

MINUTES OF THE BOARD OF SELECTMEN
Meeting

October 15, 2012

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Board members present: Chairman LaCourse, Selectman Griswold and Selectman Cedarholm.

Others present: Caren Rossi, Jonathan Colbath, Chuck Walker, Inez Bromage, Bea Duprie, Tom Corrow, Bill Henze, Gael Grant, Stephen Kniaz, Dick Kaiser, Sally Fleming, Richard Weyrick, Clara Kustra, Michelle Whisnant, Wendy Snow-Fogg, Randy Stevens, Bill Humm, Sarah Dawson, John Dawson, Chuck Cox, Diane Garland, Joseph Colasante, Darlene Colasante, Thomas Czaja, Janet Poff, Eric Poff, Georgia Kerns, Ed Banister, Janice O'Brien, Sharon Meeker, Annamarie Gasowski, Paul Gasowski, Tom Lee, Antoinette Hartgerink, Linda Kahn, Jan Neill, Jacki Neill, Peter Walczak, Mike Kelleher, Peter Hoyt, Corinne George, Laura Scheibel, Chet Murch, Roger Rice, Molly Darling, Lisa Szymanski, Town Administrator Julie Glover and Town Secretary Dawn Hayes.

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

Mike Kelleher NH E911 representative explains mapping, addressing and the data collection process that provides information to emergency responders. Emergency Management Deputy Caren Rossi notes, she has been working with Mr. Kelleher to gather information to present recommendations to the Board of Selectmen. Ms. Rossi addresses concerns regarding some of the costs related to an address change: Drivers License – no fee unless you want a new license (\$3), Vehicle Registration – no fee, Insurance Bond – no fee (information provided by the Insurance Commission), Passport – no fee (no space on passport for address). Ms. Rossi advises the Board of the proposed changes to be discussed and voted at this meeting.

The following residents speak to the proposed changes affecting them:

Resident Peter Walczak of 35 Captain Parker Dr is opposed to the proposed change.

Resident Tom Czaja of 9 Thornton Ln asks how addresses will be changed on GPS; what is the cost of the new road signs.

Mr. Kelleher states changes are submitted to wholesale data providers that service GPS systems (sometimes it takes a couple of months for the wholesale providers to do this).

Town Administrator Julie Glover states the cost to date to make the changes to road signs is approximately \$2,000.

Resident Lisa Szymanski of 27 Caverno Dr is opposed to the proposed change and suggests a compromise (put up large reflective signs at the end of driveways with the house number).

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Chief Murch advises the Board, Thornton Ln and Wheelwright Dr are cul-de-sacs with homes on the inside and should be considered differently than other cul-de-sacs.

Ms. Rossi notes the ordinance requiring residents to install reflective numbers on their houses was adopted in July.

Resident Molly Darling of 66 Mast Rd proposes Alderbrook Way to retain the identity of the condominiums.

Resident Janice O'Brien of 66 Mast Rd states she was not notified and is opposed to the change. Ms. O'Brien reads a note of opposition from resident and neighbor Dottie Lavoie.

Chief Murch recommends the property owned by Laura Scheibel (60, 62, & 64 North River Rd) numbers 60 and 64 be swapped, when approaching the property from the center of town number 60 should be first.

Resident Laura Scheibel of 64 North River Rd agrees with Chief Murch to swap the numbers on 60 and 64 North River Rd.

Resident John Colbath of 266 North River Rd states if mailboxes are not required to be moved, it may add to the confusion in finding the property.

Ms. Rossi explains the recommended change for 486 Packers Falls Rd. Selectman Cedarholm speaks for resident Inez Bromage – she is opposed to the proposed change as it is stressful and inconvenient.

Chief Murch remarks that confusion comes when house numbering is not in sequential order; recommends the change based on adhering to consistency from the onset.

Resident Jan Neill of 46 Wednesday Hill Rd is concerned about safety and is opposed to the proposed change.

