

**MINUTES OF THE BOARD OF SELECTMEN'S REGULAR SESSION
FEBRUARY 23, 2009 PAGE 1**

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

Others present: Diane L. Guimond, Town Administrator; Henry Brackett; Joseph Quimby, ORSD Representative; State Senator Amanda Merrill; Chris Buslovich, Information Technology Director; Michael Blake, Fire chief; Lt. Jim Davis, Lee Fire Department; Michael Hill, Jr., Laurel Cox, Land Protection Administrator; Leslie Martin and Donna F. Eisenhard, Recording Secretary.

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

2. Chairman Griswold welcomed Senator Amanda Merrill who was visiting. Senator Merrill stated she wanted say Hello and that she brought contact information and a list of Committees on which she will be serving such as Education, Energy, Veteran's Affairs and Environmental. She said she also brought some extra information concerning Administrative Rules, which is very important and quite interesting. She said she served in the house from 1989-1998 and that she was on legislative break this week. Also included with the information was the governor's budget summary and summary of the stimulus package from the Democratic Policy Committee. She said she also brought a list of House Bills that are out there affecting agriculture or energy. She said there are also funds available for other things like RFP's. Chairman Griswold thanked her for coming. He said, normally, the Board is hesitant about too routinely applying for funds, however, given the economic times, the Board feels they should look at any funds that may be available. He asked what the Board could do for her by way of input and communication. She said to let her know if any legislation is of particular interest to them. Town Administrator Guimond said she was concerned with the loss of Revenue Sharing Funds. She said the town received \$223,900 last year but maybe not this year. Senator Merrill said people are concerned with how the stimulus package could help with this loss. Chairman Griswold asked if the Governor knows that shifting costs to the local level may mean not getting our roads plowed. Town Administrator Guimond said the shift could increase the tax rate by \$1-plus. Chairman Griswold said we should go to Concord because losing \$200,000 means we make time to go. He said Lee is not getting a new cruiser or a Skidsteer or a fire truck and we cannot take an additional \$200,000 hit. He said a relatively active communication between her and the Board would be nice. Senator Merrill promised to keep in touch. Also, if local constituents need help, she asked that the Board contact her. She also asked that she be invited to any events that occur such as the Lee Country Fair. Town Administrator Guimond said she would put her on the e-crier list. Selectman LaCourse said he appreciated her coming.

3. Non-Public Session:

Selectman Reinhold made a motion to enter into Non-Public Session to discuss personnel matters. Selectman LaCourse seconded. Chairman Griswold polled for a vote: Reinhold-

aye: LaCourse-aye; Griswold-aye. Motion passes. The Board entered into Non-Public Session #1 at 6:50 p.m. The Board exited Non-Public Session at 6:56 p.m. and re-entered the Regular Session.

Selectman Reinhold made a motion to enter into Non-Public Session #2 to discuss legal matters. 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 6:57 p.m. The Board exited Non-Public Session at 7:20 p.m. and re-entered the Regular Session.

4. New Business:

A. Oyster River School District representative Joseph Quimby met with the Board to talk about a new concept called *Energy Tax Replaces New Hampshire Property Tax*. Mr. Quimby stated he already presented this idea to Senator Merrill. Overview - energy dependence on foreign states is a national security problem, New Hampshire's method of raising revenues with property tax is antiquated, the Obama administration will address economy, energy and the environment and New Hampshire can take the lead for the new energy era. The proposal is to replace the New Hampshire property tax with the New Hampshire energy tax. State of New Hampshire proposal - school and town revenue from an electricity tax, county revenue from a gasoline tax and state education revenue from a space heating tax which means total proposed taxes = current property tax. Lee proposal - school and town revenue from an electricity tax and looking for community to take the lead. Why Lee - community is stewardship focused, leader in land conservation programs and new Transfer Station indicates importance of recycling. Estimated numbers for Lee - total valuation for 2005 = \$398 million, approximate required revenue for 2008 = \$8.4 million, converts to \$21 revenue required per 1k valuation, estimated daily electricity use across entire town = 5 mw, converts to electricity tax rate of about 88 cents per kilowatt hour. **School & Town Revenue** - monthly electricity usage gets sent to each town monthly from PSNH, NH Electric Co-op and Unitil, town takes revenue need and divides by total usage to get monthly rate, town applies monthly rate to each property and sends out monthly bill. (Property owner initially pays same amount as before) School and town example for entire town - town generates monthly rate, town sends out monthly bill, townsfolk who use less electricity pay less electricity tax to town which promotes electricity conservation, creates jobs and individual has control over monthly bill. (If you do nothing, your bill goes up, otherwise it stays almost the same) **County revenue** - gasoline usage gets sent to county monthly from every gasoline station in county, county takes revenue need and divides by total usage to get monthly rate, county applies monthly rate to each gallon of gas in the county, gasoline station passes tax along to consumer. **State education revenue** - monthly space heating usage gets sent to state monthly from every oil and propane provider in state, state takes revenue need and divides by total usage to get monthly rate, state applies monthly rate to each gallon of heating oil and propane. (Wood products get taxed at zero to promote local jobs) Benefits - promotes energy conservation, creates energy related jobs, wood energy industry grows, with electricity conservation, excess capacity can be

