

## MINUTES OF THE BOARD OF SELECTMEN

January 14, 2013

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

**Others present:** Bob Smith, Allan Dennis, Bill Henze, Shirley Walker, George Walker, Mark Kustra, Dave Garvey, Erick Sawtelle, Roger Rice, Peter Hoyt, Town Administrator Julie Glover and Town Secretary Dawn Hayes.

1. Chairman LaCourse calls the meeting to order and opens the Budget Public Hearing at 6:00 pm.

The Board acknowledges receipt of an email from Chief Murch (not present) and his request for salary changes and longevity pay.

Town Administrator Julie Glover advises the Board that the most recent revision to the budget spreadsheet includes the actual expenses for the current fiscal year for the purpose of analysis. Ms. Glover notes the proposed operating budget overall is currently \$68,000 higher than the current year.

The Board discusses the warrant article for a grass field at Little River Park. Ms. Glover submits estimated costs comparing sod vs. seed (\$112,000 vs. \$80,000). Ms. Glover gathered this information from discussions with the Road Agent, the Chairman of the Agricultural Commission and Mr. Gary Cowan of Hillside Landscaping (who worked on Tibbetts Field in Madbury). Ms. Glover notes if grass seed was planted, it would not be able to be played on for a year; if sod were put down it could be played on within 4-6 weeks. Selectman Cedarholm recommends including \$80,000 in the FY2014 budget and requests the Recreation Commission weigh in. The Board requests the Road Agent and the Recreation Commission attend the next meeting for discussion on the grass field. Chairman LaCourse motions to table the matter for further review. Selectman Griswold, seconds. **Motion Carries.**

Chairman LaCourse closes the Public Hearing at 7:05 pm.

2. Chairman LaCourse motions to approve the minutes of January 7, 2013. Selectman Cedarholm, seconds. **Motion Carries.**
3. Chairman LaCourse opens the floor for Public Comment. Resident Bill Henze of 168 Wednesday Hill Rd requests the Board retract their decision to change his address; states he was never notified about any discussion regarding the change in address to his property. Selectman Cedarholm reminds the Board that a letter from Mr. Henze was received stating his opposition (this was read at a Public Hearing). Mr. Henze reiterates his request. Chairman LaCourse states, it will be taken under advisement.

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4. Dave Garvey submits a list of discussion items for the process of structuring an agreement to develop Noble Farm. Mr. Garvey notes the site is currently subdivided into 32 lots; recommends the town abandon the subdivision and make it one parcel again. Mr. Garvey reviews such items as: value, price, structure, defining success; infrastructure.

Code Enforcement Officer Allan Dennis discusses the possibility of the Board voting to abandon the subdivision; the subdivision may still be valid; 'if there was a substantial start to the project;' it may be vested. Mr. Dennis states approximately 900ft of road was put in and some pipes were laid.

Planning Board Chair Bob Smith advises the simplest way is for the Board to vote to revoke the approved subdivision. Mr. Garvey notes, that was the same opinion from his attorney as well.

Chairman LaCourse recommends a committee larger than the Board take a look at this. Chairman LaCourse requests the Town Administrator work with Mr. Dennis to clear the subdivision and prepare for a motion at the next meeting.

Selectman Cedarholm requests the document submitted by Mr. Garvey be resubmitted on letterhead, with the correct date. Mr. Garvey agrees.

5. Chairman LaCourse motions to approve the Consent Agenda as presented. Selectman Griswold, seconds. **Motion Carries.**

Planning Board Chair Bob Smith advises (re: Nobel Farm) that from a planning standpoint – Research; design and development be kept separate. Mr. Smith further recommends going for a variance against the current regulations.

6. Town Administrator Julie Glover reviews the information she has gathered regarding the cost of the Lee Fair last year; the details of her discussion with the Stratham Town Administrator regarding the Stratham Fair. Ms. Glover notes that Stratham Fair is handling their money through a trust fund that was established by the Board of Selectmen. Ms. Glover states that although the Stratham Fair is a town sponsored event, it is not funded by taxpayer dollars. Ms. Glover proposes that the Board appoint a fair committee that reports to the Board; certain town staff provide support and assistance (especially the first few years); set up a trust; money would go in/out of a checking account controlled by the Fair Committee.

Lee Fair Chairman Mark Kustra advises the Board that a checking account that was established last year was in Frank DeRocchi and Mr. Kustra's name (they controlled the money). Mr. Kustra notes he sees the fair always being able to make a profit.

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Selectman Griswold states the ultimate authority will be with the Board of Selectmen with participation of committees to form a more structured approach.

Selectman Griswold agrees overseeing of the fair should get shifted to the town in the near future. Chairman LaCourse requests the Town Administrator work to develop a trust; the Board will move forward with developing a Fair Committee.

Selectman Cedarholm recommends taking funds budgeted to each committee and putting them in the fair's trust. Ms. Glover states she will contact Terry Knowles from the Attorney General's office as to setting up the trust, as Mr. Deschaine had advised her that general taxation monies could not be put into the trust.

Agricultural Commission Chair Erick Sawtelle asks for clarification on the process of how funds will be handled.

7. The Board discusses the process of the sale of town owned properties. Ms. Glover notes the Conservation Commission has recommended the sale of Map 35-3-1, Map 35-3-6; Map 5-9-11 and reviews the procedure used by the town of Moultonborough. The Board discusses which process to follow.

Conservation Chair Bill Humm asks the Board if a realtor could be used to promote the property to abutters to obtain a higher net result. Ms. Glover recommends sending an invitation to bid to the abutters directly. Ms. Glover notes municipalities are not supposed to be in the money making business and the purpose of the sale is to return the properties to the tax rolls. Selectman Cedarholm suggest if an abutter needed such services, they could obtain them from a buyer's agent.

Code Enforcement Officer Allan Dennis describes the location of the properties and notes the last lot sold in Lee was between \$62,000 - \$64,000; recommends going with the bid process.

Board discussed whether or not a minimum bid should be established.

Selectman Griswold motions to approve the request to sell the following properties via sealed bid, without a minimum bid for each property to be established: Map 35-3-1, Map 35-3-6; Map 5-9-11. Direct Abutters who bid on a parcel will have the right of first refusal at the highest bid price. Chairman LaCourse, seconds. **Motion Carries.**

8. Town Administrator Julie Glover advises the Board the Town of Epping and the Town of Newmarket are not interested in spending attorney fees in pursuing the replacement of the granite boundary marker on Campground Rd; all agree to take possession of the marker to ensure it is not lost or broken. Ms. Glover advises there is no RSA to insist that the granite marker be put back in place; there is a pin in place.

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Chairman LaCourse motions to authorize the Town Administrator to contact the property owner to ask the towns to take possession of the granite marker. Selectman Griswold, seconds. Selectman Cedarholm, is opposed.

**Motion Carries.**

9. Chairman LaCourse motions to enter into a Non Public Session per 91-A:3 II (a) at 7:20 pm for Department Head annual reviews. Present in Non Public: Chairman LaCourse, Selectman Griswold and Selectman Cedarholm. Fire Chief Hoyt joins Non Public at 7:50 pm. Chief Hoyt exits Non Public at 8:05 pm. Town Administrator enters Non Public at 8:10 pm. Non Public ends at 8:30 pm. The minute are sealed.
10. Chairman LaCourse motions to adjourn 8:35 pm. Selectman Griswold, seconds.  
**Motion Carries.**

Minutes transcribed by:

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Dawn Hayes, Town Secretary

Minutes accepted by:

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Chairman, John R. LaCourse

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W. James Griswold

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David Cedarholm

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