

TOWN OF RUMNEY
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SELECTMEN'S MEETING
MINUTES
03/12/12

Selectmen: Cheryl Lewis, Janice Mulherin, Mark Andrew
Administrative Assistant: Anne Dow

Groton Wind Representatives: Kelly Revell-Construction Site Manager, Lincoln Phillips- Regional Construction Manager, Pat Holland-Project Manager Cianbro, Sam Donovan of A.J. Coleman & Son; Doren Emmett-Sr. Project Manager, Randy Stocks-Groton Wind

The meeting was opened at 7:00 p.m.

MINUTES: The minutes of 2/27/12 were accepted as written.

Selectperson Cheryl Lewis recused herself and sat in the audience.

APPOINTMENTS

7:15 Susan Barickman met with the Board to voice her concerns over the condition of Groton Hollow Road. She stated they were the worst road conditions she has seen in 9 years. She would like to see Groton Wind do a better job monitoring the road. Although Selectboard Chair Mark Andrew met with Groton Wind people on Friday regarding the condition of the road and work was done today, she feels the work should have been done on Friday. She also presented the Board with the \$25 gift cards and letters she and the Sevigyns had received from Iberdrola stating that they did not take bribes. The company had sent gift cards to the Groton Hollow Road residents. Mark asked Ms. Barickman how she thought the road was tonight. She said it was okay but she has already had to replace a ball bearing on her truck and now her tailpipe is problematic. She also said she had a very close call with a semi truck taking up a lot of road space and she had to move way over. She said she was very upset about this incident. She came down and spoke to Chief Main; she said he asked questions but did not go out on the road. Ms. Barickman presented the Board with several pictures of stone in the road and of Clark Brook showing the murkiness.

Comments from other Groton Hollow Road residents followed:

Bradley Shanks had to close his business Thursday and Friday (March 8th & 9th) due to the condition of the road. He brought in a jar of muddy water he collected from his driveway. He is concerned about his well and water running into his place. He stated that he did not want stone put down on his driveway. Mr. Shanks gave pictures to the Board showing the water in his yard and the condition of his driveway. Richard Delaney, GH Road resident, asked if they were doing 24-hour trucking; Groton Wind said they were not operating 24 hours per day. The hours outlined in the road agreement is 6 a.m. to 7 p.m. Monday through Saturday. Robert Hudson asked if the maintenance building and the clearing for same was spelled out in the plans early on. Yes, they were part of the plan from the beginning.

Ms. Barickman asked about the night work. Mark said when it does begin the office will be notified and there will be a two-week trial period. If it proves to be disruptive, it won't be continued.

There was discussion on communication. Anne works Monday, Tuesday, Wednesday and Friday. Residents should contact the town office on those days at 786-9511; Thursdays they can contact the police department at 786-2149. Anne will contact Kelly with any questions or concerns that are relayed to her. She will contact Groton Hollow Road residents when appropriate.

7:30 Mark Andrew stated that Groton Wind had been slow and limited in their response to the road conditions on Thursday and Friday. He said the work that they did today was supposed to have been done last Friday and stated that the Board was not pleased with the action taken on those days. Janice Mulherin said the conditions have improved but it has taken a while. The Board had been asked by Groton Wind for permission to work on Sunday, March 11th, but no work was done. In order to stay on top of the road situation, the Board (Mark Andrew and Janice Mulherin; selectperson Cheryl Lewis did not partake in the e-mails) had to communicate by e-mail over the

weekend and came to the decision to send a letter to the SEC expressing their concern over the road conditions and lack of action on Groton Wind's part. A copy of the letter will be attached to these minutes; the e-mails are available for viewing at the town office.

Mr. Andrew asked Groton Wind what their plan for the week was. Kelly Revel agreed that their response was lacking and that it proved more work than they were prepared for. Since then they have stepped up their action plan and will be more proactive going forward. They have hauled in numerous truckloads of stone; about 70% of the road is covered and stabilized. Mark asked if they would be grading on a regular basis, and they stated that would be happening. Mark said they are looking for the standard on the road that will allow a regular passenger car to travel on the road safely.

