

# APPROVED

## Town of Grantham - Board of Selectmen Regular Meeting Minutes October 12, 2011

The regular meeting of the Board of Selectmen was called to order at 5:00pm on Wednesday, October 12, 2011 by Chairman Warren Kimball. The meeting was held in the Grantham Town Building, Jerry Whitney Memorial Conference Room at 300 Route 10 South.

Present: Chairman Warren Kimball; Selectman Constance Jones; Selectman Ken Story; Town Administrator Becky Newton; Police Chief Walter Madore; Fire Chief Jeremiah Fountain; Deputy Fire Chief David Beckley; Joey Holmes; Richard Hocker; F.R. Osgood; Jeremy Turner

### ADMINISTRATIVE

#### *For Approval/Signature - APPROVED*

- ✓ Notice of Intent to Cut: M/L 210-003-000 & 210-010-000 Miller Pond Road
- ✓ Cartographic Associates 2012 Tax Map Maintenance Contract
- ✓ 2010 Property Tax Abatement Refund - M/L 236-030-000; 215 Stocker Pond Road - \$422.82
- ✓ Building Permits:
  - a) M/L 225-120-000; 9 Clearwater Drive - generator
  - b) M/L 234-072-000; 20 Troon Drive - generator
  - c) M/L 221-064-001; 20 Nightingale Lane - chimney
  - d) M/L 215-185-000; 6 Bright Slope Way - addition

### APPROVAL OF MINUTES

- ✓ Chairman Kimball asked if there were any changes to the regular and non-public meeting minutes of September 28, 2011. There being none, Selectman Story made a motion to accept both minutes of September 28, 2011 as written; second by Selectman Jones.  
*Unanimously approved.*

### CORRESPONDENCE

- Grantham Planning Board: A letter was received from the Grantham Planning Board informing that, as an abutter, an application for a minor subdivision for M/L 221-048 will be reviewed by the Planning Board on October 6, 2011 at 7pm.
- Sullivan County Nutrition Services: A thank you letter was received from Sullivan County Nutrition Services for Grantham's donation of \$200 toward their nutrition program. Grantham's support helps many local home bound seniors.
- Thomas Maffei: A thank you letter was received from Thomas Maffei for the efforts put forth by Fire Department volunteers Rosie Bard and David Beckley in pumping out the water from his basement.

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- United States Department of Commerce: A letter was received from the US Department of Commerce informing of the Government Units Survey. The information Grantham provides will give them a comprehensive look at the activities of America's governments.
- Public Service of New Hampshire (PSNH): A letter was received from PSNH, along with a report that documented the historic power outage restoration effort to more than 125,000 customers following Tropical Storm Irene.

EMD Osgood asked if the report stated that they would not begin power restoration efforts until the storm had passed. Newton said she wasn't sure; that emails from PSNH before and during the storm indicated they wouldn't send line crews out until it was safe. Osgood said that if it's the policy of PSNH not to begin power restoration efforts until after storms have passed, that they should make a public announcement about it.

Chairman Kimball asked Newton to contact PSNH to find out if this is a standard policy or was it the policy just for Tropical Storm Irene.

- NH Department of Environmental Services (DES): A letter was received from DES informing that the Alteration of Terrain Permit was issued for the Grantham Recreation Park. Newton stated the final permit will not be issued until the Town purchases the Hastings mitigation parcel.
- Coalition Communities: A thank you letter was received from Coalition Communities for Grantham's contribution of \$1,000 for continued monitoring of the education funding/Statewide Property Tax (SWEPT) issue in our state.

Newton informed that a Coalition meeting will be held in Concord on October 21<sup>st</sup>. Selectman Jones stated she will be attending the meeting.

- 2011 House Redistricting Committee: The public hearing schedule of the 2011 House redistricting committee was received. Sullivan County's public hearing will be on Thursday, October 27<sup>th</sup>, 7pm; Probate Court, 3<sup>rd</sup> Floor, Sullivan County Administrative Building in Newport.
  - Primex: A letter was received from Primex informing that 23 town employees completed the September 8, 2011 safety training on Communicable Disease Exposure Control.
- Selectman Jones informed that the Highway Department will participate in Snow Plow Operator Safety training on October 24<sup>th</sup> and as well a Fleet Management Safety program on October 27<sup>th</sup>.

