

MINUTES OF THE BOARD OF SELECTMEN
Meeting

October 1, 2012

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Board members present: Chairman LaCourse and Selectman Griswold.

Others present: Mark Hatfield, James Gardner, Caren Rossi, Linda Kahn, Marlene Abood, Annette Caron Pelletier, Jan Neill, Jacki Neill, Kenneth Abood, Peter Walczak, Ben Smith, Mike Kelleher, Phil Sanborn, Peter Hoyt, Linda Schibel, Corinne George, Andy Lelio, Laura Scheibel, Janet Poff, Robin Wunderlich, Roger Rice, Molly Darling, Sarah Dawson, Sally Fleming, Thomas Czojo, Lisa Szymanski, Naida Kaen, Town Administrator Julie Glover and Town Secretary Dawn Hayes.

1. Chairman LaCourse calls the meeting to order and opens the Listening Session for the E911 proposed renaming and renumbering of roads at 6:00 pm.

Mike Kelleher NH E911 representative, explains that the proposed recommended changes on current addressing are related to areas of concern such as: consistency in numbering, road names that sound the same, confusing names, multiple buildings using the same address and/or using a shared driveway. Mr. Kelleher has been working with Fire Captain Scott Nemet and Emergency Management Deputy Caren Rossi to highlight areas of concern. Emergency Management Deputy Caren Rossi reads a list of recommended changes to be discussed.

Resident John Dawson of Jenkins Lane – opposed to the change and states the use of ‘Lane’ appropriate. Mr. Dawson states: changes cause problems for residents, he is not aware of emergency problems that have occurred, GPS could be used for Jenkins Lane as well as any other name; if the name has to be changed he prefers Jenkins Road.

Resident Annette Caron Pelletier of 95 Jenkins Lane – opposed to the change and asks, when calls come in doesn’t it automatically specify the location? Mike Kelleher states, only from land line. Mr. Kelleher advises that they are proactively correcting mistakes in the system. When road names are similar – it could come in with the wrong suffix adding to confusion.

Resident Sally Fleming of 85 Jenkins Lane – opposed to the change and states if it is going to be changed – change Jenkins Road instead as there are more people on Jenkins Lane and a cemetery.

Resident Marlene Abood of 107 Jenkins Lane – opposed to the change due to cost and time. She is concerned about the cost to the community and states the Town should have the chance to vote on it.

Resident John Dawson asks if there been a case where emergency responders could not find a resident and if so, when? Chairman LaCourse explains not only do Lee Police respond, other responders that provide mutual aid need to be able to locate people; Lee Police and Fire recommend these changes.

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Fire Chief Peter Hoyt advises the fire trucks do have GPS but they have to be programmed when leaving the station or when going down the road. Sometimes this can't get done if someone other than the driver is handling the radio call. If the homes are numbered odd on left and even on right, it speeds up the response time. Chief Hoyt notes, the department searched last year for lost hikers who called for help, their cell phone GPS gave the location. However, it took an hour for the GPS to give the coordinates.

Resident Peter Walczak of 35 Capt Parker Drive – opposed to the change and states there is a total of four houses all visible from each other, with no additional houses to be built; he has an issue with the time, effort and cost to make the change.

Resident Lisa Samanski of Caverno Drive – opposed to the change and states the GPS mapping that was done on Caverno Dr is incorrect; approaching the cul-de-sac her home sits at 9:00 not 12:00; there are only twelve houses and are properly numerated; it appears that in this instance Caverno Dr is on the list strictly for bureaucratic reasons. Mike Kelleher advises that the GPS mapping position is at the driveway access point – not exactly where the house sits. Ms. Samanski states as you approach Caverno Dr #28 you can see it before you get to the driveway, once you pass #28 you see nothing until you get to her house.

Resident Molly Darling 66 Mast Rd - is opposed to the change and states her house is on Mast Road, her private driveway serves 2 buildings 6 units each; all are numbered. The Town approved it as a private driveway. There are 32 residents there and 5 different businesses. There are no trees, and the mailbox is marked. It is not a road, it's a driveway; she doesn't want a road name on it. Ms. Darling states the safety issue is people thinking it's a road and not a private driveway.