sold to Massachusetts, local communities have 100% control over local taxes. Mr. Quimby also gave examples in figures of how each section would work. Selectman Reinhold said the concept is good but how do you generate enough revenue. He said he certainly does not want to negate as he loves the concept but why electricity – some use propane. Mr. Quimby said everyone uses electricity, the town gets a monthly income, the rate goes up if more revenue is needed, and the system is already there. Selectman Reinhold asked if he had been promoting this idea. Mr. Quimby stated he has and had already showed Senator Merrill. Selectman Reinhold asked about properties like those with land only that do not use electricity. Mr. Quimby said you could have a minimum tax. He said it would take an amendment to do this idea and he thinks the property tax is not the way to get revenue and we have to take the lead in regard to energy non-dependent. Chairman Griswold said he would look at anything that gets rid of the property tax but, that's what we have. He said the "devil is in the details" and he was very interested in looking at this. Town Administrator Guimond asked about tenants who pay their own utility bill noting their rent could go down. Selectman Reinhold said energy is the core but he favors consumption taxes. Mr. Quimby said anything is worthy that moves away from property tax. Chairman Griswold said the biggest issues is the fairness of property taxes. He said he does not like a sales tax but does like an income tax. He said he is willing to keep looking. Selectman Reinhold stated he was also. Selectman LaCourse said he is very interested. Mr. Quimby asked that they contact Senator Merrill regarding this. Copies of the presentation from Mr. Quimby become a permanent part of these minutes.

B. Information Technology Director Chris Buslovich met with the Board, as requested, to discuss cell phones and presented a Summary of Cell Phones for the Board's review.. Chairman Griswold said he had noticed, when signing checks, an \$80.00 reimbursement to someone for phone use and contacted Mr. Buslovich. After this, the first month was looking at how it was with the phones and the approximate cost per month. Now, Mr. Buslovich is starting to consolidate everyone under a family plan and the Board is waiting to see how this affects costs in the months following. He said page two is a Cell Phone Policy which also addresses full or partial reimbursement to employees. Selectman Reinhold said Mr. Buslovich showed the Board what the cost is now, will the next time be less. Mr. Buslovich said he will know at the end of this month. He said we will start the new fiscal year with some town-owned cells and some reimbursement because that's how it is now. Selectman Reinhold asked if the town was paying for private hours as misuse of phones is a criminal act. Mr. Buslovich said he needs to look at who has them as many could be put on a family plan. Most plans already allow about 400 minutes. A brief discussion followed on how many have phones and do they need them. Mr. Buslovich said the biggest thing is to implement the Cell Phone Policy. This would mean you have to apply through your department Head and explain why you need a phone. The Department Head then goes to the Board of Selectmen for approval. He said he noticed that bills can vary from \$12.00 to \$180.00. Again Selectman Reinhold said has there been misuse and has the town paid for that. He said he is on the phone all the time and doesn't use time like that. He said, on the state level, if you do that you lose your job and go to jail. Mr. Buslovich again stressed the need for a Cell Phone Policy which would address covering costs the town may be

picking up now for personal calls. Selectman Reinhold said, in looking at the Summary, he noticed the Fire Department all had cell phones yet the full-time Police Officers do not. He said he believed they were equally justified in needing phones as well. Further discussion followed regarding the need for cell phones for some individuals. Chairman Griswold asked that the Board be given a chance to review the information and then requested Mr. Buslovich come back in two weeks. Selectman Reinhold said for him to put a plan together and save but to also have a policy. Henry Brackett asked if the Cell Phone Policy could be put on the web. Chairman Griswold said policies are not something townspeople vote on; they are adopted by the Board of Selectmen. Mr. Brackett said you might receive good input. Chairman Griswold said waiting for input may make the Board immobile. Selectman Reinhold said this needs to be put in the Personnel Policy as well. Town Administrator Guimond said this is an opportune time as the Personnel Policy is currently being revised. Mr. Buslovich said you could also attach a Computer Policy as well. The Board consensus was to draft something regarding the internet within the Computer Policy.

5. Old Business:

A. Land Protection Administrator Laurel Cox updated the Board on the application to PlanNH and presented copies of the Grant package for the Board's review. She requested Chairman Griswold's signature on the application.

She also informed the Board they have two more members for the Energy Committee, Sharon meeker and Bambi Miller.

