

MINUTES OF THE SELECT BOARD

Meeting

April 1, 2013

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Board members present: Chairman LaCourse, Selectman Cedarholm and Selectwoman Dennis.

Others present: Jim Morse, Maria Barth, Corrine George, Dwight Barney, Belinda Gleason, Richard Gleason, Shirley Walker, George Walker, Liz Shay, Margaret McDowell, Wynne Graves-Moody, Erick Sawtelle, Susan Mattioni, John Collins, Frank DeRocchi, Caren Rossi, Larry Kindberg, Leslie Martin, Annamarie Gasowski, Peg Dolan, Roger Rice, Peter Hoyt Town Administrator Julie Glover and Town Secretary Dawn Hayes.

1. Chairman LaCourse called the meeting to order at 6:00 pm.
2. Oyster River School District Superintendent Dr. James Morse, Sr. advises the Select Board of the options regarding the acceptance of tuition students from outside of the district. Currently there are 64 tuition students from Barrington bringing in approximately \$800,000 in revenue. Dr. Morse explains: the ORCSD has submitted an RFP to Barrington seeking more tuition students; 180 Deerfield students and 300 Newmarket students are also being considered. Dr. Morse explains that by using the Oyster River class size policy, the high school can hold 915 students. Dr. Morse feels very strongly that tuition students should be brought in to maintain current programs and to offset the cost of educating students.

Chairman LaCourse asks if the current tuition per student is underwritten and if transportation costs are the responsibility of the town whose students would attend ORCSD. Dr. Morse states they are not underwritten, but if staff needed to be hired they would charge more (\$15,000 - \$16,000 for Deerfield and Newmarket students); to date no one has asked the district to take on transportation service.

Dr. Morse states the only reason to bring in tuition students is to maintain and enhance programming and to help tax payers; if those two issues cannot be met, then we shouldn't be thinking about bringing in tuition students.

Selectwoman Dennis asks if tuition costs include maintenance of facilities. Dr. Morse states the only costs that are not included are: Bond Payments and Transportation.

Selectman Cedarholm ask if any of the options project the lowering of taxes or can we expect them to remain level. Dr. Morse states it will either level or help diminish taxes in the district, depending on how many students are brought in.

Resident Leslie Martin is concerned about tuition students expecting sports programs such as football and the need for additional School Board members representing the incoming students. Dr. Morse states there are two possibilities to

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consider: towns sending tuition students could have a non-voting member on the school board or both voting bodies (each school board) could meet together on

the same night, however, someone from outside the district could not sit as a fully pledged school board member.

Resident Shirley Walker asks if it is important to look at population studies in other towns. Dr. Morse states they have obtained the population projections for Barrington and Newmarket, but do not yet have the numbers for Deerfield, (noting that Newmarket is growing ever so slightly, while the numbers for Lee, Madbury and Durham are going down).

Resident Dwight Barney asks Dr. Morse to address the ever increasing school budget; would long term contracts for tuition students include increasing costs over time; Mr. Barney is concerned about the percentage of special education needs increasing over time. Dr. Morse states currently they are looking at lowering the overall health insurance costs; they have recently cut costs by \$92,000 by addressing building efficiency needs. Additionally, Dr. Morse states the cost of doing business is what the tuition students would pay; special ed costs from a tuition student would not be absorbed by the ORCSD.

Resident John Collins asks if Newmarket closes their school, would the staff be merged. Dr. Morse states the ORCSD position is that a quality seat and a great education is provided and placement of staff is not guaranteed, however any Newmarket teacher who applied for an open position would certainly be interviewed.

Resident Liz Shay asks if the community will be able to vote on this matter. Dr. Morse states no, it is the responsibility of the School Board; they are conducting scientific surveys to gather input from all three towns.

Resident Susan Mattioni asks if there is an application process for incoming students. Dr. Morse states it is on a first come first serve basis.

3. Resident Dwight Barney advises the Board that he is concerned about the location of recreation equipment that was purchased with town funds. Chairman LaCourse advises that the Board has recently taken back some of the authority from the Recreation Commission and is working on locating all of the equipment.