A resident asked why the road was being used during mud season. Mark explained that because of the \$200,000 letter of credit the town has from the company, they have been allowed to continue working. He explained further that per RSA 231:191 commercial enterprises can be granted an exception if their businesses will be impacted negatively by the road ban.

Lincoln Phillips, Regional Construction Manager, stated that if there was anything the residents needed they just have to ask. He mentioned paving. A resident asked why the road had not been paved. Mark stated that the residents had said they did not want the road changed in any way earlier in discussions about this project.

Residents expressed concerns about having to wait for the construction vehicles to travel on the road. Mark asked Groton Wind to keep the road open and to make every effort not to make the residents wait. They need to remember that Groton Hollow Road is a residential road and not a construction site.

This part of the meeting concluded at 8:15 p.m.

Mr. Phillips asked about a police detail to monitor the construction workers two to three days a week both morning and evening. Invoices should be sent to Kelly who will forward them on to Doren Emmett, Sr. Project Manager. He also stated that Iberdrola will help out with various community projects such as Old Home Day celebrations, fireworks, school programs. Anne will get the school contact information to him.

The Selectmen thanked the Groton Wind representatives for their time and look forward to better road monitoring and maintenance program moving forward.

The Selectmen will post a meeting for Wednesday, March 14 to review the status of the road again.

Cheryl Lewis rejoined the Board.

SELECTMEN'S ISSUES

Iberdrola Renewables – Community Sponsorship Guidelines – Mark spoke about this information and will ask for ideas and possible ways to take them up on their offer. Anne had copies of the application and supporting documentation.

Town Meeting Review – The Board briefly reviewed warrant articles and amendments.

WWAS – Anne will schedule the quarterly meeting with Brian Clark to discuss the first quarter activities and the steps they have taken following the Attorney General's report of WWAS.

ADMINISTRATIVE

Town of Groton – Anne said she talked with Pam Hamel, Groton's Administrative Assistant and she stated the Groton Selectboard is aware of the impact of the project on Groton Hollow Road residents.

LUCT – The Board signed a letter to Attorney Brian Ray stating that there were no taxes or penalties due on parcel #07-01-12. This was a parcel put into current use back in the 1970's and there is no record on it being taken out of current use. This is true for numerous parcels throughout the town. Anne will look into when the town began going through the process of taking land out of current use.

Certified Computer Systems has been trying out a new way to monitor computer systems via software being loaded onto each individual work station. They state that problems are more quickly reported to them with this software, and therefore, more quickly resolved. They have asked if the town wants to switch over to this monitoring system. The cost would be the same for this year. The Board would like to know if there will be an increase in cost next year and asked Anne to get some feedback from some of the other businesses or towns that have used this system.

The Board will meet again on Wednesday, March 14th at 7:00 to review the condition of Groton Hollow Road.

SIGNED: Checks; Letter to Attorney Ray

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,



Anne B. Dow
Administrative Assistant

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March 12, 2012

Via Electronic Mail and Hard Copy
Site Evaluation Committee
Thomas Getz, Chairman
NH Public Utilities Commission
21 South Fruit St. Suite 10
Concord, NH 03301

Re: Groton Wind, LLC Docket No. 2010-01

Dear Chairman Getz and Committee Members,

This letter comes to you at the request of the Rumney Board of Selectmen. As a part of the permit process for the Groton Wind Farm Project, Groton Wind, LLC signed an agreement with the Town of Rumney regarding road use and maintenance. Currently the Town is having issues with Groton Wind, LLC's ability to maintain Groton Hollow Road in a condition that allows our residents to safely access their homes over said road. Paragraph 7.3 of the agreement addresses the damage and how it must be repaired.