Resident Laura Scheibel of 62 North River Road - is opposed to the change and states, if driveway is turned into a road emergency services will find her, but no one else will; her family has been there 50 yrs - police and fire have never had an issue finding her. Ms. Scheibel states there are two rental properties; the trailer has a separate driveway (shares only 5ft of pavement). Mike Kelleher advises that all three residences are accessed through one driveway. Ms. Scheibel asks if the driveway could be widened to create two clear driveways. Mike Kelleher states, yes technically she could. Ms. Scheibel advises she has no problem putting up the required numbers.

Resident Dick Keiser of 62 North River Road – is opposed and states he disagrees with going forward.

Laura Scheibel asks if mail boxes need to be moved? Caren Rossi states, no. Ms. Scheibel requests the Board take special consideration to the trailer with its own driveway.

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Resident Annie Snelling of 121 North River Road asks how long the post office takes responsibility for forwarding mail? Caren Rossi states, 1 year.

Resident Thomas Czojo of 9 Thornton Lane is opposed and states as you come up the road 1, 3, 5, 7, 9, 14. Why would it get changed? Caren Rossi explains on Thornton Lane the problem starts in the cul-de-sac, after #16 is #9. Mr. Czojo recommends changing all the numbers from the beginning; restates his opposition due to the cost to the town and residents.

Resident Janice Neill of 46 Wednesday Hill Rd – is opposed and wants to know why it will be changed. Mike Kelleher states, right across the street from #44 is #63. Ms. Neill states when you come to #40, #42 should be next and then #44 and #46; the reason #63 is across the street, is because the neighbor liked the number. Ms. Neill states if her number is changed to #60, you would pass it, creating a hazard. Mike Kelleher states every 100 ft of travel up the road the numbers should increase. Ms. Neill reiterates her point. Next 40, next 44, next 46, next should not be in the 60's, there are no more house lots and they are in sequence. Mike Kelleher advises that there is a standard, distance-based numbering system and it allows for future building. Ms. Neill states frontage in town is not 100 ft, there is no room to build. Mike Kelleher advises that frontages can change, such as in Nottingham.

Resident Jacquelyn Neill of 44 Wednesday Hill Road states that #44 had an emergency call, it took the Fire Dept 15 minutes to get to the house, at the hospital within a ½ hr, it saved his life and they had no problem finding them.

Laura Scheibel asks what is the time frame for implementing these changes. Ms. Rossi states Jan 2nd would be the effective date of change and the Post Office will forward mail forward for 1 year. Ms. Scheibel asks if letters of concern should be sent to the board. Chairman LaCourse states, she is welcome to submit a letter. Ms. Scheibel asks if there is an appeal process. Chairman LaCourse states no, once it's done – it's done.

Molly Darling of 66 Mast Road asks what are they proposing to number the condos? Ms. Rossi advises the house will be #1 with new name, followed by #3 and the building on the right would be #4. Each building would have a unit #a, b, c, etc. Ms. Darling states there are 2 buildings, 6 units, adding unit #'s is more complex. Ms. Rossi explains they are trying to have uniformity within the town. Mike Kelleher notes, each building would have an address number and then given unit designations (a, b, c) within that structure.

Resident Mark Hatfield of 396 Packers Falls Road states the listening session for his property was three months ago, however, he was not notified. Mr. Hatfield states although he is just a tenant at 396 Packers Falls Road, he is still a resident. Mr. Hatfield states Mr. Miller (the property owner) who lives in Dover, was

notified of the changes. Mr. Hatfield is in favor of the changes, but is upset about not being notified directly. Mr. Miller's notification to his tenants was after the

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fact. Mr. Hatfield states it should have been the responsibility of the town to notify the residents that their address is changing – not the landlord. Further, Mr. Hatfield states the post office told him that it (his address) was not going to change for a year. Ms. Rossi states, start using the new address.

Laura Scheibel asks if her road changes will the town be plowing the driveway. Chairman LaCourse states if the road is private, the town does not plow it.

Resident Janet Poff of 55 Wednesday Hill Road states there are three homes on a private driveway, three mail boxes sequentially numbered and marked clearly. Ms. Poff did submit some suggested names and believes the property owner should be allowed to pick the name. Ms. Poff states she thinks mail boxes should be moved, and request a 'private road' sign be added under the road name to help maintain their privacy.

