

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

Others present: Diane L. Guimond, Town Administrator; William Humm, Conservation Commission Chairman; Martin Castle; Linda Reinhold, Town Clerk/Tax Collector; Laurel Cox, Land Protection Administrator; Henry Brackett, Advisory School Committee member; Scott Bugbee, Advisory Budget Committee Chairman; Winfield Bassage, James Stewart, Amos Townsend, Benjamin Genes and Alice MacKinnon, Advisory Budget Committee members; Michael Blake, Fire Chief; Randy Stevens, Highway Supervisor; Lisa Morin, Library Director; Michelle Stevens, Assistant Librarian; Todd Allen; David Cedarholm, Advisory Water Resources Committee Chairman; Leslie Martin; Sgt. Thomas Dronsfield, Lee Police Department; Margaret Dolan, Library Trustee Chairman; Hal & Patricia Barbour; Roger Rice, Transfer Station Manager; Ann Wright; Lou-Ann Griswold; Geoffrey Carlton and Donna F. Eisenhard, Recording Secretary.

1. Chairman Griswold called the meeting to order at 6:30 p.m.

2. New Business:

A. Selectman Reinhold informed those present that Edward Bannister expressed interest in being a member of the Planning Board.

B. Chairman Griswold said he received a questionnaire regarding the Highway Department which he would like filled out and returned to the federal government in case of grants or other funding available. Town Administrator Guimond said she would confer with Highway Supervisor Stevens and get this accomplished.

C. Martin Castle met with the Board and said he was disappointed with the Board in that he had been at the School Budget Hearing and none of the Selectmen were there. He said he pays \$9,000 a year in property taxes and did not see any of the Board present. Chairman Griswold said, to the contrary, he was there but in the overflow room. Mr. Castle said he was baffled that nothing was said and felt lack of representation from the Board. He said the Board represents him well in town matters so he would like them to do this with the school. Chairman Griswold thanked him and said 68% of the budget goes to the school but the Selectmen have no pull. He said he does not like it but that is the way it is. He said he was there as a private citizen. He said the Board does meet quarterly with Lee's Representative on the school Board and he meets monthly with school Board members as a private citizen. Also, the Board did write a letter to the School Board. He stated the School made some cuts so the budget was lower than last year but they could have cut more. Mr. Castle said he was very concerned. Chairman Griswold said he agreed and if we had control of the school, you would see some change. He said he sympathized but we can't do much. Selectman Reinhold said the Board's lack of presence should not indicate we don't care. The Board is very active in respect to the school.

D. Town Clerk/Tax Collector Linda Reinhold met with the Board and requested permission to refund \$48.00 to John Gund for an overcharge on a farm tractor registration. Selectman Reinhold made a motion to refund \$48.00 to John Gund for a registration overcharge. Selectman LaCourse seconded. Chairman Griswold called for a discussion. There being none, Chairman Griswold called for a vote. Motion passes.

Town Clerk/Tax Collector Reinhold informed the Board that a payment made by Roy Hickok's mortgage company Wells Fargo for his property was posted incorrectly to another parcel identification number in error. Because of this, Mr. Hickok's parcel started to accrue interest. She said she was asking that the Board abate the interest on Mr. Hickok's property, which were paid on time and she will move the charges to the parcel which should have accrued the interest. Selectman LaCourse made a motion to abate the interest on Mr. Hickok's property taxes, which were paid on time. Selectman Reinhold seconded. Chairman Griswold called for a discussion. There being none, Chairman Griswold called for a vote. Motion passes.

Town Clerk/Tax Collector Reinhold informed the Board she wanted to order a new Town Clerk seal, however, there seems to be a dilemma on whether the town was incorporated in 1765 or 1766. Her old seal says 1765 and all other records indicate 1766. Selectman Reinhold says she does not need Board permission to order a seal so the Board agreed she should order the seal after confirmation of the correct year is determined. Town clerk/Tax Collector said she would let the Board know which year was correct.

Town Clerk/ Tax Collector Reinhold informed the Board she will be open the last Saturday of each month, rather than the first Saturday, as originally agreed except in March, which will be April 4th and December when it will be January 2, 2010.