Resident Eric Poff of 55 Wednesday Hill Rd suggests numbers 1, 3, 5 Wednesday Hill Rd; a Private Drive sign and offers to make signage at the top of the driveway bigger and reflective.

Resident Catherine Gardner of 59 Wednesday Hill Rd supports her neighbors point of view; has been advised by the Post Office that mailboxes do not need to be moved, but feels that would add confusion.

Ms. Rossi requests tabling the matter of 130 and 132 Wednesday Hill Rd; 71 and 73 Mast Rd. The Board agrees. Chairman LaCourse closes the Public Hearing at 6:45 pm.

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2. Selectman Cedarholm advises the Board that he has driven all of the cul-de-sacs in question and understands the concerns, however, it seems unnecessary to make a change for one or two houses.

Selectman Griswold understands, however the professionals that are in charge of safety say this is important, so he is inclined to go with it.

Chairman LaCourse is in favor of consistency for emergency responders and leans on the side of safety.

Selectman Griswold motions to change Jenkins Lane to Osprey Lane; to include numbering changes. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to leave Captain Parker Drive as is. Selectman Cedarholm, seconds. Chairman LaCourse is opposed. **Motion Carries.**

Selectman Griswold motions to leave Caverno Drive as it is. Selectman Cedarholm, seconds. Chairman LaCourse is opposed. **Motion Carries.**

Selectman Griswold motions to leave Durgin Drive as it is. Selectman Cedarholm, seconds. Chairman LaCourse is opposed. **Motion Carries.**

Selectman Griswold motions to leave Sacket Road as it is. Selectman Cedarholm, seconds. Chairman LaCourse is opposed. **Motion Carries.**

Selectman Griswold motions to approve additional numbers on Campground Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to assign new numbers to Concord Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to rename 1 Decato Drive to 8 Wednesday Hill Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to approve additional numbers on Harvey Mill Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to approve additional numbers on Kelsey Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to rename 1 Margaret Lane to 23 Thurston Drive. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to assign additional numbers to 7 and 17 Mast Road. Selectman Cedarholm, seconds. **Motion Carries.**

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Selectman Griswold motions to rename 66 Mast Road to Alderbrook Way. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to rename 51 Mast Road to 2 North Side Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to switch the numbers on 60 and 64 North River Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to renumber 121 North River Road to 131 North River Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to change 260 and 266 North River Road to 3 and 4 Noble Farm Drive. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to assign an additional number to 297 North River Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to renumber 486 Packers Falls Road to 466 Packers Falls Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to assign an additional number to 56 Pinkham Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to assign an additional number to 6 Recycling Center Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to rename 45 Riverside Farm Drive to 7 Duff Thompson Lane. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to assign an additional number to 8 Snell Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to renumber 5, 7 and 9 Thornton Lane to 20, 26 and 28 Thornton Lane. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to renumber 117 Tuttle Road to 139 Tuttle Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to rename 38 Wadleigh Falls Road to 4 Thurston Drive. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to assign an additional number to 154 Wadleigh Falls Road. Selectman Cedarholm, seconds. **Motion Carries.**

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Selectman Griswold motions to table the matter of 44 and 46 Wednesday Hill Road. Selectman Cedarholm, seconds. **Motion Carries.**

Selectman Griswold motions to rename and renumber (to be determined at a later date) 55, 57 and 59 Wednesday Hill Road. Selectman Cedarholm, seconds. **Motion Carries.**

Chairman LaCourse motions to table 130 Wednesday Hill Road. Selectman Griswold, seconds. **Motion Carries.**

Chairman LaCourse motions to table 71 and 73 Mast Road. Selectman Griswold, seconds. **Motion Carries.**

3. Code Enforcement Secretary Caren Rossi; Gerry Langdon of Epping; John Bentley Vice Chair of Newmarket Town Council discuss the matter of a town boundary marker that has been removed from 71 Campground Road with the Board of Selectmen.

Ms. Rossi states that the marker was found in the woods near the location where the marker belongs. Ms. Rossi adds, the home owner does not want the marker put back in place.

Mr. Langdon notes the granite marker (estimated to be from 1860) and denotes three towns and two counties.