- Building Supervisor Bob Osgood: An update was received from Supervisor Osgood on the internet/fire alarm/telephone issue on October 10, 2011. Newton said it was learned that two weeks ago the SAU office had changed their phone service to Comcast which resulted in the problems because they (Comcast) cut a phone line disrupting service, and affecting the alarm system.

Selectman Jones felt that as complex as our systems are, the SAU office should have notified the Selectmen's in advance of switching the phone service and made sure none of the Town's services would be disrupted.

Newton said she would like a vendor list be placed in the server room that includes phone numbers, a protocol as to who should be called first, and a log sheet that indicates who and what work was done. Chairman Kimball said the Selectmen's Office should be notified, in advance, when changes are made.

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- Former Grantham Town Archivist Lea Frey: A letter was received from former Grantham Town Archivist and reads as follows:

*To: The Selectmen of Grantham*

*From: Lea Frey, former Grantham Archivist for 16+ Years*

*Date: October 10, 2011*

*Re: Urgent Request to Maintain Secure, Supervised Access to the Grantham Town Archives*

*With regard to the interim request to broaden non-supervised access to the Grantham Town Archives by the Grantham Historical Society, (GHS) as discussed at the Grantham Town Board Meeting September 14, 2011.*

*"Selectman Story discussed the access to archives building and the Grantham Historical Society and stated that over 90% of the collection in the archives building belongs to the Historical Society. Story asked for the permission for the Historical Society (four officers and three other board members) to have full access to the Building with the understanding that everything will be handled in an archival responsible way and nothing will leave the building without permission"*

*"Jones said she has great concern for the maps and the books that were obtained by the Moose Grant; that those items can only be looked at under supervision. Jones said she would agree to Story's request with the understanding that it is in place only until an Archivist is found."*

*As the Town of Grantham's Archivist for over 16 years, I was the person who secured funding for record preservation, grew the Town of Grantham's Archive's assets, and set security and viewing procedures in place that strive to meet the standard of other archival institutions and societies. I am writing in concern about two items in the request and possible granting of unsupervised access to the Grantham Town Archives. Specifically,*

*- As a matter of a record, the Town Archives – in terms of funding, donations and actual assets – belong over 95% to the Town of Grantham. The Historical Society is a welcome user and partner in working with the archival assets, but their role has never been supervisory nor patron. (See history below.)*

*- Thefts of such ephemera materials – papers, memorabilia – are rampant at archives across the nation. It is critical to remember that Archives cannot be tracked – once gone or damaged, they are lost forever. In both the New London and Alstead town archives, the Archives are not only locked but when visited there is always a supervisor who watches over the use of the stored material (it is not a library), asks the visitor to sign in and may ask for IDs. Material is usually brought out to the visitor and used in the Archives in the presence of the supervisor. At no time are two users from the same organization permitted unlimited access.*

*As the Town Archives is not secure to this extent, I would recommend that we continue to follow Grantham Town Archives' procedure and that Grantham Historical Society members, like other visitors, visit and use the Archives during set hours when a non-GHS supervisor can be present. Grantham Historical Society's*

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*proposal for unlimited access by its 7 officers and Board members is counter to procedure, and unfortunately could lead to irrevocable losses and damages to the Town of Grantham's archival assets.*

*\*I would recommend during this interim that only one person from GHS be entitled the use of the Archives and that name be submitted to the Town Administrator as being responsible for the Archives and its use.*

*History: Town of Grantham owns Over 95% of the Town of Grantham Archives*

*- Donations from citizens were all acknowledged as donations and to be stored in the Town Archives. Since 1993, when Grantham Town Selectmen's early (1800s) papers were given to the Town, I have processed and archived town papers as well as donations given to the GHS. This was done as GHS did not have their own space and donors were pleased to see that their donations were stored in the Town Archives. A form letter composed and sent to each donor to say this material was given to GHS, but would be stored in the Town Archives and so assessed.*

