

Board members present: W. James Griswold, Chairman; Frank W. Reinhold, Jr. and John R. LaCourse.

Others present: Diane L. Guimond, Town Administrator; Laurel Cox, Land Protection Administrator; William Humm, Conservation Commission Chairman; Randy Stevens, Highway Supervisor; Michael Blake, Fire Chief; Ryan Fry; Ed Wojnowski, Newmarket Town Manager; Dana Glennon, Chairman of the Newmarket Town Council and Donna F. Eisenhard, Recording Secretary.

1. Chairman Griswold called the meeting to order at 5:30 p.m.

Selectman Reinhold made a motion to enter into Non-Public Session. Selectman LaCourse seconded. Chairman Griswold polled for a vote: Reinhold-aye; LaCourse-aye; Griswold, aye. Motion passes. The Board entered into Non-Public session at 5:31 p.m. The Board exited Non-Public Session at 5:36 p.m.

2. Chairman Griswold opened the Work Session part of the meeting at 5:37 p.m. The Board reviewed the Purchasing Policy. Town administrator Guimond said part of the Enron matter brought forth the need for internal controls. She said there is no problem now with the employees the town has but could be in the future. She said the Policy states that up to \$1,000 in purchases is the limit. If over \$1,000 and up to \$5,000 the Department Head must communicate with the Board and just let them know. She said this part mainly affects Transfer Station Manager Roger Rice and Highway supervisor Randy Stevens as most of what they purchase is equipment and this tends to, most of the time, cost over \$1,000 for what needs to be purchased. Items costing \$over \$5,000 and up to \$10,000, she continued, Department Heads must go to the Board. Selectman LaCourse said he liked the equity for all Department Heads. Selectman Reinhold said he would like, prior to a final decision, that the Department Head informs the Board of the planned action. Chairman Griswold said he wanted to add more beef for the \$1,001 to \$5,000 category by adding the Board wants oral bids or telephone bids gotten that go on record and this could be facilitated by a telephone log. Chairman Griswold also questioned the section of the Policy that says material subject to abuse. Selectman LaCourse said he thought that meant equipment that wears out. Selectman Reinhold suggested just deleting that.

Chairman Griswold said he had a conversation with Transfer Station Manager Roger Rice who wanted raises for all his people. Selectman Reinhold said this is absurd right now under the current environment. He said he wants to look at budgets first. Town Administrator Guimond said she has been working with Frank Reinhold, III, whose wages are on the low end, to update his job description at the Transfer Station. She said a starting wage for Transfer Station Operator is \$12.00 per hour and he is not halfway but between the wages of the two people that are already there. Chairman Griswold said this warrant a look and if his wages are real low, rectify it, injecting some common sense. Town administrator Guimond said she knew this was of concern to Transfer Station Manager Rice.

Chairman Griswold asked what the Board should do about the wood from the tree cutting at the Transfer Station. He felt there was about 4-5 cords. Also, before trees are cut, they need to ask the Board before cutting. He asked if it could be sold. Following this, the Board agreed the wood should be sold and the Transfer Station needs to advertise this. Selectman Reinhold said this is the cleanest way to get rid of it so the town does not have to deal with any problems. It was agreed the wood will be brought to an area of the Transfer Station where it can be viewed and the purchaser will be responsible for hauling it off immediately once it is purchased. Selectman LaCourse asked about the trees that will be removed to create a materials storage space behind the Transfer Station. Selectman Reinhold said if we hire a clear cutter, he would take the wood. Chairman Griswold said this cutting could go to the highest bidder. Following further discussion, it was said if the Conservation Commission doesn't disagree, does the Board give Highway Supervisor Stevens permission to clear cut and stump this area. The answer was Yes. Selectman Reinhold said he would get back to Conservation Commission Chairman Humm regarding this matter.

It was noted that on December 30th sometime between 8:00 a.m. and 1:00 p.m. there will be a retirement ceremony for Swap Shop volunteer Harold Hood and the Board was asked to attend. Selectman Reinhold said he would go for the Board.

Selectman Reinhold said they regularly need another person at the Transfer Station and we need to put this in the budget as PAYT (Pay As You Throw) takes more time. He said the Transfer Station is hiring part-timers all the time. He said we also need a backup for Transfer Station Manager Rice and perhaps Frank Reinhold, III could be trained as an alternate. He said we need a designated assistant as all other department Heads have one. It was noted Peter Hoyt, who shares 50/50 between Highway and Transfer Station is tied up with repairs most of the time. Town Administrator Guimond said the Transfer Station has two part-timers, perhaps a full-timer is needed. She said she will determine how many hours part-timers are working and get back to the Board.

There being no further business, Chairman Griswold closed the Work Session at 6:04 p.m.