Mr. Barney inquires about the procedure for keeping official committee minutes and responding to a public request for such minutes. Chairman LaCourse states when a formal request is made, the town has five days to respond to the request. Town Administrator Julie Glover adds if the record can't be immediately produced, the town has five business days to produce the record or explain why we need more time to produce the record. Mr. Barney is concerned about

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- committee report and minutes that are not in the office; complying with the right-know-law. Ms. Glover states reminders to committees and commissions are made continually to obtain their minutes. Chairman LaCourse states we are working all getting all of the minutes up to date.
4. The Board discusses the appointments to town boards, committees and commissions. Selectwoman Dennis advises of the criteria she used to determine each appointment and her expectations of appointees: recommendations of committee chairs; attendance at meetings; contacted all applicants; reviewed minutes; strong leadership; allowing all thoughts to come to the table, noting that individual actions not discussed and/or approved by a committee as a whole is inappropriate.

Chairman LaCourse motions to appoint Robert Smith and Robert Moynihan to the Planning Board. Selectman Cedarholm, seconds. **Motion Carries.**

Chairman LaCourse motions to appoint James Banks, Tobin Farewell, Peter Hoyt, and Carol LaCourse to the Zoning Board. Selectwoman Dennis, seconds. Selectman Cedarholm motions to add Alice MacKinnon to the Zoning Board. Planning Secretary Caren Rossi states there are two vacant spots for alternates (noting the recent passing of warrant article 2); reminds the Board of the recommendations from Planning Board Chair James Banks for Craig Williams and Roy Wilson. Selectman Cedarholm, defers to the recommendation of the Zoning Board Chairman. Chairman LaCourse motions to appoint James Banks, Tobin Farwell, Peter Hoyt, Carol LaCourse, Roy Wilson and Craig Williams. Selectwoman Dennis, seconds. **Motion Carries.**

Chairman LaCourse motions to appoint Erick Sawtelle, Richard Babcock, Charles Cox, Laura Gund, Donna Lee Woods and Jere Beckman to the Agricultural Commission. Selectwoman Dennis, seconds. **Motion Carries.**

Chairman LaCourse motions to appoint William Humm, David Shay and Antionette Hartgerink to the Conservation Commission. Selectwoman Dennis, seconds. **Motion Carries.**

Chairman LaCourse motions to appoint Larry Kindberg and Mark Kustra to the Recreation Commission. Selectman Cedarholm, seconds. **Motion Carries.**

Chairman LaCourse tables the appointments to the Energy Committee and the Building Committee until the next meeting. Selectman Cedarholm, seconds. **Motion Carries.**

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5. Ms. Glover advises, the Library Trustees have requested a work session with the Select Board to discuss the appointments and the charge of the Library/Building Committee. Chairman LaCourse suggests scheduling the trustees at the next meeting.

6. Town Administrator Julie Glover advises the Board that Scott Bugbee has accepted the three year term for Trustee of the Trust Fund (he was a write in candidate on the ballot). Selectman Cedarholm motions to appoint John Tappan to fill the now-vacant one year term on the Trustees of the Trust Fund. **Motion Carries.**

Town Administrator Julie Glover advises the Board there was a tie for write in candidates for a position on the Advisory Budget Committee. The Town Clerk performed an official tie breaker; the winner of the tie breaker declined the position. The Board now has the responsibility to appoint to that position. Selectman Cedarholm motions to appoint Henry Brackett to fill the one year term on the Advisory Budget Committee. **Motion Carries**

7. The Board discusses Select Board liaison representatives to town boards, committees and commissions. Selectwoman Dennis asks about the purpose and expectation for a representative; notes as individual Selectmen they have no authority, the Board receives their authority collectively as a whole. Chairman LaCourse explains attending all meetings of boards and committees is not necessary; the function of a Select Board representative is more of a person of contact. Chairman LaCourse adds, representation on the Planning Board is a statutory requirement and the Selectperson has full voting rights.

The Board agrees to assign the following to Selectwoman Dennis: Recreation Commission, Heritage Commission, Conservation Commission, the Police Department and the Senior Advisory Committee.

The Board agrees to assign the following to Selectman Cedarholm: Planning Board, Heritage Commission, Fire Department, Highway Department and Town Center Committee.

The Board agrees to assign the following to Chairman LaCourse: Energy Committee, Joint Loss Management Committee, Emergency Management, and the Transfer Station.

The Board agrees all Select Board members will act as a liaison to the Advisory Budget Committee.

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8. Emergency Management Deputy Caren Rossi advises the Board of the cost estimates for three AED machines and State Road signs (\$1,500 for 13 signs and \$695 for each AED machine).

Emergency Management Director Frank DeRocchi states the town is not doing their fair share of labeling the state roads and recommends the road signs to assist emergency personnel and the general public.

Ms. Glover states the additional road signs may be an ongoing expense to the town as signs may be damaged, stolen etc.; the \$1,500 cost does not include the labor associated with installation.

