Chairman Warren Kimball;	Absent
	Selectman Constance Jones;	Yes
	Selectman Peter Garland	Yes

A motion to leave Non-Public session and return to Public Session at 6:27 pm was made by Selectman Jones; seconded by Selectman Garland. **Approved by majority vote.**

A motion to seal the minutes of this non-public session was made by Selectman Garland; seconded by Selectman Jones. **Approved by majority vote.**

## **ADJOURNMENT**

There being no further business, Selectman Jones moved to adjourn, seconded by Selectman Garland; by unanimous vote, the Board adjourned at 6:30 pm.

The regular meeting of the Board of Selectmen will be held on **Wednesday, June 12, 2019** at 5:00 pm in the Grantham Town Building; Jerry Whitney Memorial Conference Room at 300 Route 10 South, Grantham, NH.

Respectfully submitted,



Ann Jasper  
Administrative Assistant