

Board members present: John R. LaCourse, Chairman; Selectman W. James Griswold and Selectman Lombardo.

Others present: Town Administrator; Diane L. Guimond, Frank DeRocchi, Linda Kahn, Corinne George, Nicole Benoit, Judy MacDonald, John MacDonald, Jay Hilyard, Linda Reinhold, Frank Reinhold Jr, Richard Miller, Al Porsche, Delia Abrams, James Warden, Chet Murch, Town Secretary; Dawn Hayes.

1. Chairman LaCourse Called the meeting to Order and opens the Public Hearing at 6:00 pm.

Town Administrator; Diane Guimond explains the purpose of the Public Hearing is to authorize the use of funds (up to \$60,000) from the fund balance, for the replacement boiler system, any bills associated with the boiler, and other emergency repairs.

Linda Reinhold asks why the Board is requesting up to \$60,000.

Chairman LaCourse explains they are requesting “up to \$60,000” to cover the cost of the boiler, the rental fees, and the fees from Bert West associated with the emergency calls. There are also other emergency repairs that need to be done, such as roof leaks.

Frank DeRocchi asks if all bills submitted by Bert West would total near \$30,000.

Town Administrator states; it is possible they could total that high, as all of the bills are not in yet.

Selectman Griswold expresses his disappointment in having to continue using a system operating by oil. He is hopeful that the boiler can operate in conjunction with another type of system in the future.

Chairman LaCourse motions to authorize the use of the fund balance, up to \$60,000. Selectman Lombardo, seconds. Chairman LaCourse closes the Public Hearing at 6:10 pm.

2. Chairman LaCourse requests the Town Administrator present any further information regarding a noise reduction in assessment for homes near the Race Track. Information provided by the Assessor (not present) shows that approximately 55 residents are receiving an assessment adjustment for noise.

The Town Secretary reports; public emails sent in were categorized; 61 opposed, 1 in favor, 1 offering a compromise (allowing 1 Saturday race per month).

Selectman Griswold requests clarification on the past due taxes of the Race Track.

Linda Reinhold confirms that taxes for 2008 and 2009 are past due.

Town Administrator; Diane Guimond reads a letter from D'Amante, Couser, Pellerin & Associates, P.A. representing the Lee USA Speedway. The letter states; that the Race Track Ordinance does not permit interested parties to address the Selectmen other than at the previously held Public Hearing. Therefore, the Selectmen cannot consider any such emails. The primary concern being that the emails contain misinformation regarding the number of events which the speedway is applying for. Attached are the event and rain dates being requested, of which are in conformance with the ordinance.

Chairman LaCourse clarifies; the newly proposed times of operation; gates open at 2:00 pm and races run until 10:00 pm.

Chief Chet Murch notes; when racing on Fridays; start time is 4:00 pm and run until midnight. They are allowed an eight hour block, per the ordinance.

Chairman LaCourse would like further information about decibel requirements. He has questions regarding the noise level at the perimeter of the track, how is it set and what are the exact regulations?

Selectman Griswold remarks; this is a very difficult decision and that he is still undecided. He mentions a compromise could be considered, allowing some Saturdays.

Selectman Lombardo officially recuses himself from the matter due to a potential conflict in interest.

Chairman LaCourse motions to table the decision until; he can meet with the owners regarding additional measures to buffer sound, more information is gathered regarding decibel levels and legal counsel has been provided regarding a tie breaking vote; should the Board disagree. Selectman Griswold, seconds.

3. Town Administrator; Diane Guimond advises the Board that the Department of Revenue has instructed that the Public Hearing scheduled for February 8th for the the Bridge Trust Fund, must be posted as a Special Meeting with Town Moderator and Supervisor of the Checklist present for a vote. The meeting will be moved to February 22, 2010. Town Administrator presents the warrant for the Boards signature.
4. Town Administrator; Diane Guimond presents two thank letters for Bill Stevens and Sergeant Tom Dronsfield for their efforts and service regarding the heating system crisis at the Safety Complex.

Chief Chet Murch also submits a letter; thanking United Rentals for their professionalism and assistance during the recent heating system crisis at the Safety Complex.

5. Town Administrator; Diane Guimond advises that the deadline has passed for Petition Warrant articles to be submitted to the Board of Selectmen. Two have been submitted; the first, to raise and appropriate \$60,000 for aggregate located on the Little River Park property. The second, to define Marriage in New Hampshire.
6. Town Administrator; Diane Guimond requests for Roger Rice (not present) to sell an extra 50 yard trash container, said to be worth approximately \$2,500 - \$3,000.

Chairman LaCourse motions to allow sale, it must go out to bid. Selectmen Griswold, seconds.
7. Town Administrator; Diane Guimond reports there are roof leaks in the sally-port and in the gym at the Safety Complex and in the Town Hall, she has contacted the Local Government Center regarding a claim.
8. Chairman LaCourse refers to a recent email from C.O.R.D. He would like a Board member to be present at an upcoming meeting.
9. Selectman Lombardo will complete the letter to the Oyster River School District regarding the matter of budget increases.
10. Chairman LaCourse requests the Town Administrator gather information from the Town of Durham and report on the recent distribution of funds without prior discussion of the school board.
11. Chairman LaCourse coordinates a meeting time for Department Head Evaluations. All agree to meet Thursday, February 4, 2010 at the Town Hall.
12. Town Administrator; Diane Guimond reports on the recent meeting of the Town Center Committee. They are requesting a Public Hearing be held on February 17th to inform the public on where the project currently stands. They would like at least one Board member present, Dennis Mires to present a report and Bob Smith to review the CIP.
13. Selectman Lombardo would like to ensure that the \$60,000 that has been put into the Library Capital Reserve Fund is not used for things such as building repairs. He recommends moving the money into a new fund for the specifically for Town Center Committee. This idea may be presented at Town Meeting through Warrant Articles.

The Board agrees to review this idea with the Library Director.
14. Al Porsche of Granger Drive states he would like the Board to consider additional comments regarding the Race Track.

Linda Kahn of Tamarack Drive requests clarification on the emails, if they have been read and considered.

The Town Administrator states; that the Town Secretary has read all the letters, categorized them and notified the Board.

The Board is in agreement that once the Public Hearing has been closed, no further public comment can be accepted, until and if another Public Hearing is scheduled.

Frank DeRocchi asks the Board if emails are acceptable forms of communication if the source cannot be verified. Chairman LaCourse states; a formal signed letter is preferable, but emails are acceptable when they include name and address.

15. Jay Hilyard advises the Board that a formal rebuttal from the school administrator that has been submitted to the Durham Council. He believes it was submitted at last night's meeting, although he was not present.
16. Town Secretary requests signature for the Assessor (not present) regarding an exemption that was inadvertently removed on 5 Pine Crest Estates, signature on a letter for Caren Rossi (not present) and signature on a letter for Brian Giles (not present).

Town Secretary requests confirmation on the photo being used for the Town Report. Selectman Griswold confirms.

17. Selectman Griswold recommends setting up specific trust for the Town Center Committee to receive donations for the project.
18. Chairman LaCourse remarks that the Board needs to start thinking about plans for the D'Annolfo Property. In 90 days the Town will take full ownership.
19. **Approval of Minutes:** Chairman LaCourse motions to accept the minutes of January 25, 2010. Selectman Lombardo, seconds.

There being no further business, meeting was adjourned at 7:20 p.m.

Minutes transcribed by:

Dawn Hayes, Town Secretary

Minutes accepted by:

John R. LaCourse, Chairman

W. James Griswold

Joseph P. Lombardo
Lee Board of Selectmen