3. Selectman Reinhold made a motion to enter into Non-Public Session. Selectman LaCourse seconded. Chairman Griswold polled for a vote: Reinhold-aye; LaCourse-aye; Griswold, aye. Motion passes. The Board entered into Non-Public session at 6:05. p.m. The Board exited Non-Public Session at 6:35 p.m.

4. Selectman Reinhold asked Conservation Commission Chairman Humm if he had a decision regarding the cutting behind the Highway Garage. Chairman Humm said he spoke with two or three members of the Commission and they saw no over-riding problems with the use of the site for storage of materials. He said his two concerns were how it will change the vista along Recycling Center Road and its proximity to the Mast

Way Nature Trail "yellow trail." Might this be degraded. He asked if the Board could use another area such as the Garrity Road land or the D'Annolfo property taken by tax deed. Selectman Reinhold said the Garrity Road property gravel pit has been naturally reclaimed and he would hate to disturb that. The D'Annolfo property has a required three-year redemption period to go through before it is the town's by right.

5. Highway Supervisor Randy Stevens met with the Board and said he will purchase no used tires as discussed at their last meeting as they were not as expected. He presented pictures of Little River Park for the Board's review and said 3,130 yards of gravel were laid down and he put in a culvert. He said a layer of stone is needed over the parking lot to keep it from blowing and then it will be wrapped up for the winter. He presented copies of his budget for review stating "A" is his recession budget and "B" is his good economy budget. He informed the Board he got a good price on radial tires at \$799 each (which is the State of NH price) but the offer is only good until December 31st. Selectman LaCourse said to go with the radials and the other Board members agreed. Mr. Stevens said he will only do the four rear tires of the grader as they are most crucial.

6. Fire Chief Michael Blake met with the Board and presented a rough draft of his budget. He said he would also like to look into an insurance policy for emergency responders or emergency services people. Selectman Reinhold asked are they not already insured. Town Administrator Guimond said they were covered for life insurance and Workers' Compensation and she is currently working on updating both. Chief Blake presented a quote from Provident Insurance which included death, HIV, vision impairment, among a few additional items. Selectman Reinhold noted this is very much like AFLAC. Chief Blake said there is a quote for a three-year program at a cost of \$5,000 per year. Selectman Reinhold asked what other towns are doing. Chief Blake noted some examples. Selectman Reinhold said so other towns have this coverage. Selectman LaCourse asked Chief Blake if he could provide a list. Chief Blake said he mainly wanted to start dialog as this is a good plan. He said the State Fireman's Association is using Provident. He said he could arrange for an agent to speak with the Board. Selectman Reinhold said if a fireman is killed, getting \$5,000 seems kind of short. Chairman Griswold asked Chief Blake to give him a chance to review the quote material and have Agent Tom Green come to a meeting in January. Selectman Reinhold said this would have to go out to bid. Chief Blake said he mentioned insurance tonight as his main objective was to move forward on this.

7. New Business:

A. Ryan Fry met with the Board to discuss the current use penalty assessed against a lot he just purchased. He informed the Board he purchased the old Moriarty Farm which had recently been subdivided. He said he bought the farmhouse and 12 acres then purchased additional lots of the subdivision to add more acreage to the farm parcel. One of the lots he purchased, totaling 5 acres, had been previously purchased by other

people and they were the ones assessed the penalty. He said he believed the penalty had not been paid yet. After further discourse, Selectman Reinhold said so you are looking to have your current use from August of 2008 until December of 2008 mediated and leniency on the penalty. He said he did not think the Board has control over that. Current use is State controlled. He said it was difficult for the Board to determine who paid as this is negotiated at closing. He said the Board has to ask some questions and speak with the Town Assessor and the State and would then get back to him. He said once the Board has Town Assessor Robb Dix's point of view they would respond to him, probably in February.

8. Old Business:

A. Ed Wojnowski, Newmarket Town Manager and Dana Glennon, Chairman of the Newmarket Town Council met with the Board again regarding the possibility of Newmarket withdrawing water from the Lamprey River at a designated spot in Lee. He said they looked at how much water they would be withdrawing. He said the first goal is groundwater and the second is the well and they need to drill large holes. Recharge was also mentioned. He said the purpose of coming here, if we are moving in that direction, is to look to the Board for solutions. Selectman Reinhold asked what this is going to cost as the selectmen still want to move forward. Town Manager Wojnowski asked if there was a way to work together, perhaps by sharing ball fields. He said Newmarket was not looking for something for nothing. He wanted to work together. Selectman Reinhold asked if he could float a Warrant. Mr. Wojnowski said it would be a two and a half million dollar project. Selectman Reinhold asked how big their Public Works Department is in relation to creating fields and moving material. He said Lee needs help in moving materials and creating fields over the next three to five years. Also, equipment is needed in certain areas. Mr. Wojnowski said Newmarket talked about some type of contribution, such as conservation lands. Chairman Griswold said this Board is very supportive and could have them skim off the Lamprey during peak times. He said there is no reason we cannot come to a deal both towns are happy with. LPA Cox said we need to know in-stream flow. Selectman Reinhold said he is on the In-stream Board. The Board asked that Mr. Wojnowski and Mr. Glennon be put on the March 23rd Selectmen's agenda.