*- Town historical material belongs to the Town of Grantham. The building housing the Archives, as well as its operational costs, all are the responsibility of the Town. When the Town Administration moved to their new building in 2005 the former, old village school, building (former offices of the Administration) was set aside for the Town Archives and I continued to archive not only donations to the GHS but donations from former First Selectmen and, mainly, material left by the Town in the vault and basement including Town Records, photographs, maps, many Tax Collector books, records and Selectmen papers, early school and church records, and more. The Town continued to pay for the telephone, utilities, cleaning and a copy machine for the Town Archivist. This building was the responsibility of the Town Archivist.*

*- Preservation materials for the Archive are purchased by the Town. In 1995 I was sworn in as the Town Archivist and given an annual budget in the amount of \$500 a year. This paid for all the archival boxes, papers and other material necessary for the storage and preservation of both the GHS material and all Town records, maps and papers as above-mentioned stored in the Town Archives. Over the 16 years since 1995 the total budget was \$8,000, which the Town invested in the Archives. In addition, the Town has paid for the binding of 11 Grantham Annual Town reports (\$1,375) and three Vital Statistic books (\$1200). As this was more costly than the Archives budget allowed, partial payment came from the Town Clerk's budget. In addition to these items, the preservation of the early Town Ledgers (valuable and one of a kind) received a Moose Grant of \$10,000 from the State for their preservation.*

*- Only 7% of the archival boxes stored at the Town Archives belong to the Grantham Historical Society. Out of the approximately 193 Archival boxes stored presently in the Town Archives, I would say that about 179 Archival Boxes contain Town Papers and Town records and 14 Archival Boxes store GHS material that are assessed into the Town Archives. Notebooks listing the Town Archives Inventory have been given to the*

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*Town Administrator, the Town Clerk and a copy to the Archives.*

*- The Town Archives computers used for databases were donated to the Town of Grantham. These computers have been given to the Town Archives to be used for Archival purposes. Included are The Town Archives Inventory, listings and databases of the material stored in the Town Archives. One of these databases includes 54,602 names of Residents in a File Data Base. Also, the Archival photo collection has been scanned and cataloged and is stored in the computers. (I would like to mention that upon visiting the Archives one time I nearly had heart failure when I saw that the newest Archives computer was missing from the Archives.)*

*\*Each computer has various databases and listings of the Town Archives material in the computer and should not be removed or used for other purposes than Archival needs. There is always a fear of the computers crashing, material deleted by mistake and data not being backed up on a disk or memory stick.*

*Security:*

*This past year I have read several accounts of missing material from different Archives. Only last week there was an incident at the University of Vermont Archives where 67 documents were stolen and later found in the National Archives.*

*I would like to quote out of context from the Burlington Free Press dated October 4, 2011. "men also are accused of having taken papers from other libraries and historical societies."*

*Respectfully,*

*Lea Frey*

*Former Volunteer Archivist for The Town of Grantham*

*\* Recommendations*

Selectman Jones stated she had requested Frey give her (Jones) a tour of the Town Archives and showed her (Jones) the concerns. Jones explained that Frey had gone to the Archives building to check something in the 2006 Town Report and found it missing. Another problem that was discovered was that one of the ledger boxes, that contained original documents, was on the floor instead of on the shelf where it is normally kept.

Jones went on to say that the computer and scanner that was donated to the Town for Archival purposes only and is being used to scan photos that are not pertinent to Town Archives. It was suggested the Grantham Historical Society (GHS) purchase their own computer and scanner.

Jones made clear that the GHS is a guest of the Town; that the Historical Society is a non-profit organization; not a Town Department.

It was suggested the Town Archives computer be backed up.

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Newton said she has "No Unauthorized Persons" signs to be hung but is unsure where they ended up. Selectman Story said he is unsure of the status of the signs.

Story expressed, as the President of GHS that all GHS members are concerned for the security and safety for everything in the building and regrets some items have been misplaced. Story said he was not aware of the misplaced items and assured that GHS members understands that items needs to be returned to their proper place.

Story referenced the memo of understanding GHS has with the Town to occupy and care for the space and emphasized the need for GHS to have access to the Town Archives. Story assured that GHS understands the importance of the security of the space and security of the Town Archives collection; that no one is lackadaisical with the records. Story also assured he would address the issue of items being put back in their proper place.