For background purposes, Groton Hollow Road is one of the Town's gravel roads. Typically each spring when "mud season" arrives, the road is posted with a 10-ton limit until conditions dry out enough to allow the heavier vehicles to travel the road without damaging it. This year's conditions made it necessary to post the road on February 17, and it was our position that Groton Wind, LLC was not exempt from the 10-ton limit. Groton Wind, LLC took exception to the road ban. Legal advice was sought by both parties; upon recommendation from the Town's attorney, we agreed that Groton Wind, LLC would be exempt from the road restrictions. Representatives from Groton Wind, LLC and their contractors met with us at our February 27, 2012 meeting. Upon our request, they agreed to take over the maintenance of the road with the understanding that they would stay on top of the conditions and make the necessary repairs, adding stone, grading or whatever it took to keep the road in a safe and passable condition for all.

On Thursday, March 8, with the onset of warm weather, the frost started to come out of Groton Hollow Road. Groton Wind, LLC made some patchwork repairs to the road after a number of resident complaints and phone calls and visits from members of our Select Board and the Road Agent. On Friday morning, March 9, Selectman Mark Andrew and Road Agent Frank Simpson met with Randy Stocks of Iberdrola, representing Groton Wind, LLC. Randy laid out a plan to gravel the road with 1 ½" stone from the end of the pavement the entire length of the road to the access gate onto Groton Wind's project. This did not happen. Some of the worst areas were filled with stone, but by the end of the day, those areas not treated were in deplorable condition, prompting more complaints. In past years, the town spends about two half days of labor and a small amount of gravel to get through "mud season" on Groton Hollow Road. We routinely get through the entire season with no resident complaints at all.

Site Evaluation Committee

March 12, 2012

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We authorized Groton Wind to perform repair work on the road this Sunday, March 11. This request is in compliance with paragraphs 8.4.1 and 8.4.2 of the agreement. No work was done on Sunday.

With warm weather forecasted for all of the upcoming week, we anticipate a major problem with this road and our residents' access. The Selectmen have requested Groton Wind, LLC to attend our regular Selectmen's meeting on Monday, March 12 to reach a reasonable solution to this problem.

We are writing to you because this road agreement is an integral part of the permit you have issued. One possible solution is to close down Groton Wind, LLC's use of heavy vehicles on Groton Hollow Road until the road dries out. The Board of Selectmen is asking for your support in protecting our town road and our residents' rights and ability to get to their homes. Representatives of Groton Wind, LLC made assurances on Thursday and again on Friday of last week that this needed repair work would be done, but even after requesting permission to work on Sunday, this work has not been completed. We are hopeful that Groton Wind, LLC will have the necessary repairs done by the time of our meeting Monday evening. In the event this work has not been done, will the SEC:

1. Support our decision to enforce the road weight limit posted on Groton Hollow Road? Or
2. Support our decision to restrict travel on Groton Hollow Road to residents only while repairs are being made? Or
3. Suspend the project permit until Groton Hollow Road is restored to its pre-project condition with an approved maintenance plan in place?

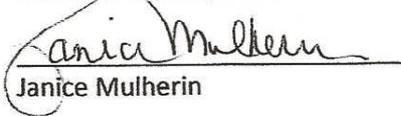
We would appreciate a rapid answer so we can adequately address the issue tonight. We hope that Groton Wind, LLC will step up and perform the necessary repairs and maintain the road to minimize the disruptions to our residents.

Thank you for your time and attention to this important matter.

Sincerely,



Mark H. Andrew, Chairman



Janice Mulherin

Cheryl L. Lewis

cc: Via Electronic Mail to Michael J. Iacopino, Esq., H. Bernard Waugh, Esq.; SEC Committee Members – R. Scott; B. Dupee; R. Boisvert; M. Harrington; S. Perry; E. Steltzer; C. Hood; D. Kent; E. Cherian;