Ms. Rossi states the existing post will be used at crossroads whenever possible; suggests increasing the amount to \$2,500 for additional signs throughout town.

Chairman LaCourse motions to approve \$2,500 for signs and to purchase three AED machines with the recently acquired FEMA disaster relief funds, with the remaining funds to be deposited into the general fund. Selectman Cedarholm, seconds. **Motion Carries.**

9. Resident Belinda Gleason requests a response from the Board regarding a noise complaint that she spoke to the Board about in November of 2012. Chairman LaCourse advises Ms. Gleason that he will request a written report on this matter from the Police Chief to be submitted to Ms. Gleason.

Ms. Gleason advises the Board that since the address change some there is some confusion with the same address in Durham. Emergency Management Deputy Caren Rossi advises many business that purchase updated address lists from the Post Office may not do it often; all changes and notifications on the town's part have been made.

10. Chairman LaCourse motions to accept the Minutes of March 18, 2013. Selectman Cedarholm, seconds. **Motion Carries.**
11. Chairman LaCourse motions to accept the Consent Agenda as presented. Selectwoman Dennis, seconds. **Motion Carries.**
12. Town Administrator Julie Glover advises the Board that the Bulky Waste Fees at the Transfer Station have not been reviewed in some time; the current fees that are being charged are not the fees that the (then) Board of Selectman had voted on. Chairman LaCourse requests Ms. Glover survey other towns for their bulky waste fees and report back to the Board; tables the matter until further review.
13. Town Administrator Julie Glover suggests the Board consider unfreezing the operating account for the Recreation Commission. Ms. Glover also advises that prior to the freeze the commission had contracted with a playground designer and expects they will be requesting payment for \$1,450. Selectwoman Dennis motions

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- to unfreeze the amount of \$1,450 for the playground design payment. Selectman Cedarholm, seconds. **Motion Carries.** Chairman LaCourse adds, the Board will consider unfreezing the rest of the account when all recreation equipment is located.
14. Town Administrator Julie Glover advises the Board of a request from the Babe Ruth program to use the field at Little River Park; they have not provided a schedule but they coordinate with the Oyster River Youth Association. Ms. Glover agrees to work with ORYA and Mike Gamache to coordinate field usage. Ms. Glover advises that the NE Coastal Men's League has found another field for most of their season but requests the field at Little River Park for the month of May for \$100. The Board agrees to allow the field usage for NE Coastal Men's League in May for \$100.

Ms. Glover also advises the Board that under their direction she has drafted the Little River Park Field Usage Policy; has not received a response on the matter from the Recreation Commission. Chairman LaCourse directs the Recreation Commission to respond before the next Select Board meeting and for a copy of the draft policy to be forwarded to Selectwoman Dennis.
 15. The Board discusses the grass field at Little River Park (recently passed warrant article). Chairman LaCourse recommends input from the new members of the Recreation Commission regarding the field. Selectman Cedarholm requests scheduling a work session with the Select Board and the Recreation Commission to develop both a long range and a short range plan for the park.
 16. Town Administrator Julie Glover advises the Board that Heather Thibodeau (former welfare director in Lee; current welfare director in Newmarket) has stepped in to fill the position. Ms. Glover recommends Ms. Thibodeau receive \$20 per hour (part time work, assisting one or two residents per month). The Board agrees to Ms. Glover's recommendation.
 17. Town Administrator Julie Glover advises the Board, the town is still seeking its oldest citizen; requests the Board's direction on continuing to present the Boston Post Cane; notes the cost is approximately \$200 - \$300 each. Chairman LaCourse recommends continuing the tradition and purchase five canes.
 18. Town Administrator Julie Glover advises the Board that after April 3rd (Mr. Dennis retirement date) the surrounding towns will assist with building inspection work. Chairman LaCourse requests the Board consider a revised job description for the Planning Secretary; a revised job description for a part time building inspector.
 19. Town Administrator Julie Glover advises the Board of Ms. Winona's letter and her dissatisfaction regarding the Boards inaction on the building permit for 5 Mast Road. Ms. Glover has informed Attorney Somers of the matter; requests Ms. Winona's letters of March 13, 2013 be submitted as part of the permanent record.