Story said the Town Archives collection is as valuable to GHS as anyone and that he understands and shares the concern of the safety of the collection.

Chairman Kimball requested Newton install a backup system for the Town Archives computer.

## **OLD BUSINESS**

- State of NH Board of Tax and Land Appeals (BTLA) – M/L 226-014-000; Pillsbury Family Trust: Newton said the paperwork was filed on time with BTLA; but had heard that from another Assessor. Newton has not received any written verification Cross Country Appraisal Group on this matter.
- Health Insurance Transition: No update.
- Tax Sale M/L 211-023-000; 49 Hemlock Lane: Newton said the deadline to submit a bid for this parcel has not closed yet; that when it does she will bring them to the Board.
- Relocation of the Town Forest Sign: Newton said a meeting with all the interested parties and the Conservation Commission will take place on October 18, 2011 at 5pm at Town Hall.

Selectman Story asked if the walk of the Flewelling property will take place on Saturday, October 15<sup>th</sup> at 2pm. Conservation Chair Richard Hocker confirmed it would. Story said he would not be able to make it but Kimball thought he might be able to. Jones might also attend.

Newton informed the walk was scheduled for October 1<sup>st</sup> but it was cancelled due to the rain and that the land owners Karyn and Don Miner weren't notified. Hocker stated he didn't have any contact information to inform them it was cancelled. Newton said she let the Attorney know, when she called looking for the public notice of the meeting, that she (Newton) had never shared Miner's email address because she didn't have his permission to do so.

Newton reminded Hocker that a public notice needed to be posted for the annual walk.

- Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC)– ETAP Program: No date has been set to conduct a review of the buildings.
- Elderly Exemptions: Will be worked on through the budget setting process.
- Shoreland Water Quality Protection Act (SWQPA): Newton said she will inquire about the changes when she attends the next Municipal Managers meeting.

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- Structure on Tall Timber Drive; M/L 211-020-000: Newton said she made a site visit and the structure is still there.
- Recreation Park Development: See correspondence from NH Department of Environmental Services above.

### NEW BUSINESS

- Public Hearing to Declare Mountain Road an Emergency Lane: A public hearing will be held on November 9, 2011 at 5pm in the lower level of Town Hall to declare the Class VI portion of Mountain Road, a/k/a Miller Pond Road, as an Emergency Lane under the provisions of NH RSA 231:59-a.

Newton stated a letter has been sent to each of the abutters on the road informing of the public hearing.

Jeremy Turner asked what the position of the Town was on declaring it an emergency lane. Chairman Kimball said the Town does not want to have to maintain the road.

There was discussion regarding the liability the Town might have if the road is declared an emergency lane. Selectman Jones referred to paragraph IV of RSA 231:59-A which states:

*"A declaration under this section may be rescinded or disregarded at any time without notice. This section shall not be construed to create any duty or liability on the part of any municipality toward any person or property. Utilization of this section shall be at the sole and unfettered discretion of a town and its officials, and no landowner or any other person shall be entitled to damages by virtue of the creation of emergency lanes, or the failure to create them, or the maintenance of them, or the failure to maintain them, and no person shall be deemed to have any right to rely on such maintenance. This section shall not be deemed to alter the classification or legal status of any highway or private way, or to limit or restrict the authority of towns to regulate the use of class VI highways pursuant to such statutes as RSA 41:11, RSA 236:9--13, and RSA 674:41, or to authorize any person to pass over any private way when permission has been denied. This section shall not be deemed to alter the duties or powers of any party under RSA 227-L concerning forest fires."*

- Timber Sale Agreement, Intent to Cut, and bond for horse logging on the Grantham Town Forest: Newton stated there was a check included and asked Turner what it was for. Turner replied that it is a performance bond based on the estimated timber tax.

The Timber Sale Agreement was reviewed and Selectman Story made a motion to approve the agreement; second by Selectman Jones. ***Unanimously approved.***

Turner invited the Board and Newton to visit the Town Forest when the logging begins and stated that if there are children or members of the general public interested learning more about this project he would be happy to conduct a workshop. Jones said the Board has a meeting with the School Board on October 13, 2011 and would let them know then.

