

**MINUTES OF THE BOARD OF SELECTMEN'S REGULAR SESSION**  
**MAY 11, 2009 PAGE 1**

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

Others present: Diane L. Guimond, Town Administrator; Janet Wall, Legislative Representative; Laurel Cox, Land Protection Administrator and Donna F. Eisenhard, Recording Secretary.

1. Chairman LaCourse called the meeting to order at 6:00 p.m.

2. Town Administrator – correspondence, Selectmen action items, etc.

**Correspondence:**

- A. Elizabeth Miller, dated 4/21/09, re: thank you for position interview.
- B. Local Government Center, received 5/10/09, 2009 Summer/Fall Risk & Health Management Workshops.
- C. Local Government Center, dated April 2009, re: HealthTrust's WELLDollars Health & Safety Grant Program.
- D. State of NH, Dept. of Environmental Services, dated 4/17/09, re: invitation to public meeting on Senate Bill 168 Tuesday, April 28 at 5:00 pm in Durham Town Hall.
- E. Local Government Center, received 05/10/09, re: Fundamentals of Ergonomic Workshop on Tuesday, June 2<sup>nd</sup>.
- F. State of NH, Dept. of Revenue Administration, re: total equalized value for Lee being \$475,853,632, including Utility Valuation and Railroad Monies Reimbursement.
- G. Strafford Region Planning Commission, received 05/10/09, re: Annual Meeting Thursday, May 28<sup>th</sup>, 6:00-9:00 pm at Oaks Country Club in Somersworth.
- H. Strafford County Commissioners, dated April 30, 2009, re: stepping forward to serve as regional site for the New Hampshire Public Health Network.
- I. Lee Public Library, dated 05/01/09, re: update of staffing changes at Library.

Town Administrator Guimond informed the Board the Town Shed matter is still being worked on.

Town Administrator Guimond stated the Firefighter Memorial Tree Project requires a list of firefighter names before proceeding.

Town Administrator Guimond said the Town Seal is on hold. Selectman Reinhold asked what the problem was as voters chose the one they wanted. After a brief discussion, it was agreed to get the chosen drawing of the seal digitized for sharing with different departments when they need it for lettering trucks and such.

Town Administrator Guimond asked the Board about changing the Fire Cisterns Trust Fund to an expendable one at the next Town Meeting. Selectman Reinhold said do we really want it expendable, noting that cisterns cost in the area of \$30,000. Selectman Griswold said what about emergency repairs, which also come from this fund, needed unexpectedly in relation to fires and safety issues. Selectman Reinhold felt there still needed to be some control. Chairman Lacourse said he shared his concern. After a brief discussion, it was agreed to make it an Expendable Trust with the which would satisfy all contingencies.

Town Administrator Guimond noted that at a recent Finance Officers Workshop she attended, RSA 31:95b, which relates to Report of Anticipated Revenue which she prepares, states that voters have to approve that at Town Meeting. Selectman Reinhold said to add it to the warrant list being prepared for next year.

Town Administrator Guimond said she e-mailed the Board about work accomplished such as the electrical plugs for generators on the Town Complex buildings for \$950.00 and electrical work (heat tape and plugs) by Edin at the back of the Town Hall and Safety Complex for \$900. She said she also found \$4,000 in the budget for work to IT Director Buslovich's new office at the Safety Complex. She also asked about a door and sound-proofing her office at the Town Hall from encumbered funds. Selectman Reinhold asked if she was contemplating a Town Hall floor plan revision because if she was, he had some ideas. He suggested gaining space by making the front door of the Town Hall an emergency egress only. He also suggested putting executives in back corners. Chairman LaCourse said he spoke with Mr. Buslovich and the expected move to the Safety Complex for him is probably in August. Selectman Reinhold, who offered his contractor, said he would not be available for several weeks.

Town Administrator Guimond presented the invitation to the Employee Benefit Fair for the Board's review.

Town Administrator Guimond presented a update on items she is working on for the Board's review.

### 3. Town Secretary – manifests, minutes, etc.

Manifests presented were reviewed and authorized for payment.

Manifest #42 for 5/2/09 totaled \$636,356.27

Manifest #43 for 5/9/09 totaled \$ 41,536.53

Selectman Reinhold made a motion to accept minutes from the April 27, 2009 Regular Session and May 5, 2009 Work Session. Selectman Griswold seconded. Chairman LaCourse called for a discussion. There being none, Chairman LaCourse called for a vote. Motion passes.

The Board approved a veteran's exemption for PID#16-01-0100 – Lisa Colbroth which will not become effective until 2010 as this year's deadline has passed.

4. **Non-Public Sessions:** None.

5. **New Business.**

A. Cemetery Trustee Donna Eisenhard met with the Board and presented pictures of a large pine tree near the Veteran's Memorial Stone at the Town Field noting a large lower limb on the left side encroaching on the oak tree on the right side of the stone. She said the Trustees were asking if said limb could be removed. After review, the Board agreed the limb could be removed. Selectman Reinhold noted that the trees by the dugout needing to be removed could be done at the same time.

At this point, Selectman Reinhold asked if he could get a list of all veteran's in town in relation to the Gulf War and War On Terrorism Memorial Stone contemplated. Mrs. Eisenhard said it would be ready tomorrow.