E. The Board discussed the Personnel Policy Phase II Committee's work on revisions. Town administrator Guimond said the attorney recommended a raise be tied into merit. If so, the Committee needs to talk with attorney Swanson regarding this. She said Attorney Swanson is working on insurance and Attorney Beliveau is working on gifts. Chairman Griswold said we need to create a procedure. Selectman Reinhold said define merit. If the town institutes a Step Program, when your anniversary date comes up, do you get that raise. There also has to be a Department Head review to confirm the employee gets the Step increase by "performing the standards of the job description". Selectman LaCourse said Step is not merit; merit is "above and beyond." Selectman Reinhold said it has to be a fiscal program so this has to be resolved prior to July 1st. He said we are budgeting but do not yet have the mechanics. Chairman Griswold said we have the concept but not the method. Also, we have to have an "out clause" in case we can't afford it. Selectman Reinhold said we have to think about three other things as well, life insurance, holiday pay and health insurance.

Town Administrator Guimond advised the Board the Personnel Policy Phase II Committee agreed with the implementation of the Step Program, which would be an

automatic increase in wages at the time of the employee's anniversary date. At this time it would not be based on merit. If the employee does his job in accordance to his/her job description, they would receive the raise. Town Administrator Guimond indicated the Committee gave her time to create a form that would be need to be completed and signed by the Department Head at the time of employee's anniversary date and then presented to the Board for approval.

Town Administrator Guimond indicated that in Manchester, employees would be entitled to an A-step if they completed a certificate program. The A-step equals a 2% or 3% increase.

Town Administrator Guimond further stated that the committee also discussed a Phase III Committee be formed to meet over the next year to consider a merit program and how it would be implemented. No decision was made by the committee regarding a Phase III.

LIBRARY PUBLIC HEARING

Chairman Griswold opened the Public Hearing at 7:45 p.m. Library Director Lisa Morin introduced herself and said that in checking library laws, they discovered that, since 1983, they have needed the town's permission to keep money earned from income-producing machines, such as the copier and FAX. She said she has always accounted for this money in her annual report, however, there must be a paper ballot at the polls authorizing the library to keep this money. She said these machines generate about \$800 each year. She asked if there were any questions. There being none, Chairman Griswold closed the Public Hearing at 7:48 p.m.

BUDGET PUBLIC HEARING

Chairman Griswold opened the Public Hearing at 8:00 p.m. Handouts on the Budget and Warrant Articles were available for those present. He introduced Advisory Budget Committee Chairman Scott Bugbee. Chairman Bugbee thanked those present for coming and said the ABC met numerous times and came up with their recommendations regarding Department Head and Commission budgets and funding requests from various charities. He said they were not happy with the overall budget and wanted it lower. He said about \$41,000 was transferred from Department Head budgets and placed in the Information Technology budget, which was just a transfer and not a lowering of the overall budget. Government Buildings was up due to building repairs. Chairman Bugbee said kudos to Town Administrator Guimond for the budget comparison she did for the ABC which was very helpful. He said he felt that automating this process would be a good idea so when a document is needed, it can be created quickly. He said department

Head and Selectmen sheets vary so you would be able to provide them all with the same information for comparison.

Information Technology Director Chris Buslovich as applauded for what he has done so far in saving money on telephones, computers, cell phones and service. The Board requested he be publicly acknowledged for the fact that he does a good job and the Board is glad they hired him. The Board also acknowledged the Advisory Budget Committee for the work they do.

He then proceeded to go through the budget items, noting reasons for any recommended decreases by the ABC for certain requests.