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## DEPARTMENT/COMMITTEE REPORTS

### ➤ Police Department – September Report:

- Not including house checks, the call volume is 30% greater than September 2010.
- The Scarecrows are back in town and should be called “Deputy Scarecrows” as they help some in slowing down traffic.
- September 11<sup>th</sup> – 14<sup>th</sup> Chief Madore attended the New England Chiefs of Police Conference.

### ➤ Town Administrator Update:

- Newton stated the Transfer Station accepts used motor oil and after some tests it was discovered there are small amounts of PCB products in it and that the Town has to certify it wasn't the party that put the PCB's into the material. A motion was made by Selectman Jones to sign Safety-Kleen Corporation Generator Certification for Excluded PCB Products on behalf of the Town; second by Selectman Story. ***Unanimously approved.***

Kimball requested Newton contact Northeast Resource Recovery Association to see if the Town should have a specific procedure to collect used oil.

- The Board of Selectmen's meeting originally scheduled for November 23<sup>rd</sup> has been moved to Monday, November 21, 2011 at 5pm.
- Budget Review Sessions will be held on November 8<sup>th</sup> and December 7<sup>th</sup> from 10am – 3:30pm in the Grantham Town Building, Jerry Whitney Memorial Conference Room.
- Town Offices will close at noon on Wednesday, November 23, 2011.
- The resignation of Trustee of the Trust Funds Joyce Spatz was received to be effective immediately.
- SAU #75 provided a response regarding the Comcast issue.
- A second notice was sent to Rumbrook Place, Inc. regarding the tree cutting that took place.
- Work continues with Kathy Osgood regarding “sandwich board” signs. Newton has received responses from the Planning and Zoning Boards as well as Town Counsel.

Kimball requested that Rumbrook Market and Dancers, Inc. be contacted regarding the “sandwich board” signs displayed for their businesses. Currently, the Zoning Ordinance only allows these signs for special events.

- Ambulance Study meeting has been scheduled for Monday, October 24, 2011 at 4:30pm at New London Hospital to discuss the preliminary findings. Selectman Jones confirmed she will attend.
- Recreation Park Committee will meet on Thursday, October 20<sup>th</sup> at 6pm in the Grantham Town Building, Jerry Whitney Memorial Conference Room. SAU #75 Superintendent Keith Pfeifer and School Board Chair Jeff Walla will be present to discuss use of the field at the school.
- Newton stated she has been unable to reach Catherine Champagne regarding the landscaping at Town Hall.

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- A complaint was received regarding the excessive material piling up at the residence of 172 Cote Road. Newton is looking into whether or not it qualifies as a junk yard.
  - The exterior doors in Town Hall will be replaced the week of October 17<sup>th</sup>.
  - Newton attended a workshop on the acceptance of credit cards through the town website. Newton explained the vendor provided a list of municipalities that currently accept them and will work with Town Clerk/Tax Collector Rita Friedman on this.
- Trustees of the Trust Funds – October Update: The October update was reviewed.

### OTHER

Chairman Kimball requested Fire Chief Fountain disconnect the flashing yellow light on Route 10. EMD Osgood provided the Board with a visual presentation of the work he has done over the last ten years.

### NON PUBLIC

In accordance with RSA 91-A:3 section II-A, a motion was made by Selectman Jones, second by Selectman Story to enter into a Non-Public session at 6:25 p.m. to discuss a personnel matter. Present were: Chairman Warren Kimball, Selectman Constance Jones, Selectman Ken Story, and Town Administrator Becky Newton.

*Following proper vote, the Board returned from Non-Public session at 6:35pm.*

### ADJOURNMENT

There being no further business, Selectman Jones moved to adjourn, second by Selectman Story; *by unanimous vote, the Board adjourned at 6:36pm.*

The next Selectmen's Meeting will be held on Wednesday, October 26, 2011 at 5:00PM in the Grantham Town Building; Jerry Whitney Memorial Conference Room at 300 Route 10 South, Grantham, NH.

*Respectfully submitted,*

*Melissa M. White*

*Melissa M. White  
Administrative Assistant*