Resident Jim Gardner 59 Wednesday Hill Road – opposed to change and agrees with his neighbors statements. Mr. Gardner asks that if the sign that is clearly posted in tree (Private Drive) - if they made it more obvious; bigger, would that work? Mr. Gardner adds, he doesn't want a sign unless it says private road; better signage would resolve the emergency issue.

Resident Sarah Dawson of 19 Jenkins Lane requests a Private Road sign on her road. Ms. Dawson asks about the August 20th Selectmen's Minutes regarding the consideration to continue Jenkins Rd through to Jenkins Lane. Ms. Rossi states they are still waiting for input from the Police and Fire Departments regarding that matter.

Resident Benjamin Smith of 1 Mast Road asks if the use of GPS for locating addresses is what is planned for emergency response? Mr. Smith states GPS does not work well.

Peter Walczak asks if, at the next meeting the vote will be for all changes, up or down. Chairman LaCourse states all of the information will be reviewed by emergency Management, Police and Fire will make recommendations on changes, those names will be brought forward for each road; a decision will be made by Board of Selectmen.

Annette Caron Pelletier of 95 Jenkins Lane asks what is the designation of private vs. a non private road? And does the Town of Lee have more rights to change a public road than a private road? Town Administrator Julie Glover advises that RSA 231:133 (a) doesn't distinguish between the Board's right to change private and public road naming.

Chairman LaCourse closes the Listening Session at 7:15 pm.

2. Town Secretary Dawn Hayes presents the Minutes of September 17, 2012. Selectman Griswold: Motion to accept the minutes as presented. Chairman

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LaCourse, seconds. **Motion Carries.**

3. Chairman LaCourse opens the floor for Public Comment.

Resident Andy Lelio of 31 Hobbs Rodd states the Lee USA Speedway went before the Zoning Board of Adjustment for two variances, (1) for outdoor sports shows, (2) for driving school. Mr. Lelio states these requests have been previously made in 2006 and 2008 on warrant articles which were voted down both times; in 1998 private safety testing was also voted down. Mr. Lelio believes the town should see warrant articles regarding these changes, so that the town may deliberate and vote. Mr. Lelio assumes the driving school events would be in addition to the 23 events already allowed. Mr. Lelio is concerned that the new events may impact the abutters with additional noise; requests the Racetrack Ad Hoc Committee be charged with taking a look at the noise impact regarding the new events.

Town Administrator Julie Glover states the original racetrack ordinance of 1977 was enacted by a vote of the legislative body through a warrant article; section 16 (now 17) allows the Board of Selectmen to approve changes to the use of the racetrack. Ms. Glover notes the Board may still choose to put in to the voters in a warrant article, but the voters gave that authority to the Board of Selectmen in 1977. Ms. Glover adds, the attorney at LGC suggests looking into the matter as to whether such changes involve 'land use' issues that may need to go to the Zoning Board of Adjustment or should it lay solely with the Board of Selectmen.

4. Bob Watson of Lee Speedway states the speedway has applied for a driving school and outdoor sports events; they are trying to get the Selectmen to work with the track so that they can pay their bills. Mr. Watson notes that the outdoor shows (boating and snowmobiles) are similar to what many racetracks use their facilities for; there is not a lot of noise; it would generate money for the speedway. Mr. Watson also advises, the driving school cars are heavily muffled.

Chairman LaCourse requests the Town Administrator research the jurisdictional issue with ZBA. Chairman LaCourse requests more information on driving schools and auctions; states the Board will wait for more info before making a decision. Selectman Griswold agrees – more info in writing and pictures, so that they decision can be knowledge based. Selectman LaCourse motion to table the matter until further information is presented by the track owners, as well as jurisdictional information from the ZBA. Selectman Griswold, seconds. **Motion Carries.**

5. Transfer Station Manager Roger Rice advises the Board that a recent inspection

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from the Fire Dept showed there are no pull stations at the Transfer Station; that they must have been missed when the building was built. Mr. Rice states, for it to be properly done it would need flashing strobes and a sounding horn. The current

system would not allow this upgrade as it is a homeowner level system. Mr. Rice reviews the quotes; states it could be done right away or budgeted for next year. (quotes for 3 buildings are Active Fire Alarm \$5,780.38; Soucy Electric \$13,292; DM Burns \$20,334.33) Mr. Rice recommends the low bid from Active Fire Alarm. Fire Chief Peter Hoyt spoke to all three companies and is ok with the low bidder, Active Fire Alarms. Chief Hoyt states he is concerned about burglar alarm and this does not address it. Chief Hoyt recommends Police Chief Murch should be involved with it. Chief Hoyt recommends the systems be separate for Fire and Burglar.