Geoffrey Carlton said he understood the Recreation Commission gets an amount each year. He said the CIP (Capital Improvements Plan) calls for \$10,000 each year until 2024. Land Protection Administrator Laurel Cox said she wanted the Conservation Commission recognized for lowering their request. Library Director Morin said part of the library decrease included additional revenue from a \$2,800 Grant from the Gates Foundation. LPA Cox said the Energy Committee wanted equipment to do a survey and the ABC felt this could be hired out to a professional company so did not approve their request. ABC member Ben Genes said the ABC got nothing in writing about this until after non-approval. Chairman Bugbee said the Energy Committee also did not do a presentation. Town Administrator Guimond said this is a new committee and LPA Cox jogged them. David Cedarholm asked why the Recreation Commission had an increase of \$4,300. Chairman Bugbee said they had asked for more, this was what the ABC recommended. Mr. Cedarholm asked if there was money available for easements. Chairman Bugbee said there was. For the Aldag Easement, \$85,000 will be taken from the Land Acquisition Trust fund and \$213,750 from outside sources and for the Talley Easement \$85,000 will be taken from the Land Use Change Tax Fund and \$216,000 from outside sources. Mr. Cedarholm said the cost to the town for the Fogg Easement was \$107,000 and this was not immediately known which speaks against the transparency the Board is trying to propound. He said this needs to happen for the Fogg Easement. Town Administrator Guimond said what Mr. Cedarholm is saying is we should inform people about the Fogg Easement as we are doing for the Aldag and Talley Easements. Chairman Bugbee said revenue is not on the handout so the percentage is skewed. Income is shown on the revenue side which is not done at the hearing. He said he was also not sure we will get all the funds anticipated from the State. In regard to the Warrant Articles, we need to install an elevator at the Safety Complex or the town is in violation of the Americans with Disabilities Act. Mr. Carlton said if the upstairs is just to be used by the Police and Fire, is it o.k. Selectman Reinhold said anyone is "the public" including Police and Fire. Alice MacKinnon asked what the cost would be. Chairman Griswold said between \$100,000 to \$150,000. Mr. Carlton asked if the town had looked at wall-mounted elevators such as they have in schools. Fire Chief Michael Blake said he was tasked with the elevator item and LULA (limited use, limited access) is in violation of ADA. He said the Safety Complex has to meet Title II specifications which includes an ADA full-scale elevator. Because the building was drawn to house an elevator, it has to have an ADA one. Ann Wright asked if there was only exercise upstairs. Selectman Reinhold said,

sometime in the future, six years or so, the Fire Department has to have bunks and showers for full-time firefighters up there. He said the elevator bid they are looking at came in at around \$60,000. It appears we can take from existing Trust Funds to the tune of \$20,000 and have only the balance of \$40,000 to propose for a Warrant Article this year. Henry Brackett asked how much is in the Fund Balance (surplus). Town administrator Guimond said about 1.1 million. Mr. Brackett asked what the town is required to have. Ms. MacKinnon said 10% of the total assessed property in the town. Selectman Reinhold said we don't want to go with no fund balance again. Mr. Brackett asked what happens if the elevator doesn't pass. Selectman Reinhold said we would have to close off the upstairs of the Complex. He said we still have \$330,000 worth of work to complete the upstairs. He said there is a lot of work remaining and we have to have priority. He said we wired, insulated and finished two rooms so we are working towards completion. Mr. Cedarholm asked what the penalty is for ADA violation. Mrs. Wright said if it is \$250.00 she was willing to go there. Chairman Griswold said he was not willing to go there. Leslie Martin said if we are spending \$50,000 just for exercise and, according to Selectman Reinhold, it may be six years before doing it, why do it. She said thinks we need to look at another way. Fire Chief Blake said the town voted to have this building built for expansion and recommended doing it now as it will be more expensive in the future. He said we need to be able to use the whole building. Mrs. Martin said she heard a lot of discussion about why the building was halfway built and an elevator may not be a "need to do." Chairman Griswold said it is very clear, we don't have an option. Either we install an elevator or close upstairs. The point he was making is the elevator will be a Warrant Article. Chairman Bugbee suggested Fire Chief Blake find out the penalty for ADA non-compliance so the information will be available for Town Meeting. Mrs. Wright asked about the \$19,000 in the Cable TV Fund. Town Administrator said it is still there to use. Noted was Warrant Articles for a future Town Center study at \$55,200, for fixing up the Town Shed at \$13,000 (unless it is voted to tear it down), to adopt the RSA that authorizes the Board to accept land and/or buildings without a special Town Meeting and for Library Trustees to accept gifts, other than money, when offered for the benefit of the library. LPA Cox asked can you explain. Ms. MacKinnon said this came out of an incident in Hollis ten years ago when the town wanted to purchase a parcel of land that was really cheap and had to have a special Town Meeting to get authorization to do so. If this is passed, it would allow the Board to do so without a special Town Meeting. Selectman Reinhold said the AABC has presented the budget and now the Board will go over it and produce a preliminary budget with a proposed tax rate. This will be published on the e-Crier and printed copies will be available at the Town Hall by Friday. Chairman Griswold said the Board will and will not recommend will be noted on each Warrant Article and the people will make the decision. Chairman Bugbee requested the budget be put on the website, when finished. Chairman Griswold said it will be. LPA Cox asked if the Energy Committee request will be on the warrant. Selectman Reinhold said all Commission requests will be on the Warrant. Mr. Cedarholm asked the status of PAYT (Pay As You Throw). Selectman LaCourse said this will not be on the Warrant as we are still gathering information. Selectman Reinhold said there is still disagreement on the Board regarding this so it may be there. Mr. Cedarholm said unless you are a community with no recycling, you may transfer the costs to people already recycling if the only purpose is to draw in people who don't