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20. Town Administrator Julie Glover advises the Board of a request from Durham-Great Bay Rotary to assist funding of their fireworks display (\$400). Chairman LaCourse motions to approve the request. Selectwoman Dennis, seconds. Selectman Cedarholm is opposed. **Motion Carries.**

21. Town Administrator Julie Glover requests \$9,181.47 to be withdrawn from the accrued benefits trust fund for Mr. Dennis' leave payout. Chairman LaCourse motions to approve the release of \$9,181.47 from the accrued benefits trust fund and payment of same to Mr. Allan Dennis. Selectman Cedarholm, seconds. Selectwoman Dennis recuses herself. **Motion Carries.**

22. Town Administrator Julie Glover advises the Board she has reviewed the Code Red Service agreement with Emergency Management Director Frank DeRocchi; it is recommended that section 21 be modified to show that any disputes would be resolved by mediation (as recommended by Attorney Somers).

Emergency Management Director Frank DeRocchi advises the Board of the intent to kick off the program by July 1st; he recommends once this legal matter is resolved we should move forward.

Chairman LaCourse motions to approve the Code Red Service Agreement as presented, to include the changes recommended by Attorney Somers. Selectman Cedarholm, seconds. **Motion Carries.**

23. Town Administrator Julie Glover advises the Board that the Library Trustees will attend the next Select Board meeting to discuss Building Committee members. Selectman Cedarholm states he has assembled a list of committee goals and recommendations; reviews such with the Board. Chairman LaCourse would like to review and consider the document and discuss at the next meeting.

24. Chairman LaCourse motions to accept the payroll expense report for week ending March 24, 2013 and the Manifest through March 30, 2013. Selectman Cedarholm, seconds. **Motion Carries.**

25. Selectwoman Dennis states has requested the Town Center Committee information from Selectman Cedarholm; is concerned that the original documents were not kept in the town hall; states that a policy regarding original documents would be appropriate. Selectwoman Dennis would like to delay the reconvening of the Town Center Committee until she has time to review the documents. The Board agrees.

26. Chairman LaCourse motions to enter into a Non Public Session at 8:24 pm per RSA 91-A:3II(d) regarding Noble Farm. Selectman Cedarholm, seconds. Present in Non Public: Chairman LaCourse, Selectman Cedarholm, Selectwoman Dennis and Town Administrator Julie Glover. Chairman LaCourse motions to end Non Public and seal the minutes at 8:35 pm. Selectman Cedarholm, seconds. **Motion Carries.**

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27. Chairman LaCourse motions to enter into a Non Public Session at 8:35 pm per RSA 91-A:3II(a) regarding Brenner Associates. Selectman Cedarholm, seconds. Present in Non Public: Chairman LaCourse, Selectman Cedarholm, Selectwoman Dennis and Town Administrator Julie Glover. Chairman LaCourse motions to end Non Public and seal the minutes at 9:02 pm. Selectman Cedarholm, seconds. **Motion Carries.**

28. Chairman LaCourse motions to enter into a Non Public Session at 9:02 pm per RSA 91-A:3II(a) regarding the Code Enforcement Secretary job description. Selectman Cedarholm, seconds. Present in Non Public: Chairman LaCourse, Selectman Cedarholm, Selectwoman Dennis and Town Administrator Julie Glover. Caren Rossi joins Non Public at 9:08 pm.

The Board discusses a revised job description for the Code Enforcement Secretary; agrees the new job title shall be the Planning and Zoning and Health Administrator. The Board requests the Town Administrator make a salary recommendation for the new position.

The Board discusses the matter of the building inspector position; agrees the new job title shall be Part Time Building Inspector (Selectwoman Dennis recuses herself from the discussion regarding compensation).

Chairman LaCourse motions to appoint Caren Rossi as Planning and Zoning and Health Administrator. Selectman Cedarholm, seconds. **Motion Carries.**

Chairman LaCourse motions to appoint Allan Dennis as Part Time Building Inspector (minimum of 3 hours per week at a rate of \$30 per hour; reports to the Planning and Zoning and Health Administrator). Selectman Cedarholm, seconds. (Selectwoman Dennis recuses herself) **Motion Carries.**

Chairman LaCourse motions to end Non Public at 9:23 pm. Selectman Cedarholm, seconds. **Motion Carries.**

29. Selectman Cedarholm submits the Town Center documents to be returned to Town Hall. Selectwoman Dennis will review the documents in the near future.

30. Selectwoman Dennis advises the Board she will attend a meeting with the Library Board of Trustees on April 10, 2013.

31. Chairman LaCourse motions to adjourn at 9:25 pm. Selectman Cedarholm, seconds. **Motion Carries.**

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Minutes transcribed by:

Dawn Hayes, Town Secretary

Minutes accepted by:

John R LaCourse, Chairman

Carole Dennis

David Cedarholm

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