Selectman Griswold is concerned that the bid the Active Alarms is ¼ of the cost of the high bidder. Chief Hoyt was concerned as well, however, Active Alarm has answered all of the Fire Dept concerns about their quote. Selectman Griswold asks if it should be done now or make it a capital improvement issue on a warrant article. Chief Hoyt advises getting the whole thing done at once. Chairman LaCourse ask the Town Administrator if we have enough funds to cover this. Ms. Glover states it would depend on how much a burglar alarm system would cost.

Mr. Rice states the current wiring could be left in place and used for a burglar alarm. Selectman Griswold asks what does the \$5,780 quote include. Chairman LaCourse recommends Mr. Rice return to the Board with more details from Active Alarm. The Board requests Chief Murch participate in the discussion regarding the burglar alarm system.

Town Administrator Julie Glover asks if this something that can wait until July to be budgeted for. Chief Hoyt states it does need to be addressed, but we could wait until July. Selectman Griswold states he would like it to go before the voters. Mr. Rice agrees; will get costs for next July. Chairman LaCourse Motions to table. Griswold seconds. **Motion Carries.**

6. Chairman LaCourse Motions to approve Consent Agenda as presented. Selectman Griswold, seconds. **Motion Carries.**
7. Town Administrator Julie Glover advises the Board of the pending lawsuit from Fairpoint against the Town of Lee and other NH Municipalities. Ms. Glover requests entering into a special counsel agreement with Donahue Tucker and Ciandella for representation. Ms. Glover advises that there is a great deal of discussion happening across the state with assessors, the courts, and towns regarding the best and fastest way to handle this matter. Selectman Griswold is concerned that the legal fees will outweigh the tax bill that is being disputed. Chairman LaCourse motions to grant the Town Administrator's request to enter into special counsel agreement Donahue Tucker and Ciandella PLLC representing the Town of Lee in the tax appeal case filed by Fairpoint. Selectman Griswold, seconds. **Motion Carries.**

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8. Town Administrator Julie Glover advises the Board that she is looking for general legal representation for the Town of Lee, as Attorney Tanguay has stated that he is phasing out his practice. Ms. Glover will be bringing further information at a later meeting.
9. Town Administrator Julie Glover discusses the citizens' petition for artificial turf. Ms. Glover spoke with a number of attorneys and the secretary of state's office regarding the matter and notes: by virtue of the fact that the petition was submitted more than 60 days prior to the annual meeting; had more than 50 registered voters who signed the petition and it asks the voters a question – we have to have a special meeting. Ms. Glover advises if the Board refuses to warn the meeting petitioners may seek a superior court ruling; individual and personal fines could be implemented.

Selectman Griswold asks if petitioners can withdraw their signatures. Ms. Glover states, no there is no provision in the law to take back what they did, however, there is the option to refuse to warn the meeting. Ms. Glover reminds the Board of a previous discussion estimating the cost for special meeting to be approximately \$3,000 - \$4,000.

Julie Glover reviews the proposed calendar and schedule, referring to dates; time lines and requirements. Ms. Glover recommends 1st session October 25th, and the ballot session November 29th. Chairman LaCourse notes, changes can be made at the deliberative session as long as the intent isn't changed. Ms. Glover agrees. Chairman LaCourse states *if* they raise the money – that doesn't mean they can build it, they still have to come in front of the Board of Selectmen. Ms. Glover agrees.