Mr. Bentley states it is illegal to remove such a marker. Both Mr. Langdon and Mr. Bentley Request the marker be put back in place.

Selectman Griswold motions to put the marker back in its place at 71 Campground Road within 30 days of the date of the letter; requests the Town Administrator address the property owner in a letter from the Board of Selectmen. Selectman Cedarholm, seconds. **Motion Carries.**

Mr. Langdon agrees to properly install the boundary marker in its appropriate place.

4. Selectman Griswold motions to accept the Minutes of October 1, 2012. Chairman LaCourse, seconds. **Motion Carries.**
5. Chairman LaCourse opens the floor for Public Comment. There is none.
6. Resident Mike Fleming of 18 Lee Road advises the Board that he and his neighbors do not like the recent road name given to their address (Buzzell Lane) and requests it be renamed. Mr. Fleming suggests Fox Ridge Lane or Woody Lane.

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Chairman LaCourse motions to table the matter until further discussion with Emergency Management. Selectman Griswold, seconds. **Motion Carries.**

7. John Brooks of Emery & Garrett Groundwater Inc. makes a presentation on the Spruce Hole Aquifer on a Durham owned property located in Lee on Snell Road.

Selectman Cedarholm explains the Town of Durham and UNH are working on permitting a new production well; Emery & Garrett Groundwater Inc. has been hired by the Town of Durham to do the permitting.

Steven Roy and Christine Bowman of NH DES are present to answer questions and concerns from residents.

Mr. Brooks explains Emery & Garrett Groundwater Inc. is working for the UNH/Durham water system to develop a new water supply in the Spruce Hole Aquifer and testing to see if it can be supplemented by artificial recharge. Mr. Brooks advises the new water supply will be used to meet future water demands for UNH. Mr. Brooks states they have already received the preliminary withdrawal permit from NH DES and hopes to receive the final permit in January of 2013; they have already received an artificial recharge permit from NH DES for the addition of surface water to the well from the Lamprey River.

Lee Conservation Commission Chair Bill Humm asks about the effect on private wells and the recourse for residents who experience adverse effects.

The following residents express concern regarding impact to their wells: Joseph and Darlene Colasante of 459 Packers Falls Rd, Casandra Miller owner of Packers Falls Mobile Home Park, Tom Corrow of 397 Packers Falls Rd, Mike McDonough of 391 Packers Falls Road, Bill Henze of 168 Wednesday Hill Rd, Paul Gasowski of 46 Lamprey Lane, Wendy Fogg of 179 Wednesday Hill Road, Bea Duprie of 151 Wednesday Hill Road, Gael Grant of 168 Wednesday Hill Road, Stephen Kniaz of 210 Mast Road, Dave Meeker of 263 Wadleigh Falls Road, Dick Kaiser of 62 North River Rd, Richard Weyrick of 42 Sherburne Road, Michelle Whisnant of 185 Wednesday Hill Road (Durham); Diane Garland of 461 Packers Falls Road.

Mr. Brooks states they have sent out letters to residents near the well requesting permission to monitor wells; they did receive permission to monitor a few wells. Mr. Brooks further states the UNH/Durham water system has put together a resource replacement plan and is committed to correcting any problems that occur.

Selectman Cedarholm speaks about the efforts of UNH on water conservation; while the number of students has risen, their water demands have remained flat.

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Selectman Griswold speaks about the NH DES permit that was issued; the permit is for 10 years and it could be reconsidered should the Town of Lee decide to put in a Municipal Water System in the future.