9. Town Administrator:

Correspondence:

- A. Lee Police Department, 11/26/08, re: letter of commendation for Joanne Clancy.
- B. ORSD, dated 11/26/08, re: State & Local School Tax Disbursements.
- C. Local Government Center, dated 11/25/08, re: thank you for Well/Dollars Health & Safety Grant application.
- D. Town of Epping, dated 11/25/08, re: hearing on amended site plan for Duyon.

E. McNeill, Taylor & Gallo, dated 12/2/08, re: response regarding Old Mill Road query.

F. American Red Cross, dated 11/24/08, re: thank you for support.

G. Save Our Groundwater, dated 11/25/08, re: member McCann of their Board of Directors appointed to State's Groundwater Study Commission.

H. Local Government Center, dated 11/20/08, re: copy of NH LGC 2008 Court Update.

I. Local Government Center, dated 11/7/08, re: recent legislation passed relative to the status of emergency services volunteers, effective 1/1/09.

J. State of NH Department of Revenue Administration, dated 11/10/08, re: query for Ambulance & Fire Building Maintenance Trust Funds.

K. State of NH Department of Environment Services, dated 11/30/08, re: three-year appointment for Joachim Barth as a member of the Lamprey River Local Advisory Committee.

L. State of NH DOT, dated 11/25/08, re: Lee Highway Block Grant Aid in amount of \$96,887.74.

The Board authorized the closing of town offices the day after New Year's Day.

Selectman Reinhold asked to meet in December but not the 22nd. The Board scheduled a Work Session for Wednesday, December 17th at 6:00 p.m. instead.

The Board approved a vacation request for the Town Administrator.

Chairman Griswold signed the Grant Agreement with the State of NH Fish & Game Department in regards to the Fogg property and others pertaining to the Grant.

The Board signed a letter to the Lamprey River Advisory Committee informing them they would not be able to lease the Highway Annex for office space as the Highway Department will be moving into that building.

As he is Representative for Lee to the American Red Cross, Selectman Reinhold signed the shelter agreement with them.

It was noted Chief Blake said there is a parking issue with users of the function room at the Safety Complex which must be dealt with. Selectman Reinhold said to ask the Police & Fire Chiefs to address this. Town Administrator Guimond said there is a policy for the use of the function room.

Town Administrator Guimond informed the Board she is working on finalizing the job descriptions for the Bookkeeper and Town Secretary. She said Municipal Resources will do an assessment of our accounting system for \$300.00 to see how we are doing and asked if she could have this done. The Board agreed to proceed. She said the town needs to get all State reports and code systems back on track with the State. She said the current system is not very efficient. Selectman Reinhold said that is not a big mountain but he could understand. He said he was confident both she and Bookkeeper Clancy will

do fine and to trust Ms. Clancy to do what needs to be done. He also suggested the town not change from Quicken to another, such as Peachtree, as Ms. Clancy is very well versed in Quicken and will do an excellent job with everything. He also said it is critical we define jobs, especially in regards to instituting a Step program. He felt we were moving along fine.

Selectman Reinhold made a motion to enter into Non-Public Session. Selectman LaCourse seconded. Chairman Griswold polled for a vote: Reinhold-aye; LaCourse-aye; Griswold, aye. Motion passes. The Board entered into Non-Public session at 8:28 p.m. The Board exited Non-Public Session at 8:55 p.m..

10: Town Secretary:

Manifests presented were reviewed and authorized for payment. Manifest #19 for 11/21/08 totaled \$48,496.33 and Manifest #20 for 11/28/08 totaled \$1,099,205.62.

A letter to PID#19-06-1100 – Toby Vanaken was signed informing him he did not qualify for the Veteran's Exemption.

A Veteran's Exemption was approved for PID#33-10-2600 – Kelly Trowbridge.

The Board signed the final Barn Preservation Easement Amendment for Daniel Bricker & Michelle Momenee. Mrs. Eisenhard said this is the final one and will be recorded at the Registry of Deeds and brings to a completion all the easements, amendments to correct the percentage and she was very glad of that. Demeritt Farm Trust had applied but she felt he had changed his mind and this is in the withdrawn stage. Nine barns are now under easement.

11. There being no further business, meeting was adjourned at 8:57 p.m.

Minutes recorded by:

Donna F. Eisenhard, Recording Secretary

Minutes accepted by:

W. James Griswold, Chairman

Frank W. Reinhold, Jr.

John R. LaCourse
Lee Board of selectmen