B. School Committee member Henry Brackett updated the Board on school matters. He said the School Board wanted to retain both Superintendent Coulter and Business administrator Blaine Cox so renewed their contracts for three years at a salary of \$131,000 per year for Mr. Coulter and \$94,000 a year for Mr. Cox. They then discovered they had not voted to do this so went into Executive Session to do this and make it legal. He said there is also a big controversy that affects Lee. They want to restructure the SAU office. Rather than have one person as Asst. Superintendent, they are asking the Special Education Director and IT Director to each take one half time as Asst. Superintendent. This could mean more costs for this position than formerly because of benefits for both people. He said election is March 10th for the School District and people running for School Board are Quinn, Townsend and Brackett. He said he would also to note that the rumor that the default budget is less than the proposed budget is not true. He said enrollment continues to drop and is 200-1900 and expected to stay at 1900 12-14 years.

6. Public Comment:

A. Leslie Martin asked about the Town Warrant. Mrs. Eisenhard said she had paper copies on her desk for voters to pick up. Chairman Griswold said the Warrant was

also on the web site. A brief discussion followed on the Obama stimulus and whether the town qualified for submitting an application for the two projects which were energy and environmental. Selectman Reinhold said Durham applied but does not have funding where Lee already has funds set aside for the projects they would submit. Chairman Griswold urged pursuing everything we can to get funds. Town administrator Guimond said the infrastructure has to be immediately in place. Selectman Reinhold said our eyes are open and we'll be ready and try to get money.

7. Town Administrator:

Correspondence:

A. New Hampshire Arborists Association, dated 1/23/09, re: announcement of 2008 Community beautification Awards Program.

B. Lee Zoning Board, received 2/17/09, re: request for variance for Fortune.

C. Lee Zoning Board, received 2/17/09, re: request for sign variance for Aubuchon Hardware.

D. Executive Council of the State of NH, dated 12/1/08, re: Employment/Economic Data from NH Employment Security.

E. Local Government Center, dated winter – 2009, re: Benefits Bulletin.

. Town Administrator Diane Guimond asked the status of the Purchasing Policy recently revised. Chairman Griswold stated the Board has not had an opportunity to review her draft yet. She informed the Board the Scenic By-Ways Grant information and application had been passed to Land Protection administrator Cox as well as the Historical Building Renovations Grant information. She asked about the CIP (Capital Improvements Plan) in regards to the completed budget and deposits and withdrawals for future needs based on non-funding expenditures FY2009-10. Chairman Griswold said to have Robert Smith push everything ahead by one year and make sure there are no problems. He said we may not buy a cruiser next year either as things may be even worse. He stated he would ask Robert Smith to have a copy on hand for Town Meeting for discussion, if necessary. Town Administrator Guimond said, regarding brush cleanup, a gentlemen wants to come in with a chipper and volunteers to the dump and chip and then the chips will be hauled off free in exchange for the chips as part of a New Hampshire the Beautiful program. The Board agreed this was all right but to have all those involved wear safety vests. Regarding surveillance camera's for the library, Chairman Reinhold said we also need to protect the Town Hall personnel just as much and he felt they were needed badly. He said it was good business to protect employees. The Board agreed. Regarding plugs to connect a generator for the Town Hall, Town Hall Annex and Library, (to keep furnaces running in case of any future power failures) Selectman Reinhold said Jim Banks would make the three boxes free and was glad to do it but we need to get three quotes for an electrical contractor to connect them. Town Administrator Guimond said the lights in the hallway of the Police Department were done at a cost of \$800 and Edin Electric has changed all lights as part of a contract with PSNH at a cost of \$4,700. She felt there was about \$12,000 left to make any additional

repairs. The Board approved a vacation request for the Town Administrator. Regarding renewal of the Town Administrator's contract which expired December 1, 2008, Chairman Griswold stated he would like to wait until after town meeting to resolve this matter. In regards to the Town seal, the Board agreed to have a poster on voting day and ask people to choose which one they liked from the three designs submitted. Selectman Reinhold informed the Board he spoke with Attorney Tanguay regarding the Seth Peters suit and Attorney Tanguay stated he has heard nothing but, hopefully, he will be contacted soon as the suit must be resolved by May 15th. Selectman Reinhold said the project is still moving along regarding removing 200,000 yards of material from the Old Mill Road property owned by the town.

7. Town Secretary – review and approve manifests and minutes.

Manifests presented were reviewed and authorized for payment. Manifest #32 for 2/21/09 totaled \$42,129.94.

The Board signed a Notice of Intent to Cut Wood or Timber for PID#04-07-0200 – 95 Calef Highway, LLC.

The Board signed Appointment Slips from the State for Allan Dennis as Health Officer and Caren Rossi as Deputy Health Officer.

The Board signed Appointment Slips for Ann Wright, Charles McClain and Cynthia Nizzari-McClain as members of the Recreation Commission.

The Board signed Appointment Slips for William McDowell, Jay Grumbling, Antoinette Hartgerink and Michael Pellecchia as members of the Advisory Water Resources Committee.

The Board signed Appointment Slips for James Banks as a member of the Zoning Board of Adjustment.

8. There being no further business, 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