8. Road Agent Randy Stevens requests permission to remove hazardous trees on Stepping Stones West and Campground Roads.

Selectman Cedarholm motions to approve the removal of trees as presented by the Road Agent. Selectman Griswold, seconds. **Motion Carries.**

9. Transfer Station Manager Roger Rice and Swap Shop Volunteer Georgia Kerns submit a Swap Shop Policy for the Board's approval and review. Selectman Griswold motions to table the matter for further review of the Board. Selectman Cedarholm, seconds. **Motion Carries.**

Transfer Station Manager Roger Rice presents a Transfer Station Policy for the Board's approval and review. Chairman LaCourse motions to table the matter for further review of the Board. Selectman Griswold, seconds. **Motion Carries.**

10. Transfer Station Manager Roger Rice presents revised alarm quotes, noting a minor change. Mr. Rice met with Chief Murch, Chief Hoyt and Active Fire Alarm. Chief Murch states he has no issue with Active Alarm, however he requests an alarm be put in the baler building.

Chairman LaCourse motions to approve the quote from Active Fire Alarm for \$5,780.38 for security systems to be put in the main building, the baler building and the bulky feed building and to come from the 4199 account - Other General Government. Selectman Griswold, seconds. **Motion Carries.**

11. Chief Murch advised the Board, Officer Ray Pardy has given notice of resignation; Chief Murch requests to fill the vacancy. Chairman LaCourse motions to approve the request as presented and fill the vacancy of a Full Time Police Officer. Selectman Griswold, seconds. **Motion Carries.**
12. Town Administrator Julie Glover requests, on behalf of the Advisory Budget Committee, the Board of Selectmen's Budgetary Goals for FY 2014. Selectman Griswold suggests the Department Heads look carefully at what they need, and the Board will consider them.

Selectman Cedarholm is concerned about the increase cost of benefits and a decrease in State support.

Ms. Glover states the rates are not yet available from LGC; notes we should anticipate a minimum \$35,000 impact from an increase to rates related to the NH Retirement System.

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Selectman Cedarholm inquires about employee raises over the last couple of years. Ms. Glover states they have received 1.5% in the last two years; advises that in 2008 the Town adopted a step program but never followed it.

13. Selectman Cedarholm proposes the appointments for the Town Center Committee for the following members: Andy Lelio, Bill Payson, Bonnie Winona, Rob Cinq-Mars, Selectman Cedarholm, Paul Gasowski, Katrinka Pellecchia, Denis Hambucken, and Chief Chester Murch.

Selectman Cedarholm suggests getting the Committee going, however he states there needs to be a few more At Large Resident Members.

Chairman LaCourse recommends the Chair of the Town Center Committee by an At Large Resident. Selectman Griswold recommends more women be added to the Committee.

Recreation Commission Member Dave Young requests a member from the Recreation Commission be added to the Town Center Committee.

Chairman LaCourse motions to table the matter for the Board's review and discussion at the next meeting. Selectman Griswold, seconds. **Motion Carries.**

14. Chairman LaCourse motions to accept the Consent Agenda. Selectman Griswold, seconds. **Motion Carries.**
15. Town Administrator Julie Glover discusses the taxation of the Durham Well on Snell Road. Governed by RSA 72:11, the Town of Lee can only tax the town of Durham based on the value of the land, not on any improvements to the land.

Ms. Glover's research shows The Town of Durham has not made their payment in lieu of taxes since 2008; as the Town of Lee had not issued a bill. Ms. Glover has spoken to the Durham Town Manager; he stated they are happy to pay the current bill when received. Ms. Glover states the December bill to the Town of Durham will be \$2,249.96.

Ms. Glover advises, a change to the assessing system has been made to ensure Durham will be billed regularly. Selectman Griswold requests Ms. Glover seek to recover the taxes for 2009, 2010 and 2011.

Selectman Cedarholm motions to invoice the Town of Durham annually for the well located at Map 5 Lot 6 Sub 100 Rear of Snell Rd and to advise the Tax Collector to process a tax bill although it is a PILOT (payment in lieu of taxes). Chairman LaCourse, seconds. **Motion Carries.**

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16. Town Administrator Julie Glover reviews a property owner's (Ms. Bonnie Winona 3 Mast Rd) concern regarding the ZBA's decision on 5 Mast Rd; the issuance of a building permit and a one year extension to complete the improvements to the building that was damaged due to the fire.