B. Legislative Representative Janet Wall met with the Board in regards to Durham District Court. She said Judge Kelley met with her on two occasions regarding concerns with access and parking. She said there was also a study done to prove the need to keep the court in Durham open. She said, at this point, the court is in dire straits although she could not understand why. She said they had to pay \$31,000 last year in rent but took in \$282,442.44. She said it appeared clear that Judge Kelley wants consolidation once and for all. She said Chief Murch had concerns with sending his officers over to Dover to wait and wait thus triggering overtime which he is unprepared to pay. She said she was also reluctant to have this happen as taxes would go up. In either case, Judge Kelley did Administrative Order #2009-47 which states the Dover District Court shall conduct one evening per month on the second Wednesday or Thursday dedicated to Durham Lee and Madbury, exclusive of any others. She said the Chiefs felt that this could change at the stroke of a pen. With this in mind, she said she had an agreement drafted, as she was concerned with this lack of trust, that states they have to talk with Durham, Lee and Madbury first if they want to change the Order. She felt that having the court in Durham was convenient and kept taxes down. She said it will not be so convenient in Dover and parking could be a problem but with the guarantee of one night per month, it is workable. She stated she did the best she could and it should not cost us or affect taxes very much although Lee and Madbury are impacted the most. She also said Strafford Regional Planning commission is hoping to rent the old Durham District Court offices after they move. Chairman LaCourse said he appreciated her efforts. Selectman Griswold and Selectman Reinhold also said thank you. Mrs. Wall said tomorrow is the big day and emotionally it has been heartbreaking, however, with the agreement, hope is seen.

C. Selectman Griswold asked if there was a way to fold a lot of the Warrant Articles, which could easily be taken out if deemed more appropriate, into the Operating Budget. He said we could still keep everything very transparent but pack as much as we can into that budget. He said we could still create an Operating Budget by noting this item was operating and this item was warrant. He said you could still have a paper ballot but only once. He said he could not think of any way to curtail the small group asking for paper ballots on everything. Chairman LaCourse said you could wrap in ORYA and the Charities into the Operating Budget. Selectman Reinhold said his thought was it opens up the ability to have discussion on every single line item so it scare him a little on that method. Chairman LaCourse asked about the police cruiser and Conservation Commission. selectman Reinhold said he couldn't say he was opposed to the concept. selectman Griswold said there has to be a better way than two or three days of Town meeting. Selectman Reinhold said we may make the problem worse for next year. The Board asked the Town Administrator to check with the State and Local Government Center to see what could legally be done. Selectman Griswold said if there is another way around, let's do it as he did not see any willingness to give up paper ballot.

D. Selectman Reinhold said he received a call from PlanNH suggesting they may pull our Grant because of the fact we put out a RFQ (Request for Quotes) for an architect already. He was told the volunteers who work on PlanNH may want to bid on this project privately and this would interfere. He was asked if the town could pull the RFQ. They also asked if the town would reconsider the PlanNH date scheduled for September and move it to June. He said he told them the town had to move forward in case they did not get the Grant. He was told that right now our approved Grant is very iffy. Selectman Reinhold said the political ramifications would be bad if we don't get the Grant. Land Protection Administrator Cox said they initiated the September date.

## 6. Old Business.

A. Selectman Reinhold reported that last Friday he did the dirt hauling site walk so there would be no surprises or "you didn't tell us" from contractors. He said everything is moving along and equipment would be coming next week so we could be moving material by May 24<sup>th</sup>. He also mentioned the need for vests and hard-hats and steel toe shoes for the construction area for himself and Robert Smith. He said the Hartmann issue is resolved and he will do the dirt pushing as part of his credit with the town so Highway Supervisor Stevens is not involved in the big push. Chairman LaCourse asked about the Seth Peters issue. Selectman Reinhold said, basically, the re-survey is unclear as to what Mr. Peters should or should not do but Sue Hoey will meet with him about this. He has been ordered to not move 1" of dirt until the re-survey has been confirmed. Once he gets permission, he will windrow the pile and the town will get our 10,000 yards but, sadly, no extra. Selectman Reinhold said having the construction company move the material at Little River Park is a better deal as Mr. Stevens has to be by the stockpile area to supervise what's coming in. He said, one other piece, was he made a request to NCRS for a long-term sign for the project and realized there is no parking space for people to look at the sign. He said NCRS is restricted from doing a

sign but could do a pull-off so he was busy parlaying this. selectman Griswold asked where people will park to use the Old Mill Road recreation area. Selectman Reinhold said no provision was made for a parking area. He also said the original agreement was that the project would not cost the Town of Lee anything and we are up to \$6,000 already so he was using that as leverage to get parking. for a parking area

B. Chairman LaCourse asked Town Administrator Guimond if she had received an updated job description for the next full-time employee for the Transfer Station to replace Peter Hoyt. Town administrator Guimond said she did.

7. Department Head Reports: None.

8. Public Comments: None.

9. There being no further business, the meeting was adjourned at 7:11 p.m.

Minutes recorded by:

---

Donna F. Eisenhard, Recording Secretary

Minutes accepted by:

---

John R. Lacourse, Chairman

---

W. James Griswold

---

Frank W. Reinhold, Jr.  
**Lee Board of Selectmen**