recycle. He asked if this information could be provided. Selectman Reinhold said he would share this information with Transfer Station Manager Rice as he, himself, was not in tune with the State. Transfer Station manager Rice said residents will be given one free bag a week so his cost might be zero. Fire Chief Blake said the Highway Department plans to buy their old utility truck so did he have to have a Warrant Article to replace it. Selectman Reinhold said it is scheduled on the CIP so you don't get it unless you do a warrant Article. It was noted the cost would be \$15,000 from the sale of the old truck and \$45,000 from the Fire equipment Trust Fund. Chairman Bugbee said we have talked about all the items in the CIP. Mrs. Wright said Recreation had a Warrant Article for \$75,000 but was asking for \$50,000. Chairman Griswold said that is not new funding. Chairman Bugbee said the ABC understanding was the Recreation commission wants to spend money previously appropriated for another purpose by changing that purpose to building a deceleration lane and playing fields. Chairman Griswold said this is allowed.

There being no further discussion, Chairman Griswold closed the Public Hearing at 9:15 p.m.

5. Town Administrator:

- A. Town Administrator Diane Guimond informed the Board that if any money is left over from encumbrances, electrical plugs for the Town Hall to enable a generator to be connected in case of another power failure will be installed. She said the cost would be about \$2,000.

Town Administrator Guimond noted the insurance for emergency responders has not been decided, however, when researching life insurance issues she discovered that full-time Firefighter Jim Davis' contract had expired a year ago. Selectman Reinhold said the Board has not violated a contract they did not know about and, in either case, has expired. He suggested holding a Non-Public Session with Mr. Davis to resolve this matter. He said, as a Selectman, he did not believe Mr. Davis should be under contract, however, he deserves an opportunity to be heard. The Board directed Town Administrator Guimond to ask Mr. Davis to appear at the February 23rd meeting.

The Board discussed holding weekly meetings. After discussion, it was agreed to meet the second and fourth Mondays for Regular Session as usual and the first and third Tuesdays at 6:30 p.m. for Work Sessions.

Town Administrator Guimond reminded the Board that they need to ensure that any items that need to be voted on are mentioned at the Public Hearing tonight or they cannot be considered at Town Meeting.

Town Administrator Guimond informed the Board we received kudos from the Local Government Center for the way we chose to do Town meeting. That is exactly the way they would have suggested for paper ballot.

Town Administrator Guimond said reminded the Board the Purchasing Policy has not yet been approved. She reminded the Board that she will be in Florida February 26th through March 2nd so unable to work on it then.

Town administrator Guimond informed the Board the MRI people get \$87.55 per hour and will be here six days to get the town into the GASB34 accounting procedure. Procedure. She said they would train in four-hour increments. She said this is training in manipulation of QuickBooks to satisfy GASB rules. After a brief discussion, the Board agreed to proceed.

Town Administrator Guimond reminded the Board that she will be in Florida February 26th through March 2nd

5. Town Secretary:

Manifest #28 for 1/24/09 totaled \$52,333.99

Manifest #29 for 1/31/09 totaled \$81,614.82

Manifest #30 for 2/7/09 totaled \$623,927.21

Manifest #31 for 2/14/09 totaled \$52,779.14

A. Selectmen Reinhold made a motion to accept minutes from the January 26, 2009 Regular Session and January 26, 2009 Non-Public Session. Selectman LaCourse seconded. Chairman Griswold called for a discussion. There being none, Chairman Griswold called for a vote. Motion passes.

B. The Board signed Appointment Slips for Laura Gund as a regular member and Anne Tappan as an Alternate member of the Conservation Commission.

C. The Board signed an Appointment Slip for Scott Kemp as a representative for Lee on Strafford Regional Planning Commission.

10. There being no further business, the meeting was adjourned at 9:20 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