Ms. Glover notes RSA 677:2 states anyone who wishes to appeal a decision of the Zoning Board has to do so within 30 days after the decision has been made (that time period has passed). Ms. Glover states, according to the Code Enforcement Officer (not present) – the appeal for issuance of a building permit has no time restraint. Ms. Glover advises the Board that the request being made is for the Board of Selectmen to appeal the building permit.

Resident Ed Banister owner of 5 Mast Rd, addresses the Board; states he went before the Zoning Board after the town voted not to purchase his property; he petitioned the ZBA and was given one year to start the rebuilding process. Mr. Banister explains (due to new State regulations with septic design) he could not pull a building permit until the septic was approved by the State, but did it within the prescribed time dictated by the ZBA. Mr. Banister states he has started work on the building and plans to continue.

Selectman Griswold asks Mr. Banister if his time frame to complete the work on the building is within a year. Mr. Banister agrees.

Selectman Cedarholm states Ms. Winona is concerned about the footprint of the building being expanded. Mr. Banister states the foot print is not being expanded; the plan is to make the building look more colonial. Selectman Cedarholm states he spoke to Ms. Winona and to the Code Enforcement Officer Allan Dennis; feels Mr. Dennis has met the statute and complied with the law.

Chairman LaCourse states they will not appeal the permit. Selectman Cedarholm motions to support the issuance of the building permit and to deny the petitioner's request that the Board of Selectman appeal the decision to grant a building permit to Mr. Banister. Selectman Griswold, seconds. **Motion Carries.**

17. Town Administrator Julie Glover requests the authority to enter into an agreement for general legal services with Donahue, Tucker & Ciandella for current legal issues in front of the Town and/or those that may arise in the near future; to approve representation at the upcoming deliberative session.

Ms. Glover notes, an agreement with Donahue, Tucker & Ciandella does not prohibit another department from contacting Attorney Tanguay for their needs.

Chairman LaCourse motions to approve legal representation for the Town of Lee with Donahue, Tucker & Ciandella LLC., and to allow the Town Administrator to contact them as deemed necessary; to further approve their appearance of behalf

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- of the town at the October 25th Special Deliberative Session. Selectman Cedarholm, seconds. **Motion Carries.**
18. Town Administrator Julie Glover requests the Board approve the MS5 that was finalized by the auditors Plodzik & Sanderson today. Chairman LaCourse motions to approve the MS5. Selectman Cedarholm, seconds. **Motion Carries.**
 19. Town Administrator Julie Glover requests the Board table the matter of the trailer at Little River Park. Chairman LaCourse motions to table the discussion on the trailer at Little River Park. Selectman Griswold, seconds. **Motion Carries.**
 20. Town Administrator Julie Glover presents a letter to Board of Selectmen (for their review) from the Heritage Commission to Flag Hill Winery regarding their easement. Ms. Glover states that the matter will be discussed at a later meeting.
 21. Town Secretary presents the Consent Agenda items in need of signatures (Warrant to post Polling Places, R. Rice Vacation Request, Land Use Change Tax; Highway Safety Grant).
 22. Chairman LaCourse motions to enter into a Non Public Session per RSA 91-A3II(c) regarding a Hardship Abatement at 10:35 pm. Selectman Griswold, seconds. **Motion Carries.** Present in Non Public: Chairman LaCourse, Selectman Griswold, Selectman Cedarholm, Julie Glover; Dawn Hayes. Selectman Griswold motion to end Non Public and Seal the Minutes. Chairman LaCourse, seconds. **Motion Carries.** Non Public ends at 10:45 pm.
 23. Chairman LaCourse motions to accept Manifest #8 and the Payroll report for Week ending October 7, 2012. Selectman Griswold, seconds. **Motion Carries.**
 24. Chairman LaCourse motions to adjourn 10:47 pm. Selectman Griswold, seconds. **Motion Carries.**

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Minutes transcribed by:

Dawn Hayes, Town Secretary

Minutes accepted by:

Chairman, John R. LaCourse

W. James Griswold

David Cedarholm

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