Chairman LaCourse motions to grant the Town Administrator the authority to schedule the special meeting on October 25th, and the ballot vote on November 29th to address the citizens petition on artificial turf; to pay all costs associated with the special meeting from the Recreation Commission's operating account, and to advise the Recreation Commission that there is a spending freeze on the operating account. Griswold seconds. **Motion Carries.**

10. Town Administrator Julie Glover submits information regarding the amount of money that the town has spent to purchase land and conservation easements, as requested by Selectman Griswold (the document submitted is in draft form.)
11. Town Administrator Julie Glover reviews the town hall hours for the Selectmen's Office. The Board of Selectmen approved changed hours in July. Hours were extended on Tuesday, Wednesday, and Thursday until 4:30, and on Monday until 6:00 pm, and open until 12:30 on Friday. Ms. Glover states the hours have worked very well. Chairman LaCourse states he has received no complaints or letters. Chairman LaCourse motions to keep current hours as presented. Selectman Griswold, seconds. **Motion Carries.**

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12. Town Administrator Julie Glover submits the budget schedule as proposed by the Advisory Budget Committee. Proposed date for ABC to meet with the Board of Selectmen is December 10th. Ms. Glover advises she is working with the ABC and Selectman Cedarholm to streamline the process; has assembled a form and guidelines for funding request from social service agencies. Further, Ms. Glover is working with Dawn Marie Jarrell to communicate with social service agencies that are providing services to resident of Lee. The board agrees, the forms look good and requests Ms. Glover move ahead.

Ms. Glover advises, Selectman Cedarholm has spoken to Scott Bugbee about having commissions submit their budget requests in writing to the ABC and not scheduling every commission to come to a budget meeting. Ms. Glover recommends posting the budget schedule now; notes there are (3) budget public hearing dates, if all are not needed then the last meeting can be cancelled.

Ms. Glover reviews the scheduled meeting dates: Selectmen's budget meeting on December 10th, Selectmen's budget work session December 17th, Selectmen's budget hearings January 7th, 14th and 22nd. Ms. Glover notes, January 28th last day to post warrant and budget; the earliest date to hold the deliberative session is February 2nd; the second session on March 12th. The Board is agreeable to the schedule as presented.

Ms. Glover advises the Board that Chairman of the Advisory Budget Committee Scott Bugbee, has asked if the Board of Selectmen has any budgetary goals? Ms. Glover advises of a budgetary impact from New Hampshire retirement (FY 2014 increase of \$35,000 to the town); LGC will be meeting to approve the health and dental rates, (sometime after that meeting the rates will be presented to the town).

Ms. Glover notes the 1st meeting of the Advisory Budget Committee is October 23rd and recommends the Board of Selectmen discuss budget goals at the October 15th meeting.

Selectman Griswold has a scheduling conflict with December 10th and may submit his input in written form. The Board agrees to calendar.

13. Selectman Griswold motions to approve Manifest #7 and Payroll for week ending September 30th. Chairman LaCourse, seconds. **Motion Carries.**
14. Chief Peter Hoyt advises the Board that he has scheduled a Breakfast with Santa event at the Public Safety Complex (Nov 17th). Chief Hoyt states there is a fee and requests clarification on the Meeting Room Policy. Town Administrator advises that when the policy was implemented the Board of Selectmen voted that fees should not be charged for activities in the Public Safety Complex and recommended Chief Hoyt bring the matter to the Board. The Board agrees to allow event and fees associated with the Breakfast.
15. Chief Hoyt ask for clarification regarding the appropriate line item to use for the

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costs associated with new street signs. Chairman LaCourse recommends the Town Administrator look into the matter and advise Chief Hoyt.

16. Chairman LaCourse motions to enter into a Non Public Session per RSA 91-A:3 II (c). Selectman Griswold, seconds. **Motion Carries.** Present in Non Public: Chairman LaCourse, Selectmen Griswold, Town Administrator Julie Glover and Town secretary Dawn Hayes.

Chairman LaCourse motions to end Non Public. Selectman Griswold, seconds. **Motion Carries.** Selectman Griswold motions to seal the minutes. Chairman LaCourse, seconds. **Motion Carries.** Chairman LaCourse motions to reconvene the Public Session. Selectman Griswold, seconds. **Motion Carries.**

17. Town Secretary Dawn Hayes submits Certificates of Appreciation for the Board's signature. Ms. Hayes submits a Vacation Request from Roger Rice, dates requested have already past. The Board recommends holding the request for clarification from Mr. Rice.
18. Chairman LaCourse motions to adjourn 8:45 pm. Selectman Griswold, seconds. **Motion Carries.**

Minutes transcribed by:

Dawn Hayes, Town Secretary

Minutes accepted by:

Chairman, John R. LaCourse

W. James Griswold

Lee Board of Selectmen