

MINUTES OF THE SELECT BOARD
Meeting

June 10, 2013

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

Others present: Larry Kindberg, Richard Gleason, Belinda Gleason, Jane Crawford, Kevin Crawford, Caren Rossi, Sharon Taylor, Katrinka Pellecchia, Alan Finch, Patricia Finch, Judy Eitler, Frank Eitler, Thomas Seubert, Randy Stevens, Roger Rice, Peter Hoyt, Town Administrator Julie Glover and Town Secretary Dawn Hayes.

1. Chairman LaCourse calls the meeting to order at 6:01 pm; opens the floor for public comment.

Resident Peter MacDonald represents the Veteran's Resort Chapel; advises the Board that the Town has denied his tax exempt status and the town's attorney has ignored the RLUIPA and the ADA law. Mr. MacDonald requests the Board to read and understand the RLUIPA and ADA law. Mr. MacDonald states he wants to work together with the town, but states it may end up in court.

2. Library Director Sharon Taylor requests a waiver to the Meeting Room Policy in reference to the sale of books in coordination with a Library program "It's Not About the Hike". After a brief discussion, Chairman LaCourse motions to allow the sale of books associated with the Library program titled "It's Not About the Hike" at the Public Safety Complex on August 6th at 7:00 pm. Selectman Cedarholm, seconds. **Motion Carries.**
3. Resident Belinda Gleason advises the Board that she has submitted a note to the Chief of Police stating she does not want any Lee Police Officers on her property as she feels unsafe and not serviced by the Police Department. Ms. Gleason describes an incident of a Police Sergeant who was being rude and screaming at her. Ms. Gleason further describes an incident (in April 2013) of loud noise caused from gunfire; the lack of peace and quiet. Ms. Gleason reiterates she does not want the Police Department at her home.
4. Resident Kevin Crawford asks for clarification on the standing of the denial of the Religious Tax Exemption on the property owned by Mr. Peter MacDonald. Chairman LaCourse states there was no discussion regarding the matter (denial stands).
5. Emergency Management Deputy Caren Rossi presents a summary of changes to the Hazard Mitigation Plan. Me. Rossi notes FEMA has tentatively accepted the changes and is awaiting Select Board approval.

After a brief discussion, Chairman LaCourse tables the matter for further review of the Board.

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6. Road Agent Randy Stevens advises the Board of an upcoming municipal auction in Epping. Mr. Stevens is interested in bidding on a truck at the auction; requests a letter of authorization from the Board.

Chairman LaCourse motions to approve the request of the Road Agent to provide a letter of authorization to bid on auction items, relating to trucks/plows for Highway Department use, not to exceed \$40,000 and to expend the funds from the Highway Equipment Capital Reserve Fund. Selectman Cedarholm, seconds. **Motion Carries.**

Mr. Stevens updates the Board on the status of the Highway Department budget and notes there is a projected surplus of approximately \$25,000, half of which will be needed to fund paving projects.

Mr. Stevens updates the Board on the field at Little River Park: the field is just about to subgrade; loam, sod and fertilizer need to be purchased. Mr. Stevens advises he has spoken to Tobin Farwell (not present); Mr. Farwell is willing to figure out the drainage issues, possibly with a dry well. Mr. Stevens will be putting out bids for loam.

Town Administrator Julie Glover adds: the irrigation system was put out to bid. During the site walk, several interested parties had requested a system design. Ms. Glover has located an engineer who designs irrigation systems; cost is expected to be approximately \$1,800. The Town Administrator states she is confident that we will get at least one bid if is put back out as design-build.

Chairman LaCourse would like to move forward with the process as a design-build system. Selectman Cedarholm would like pay for the engineered system design. After a discussion about testing of the well, the Board tables the matter until well information is presented.

Selectman Cedarholm states he is not in agreement to use a dry well to correct drainage issues. Mr. Stevens and Mr. Cedarholm agree to meet at LRP with Mr. Farwell to further discuss the matter.

7. Town Administrator Julie Glover advises the Board of the recent bids received on (3) tax deeded properties. Chairman LaCourse motions to accept the amount of \$400 for tax map 35-3-1; the amount of \$400 for tax map 35-3-6; the amount of \$35,005 for tax map 5-9-11 and to authorize the Town Administrator to work with legal counsel to execute the necessary documentation and perform the closing. Selectwoman Dennis, seconds. **Motion Carries.**
8. Selectwoman Dennis refers to the minutes and advises the Board that she spoke to Mr. Jim Brown (who spoke at the last meeting); he did not understand that the State Fire Marshall was contacted by the Lee Fire Department.

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Chairman LaCourse motions to accept the Minutes of May 28, 2013. Selectman Cedarholm, seconds. **Motion Carries.**

9. Katrinka Pellecchia member of the Library Building Committee requests the Board approve an appropriation for soil test pits at the location of the new library. Ms. Pellechia explains the cost is expected to be approximately \$600.

Chairman LaCourse motions to approve the expenditure from the Library/Community Center Capital Reserve Fund not to exceed \$600 to conduct soil test pits at the site of the new library. Selectman Cedarholm, seconds. **Motion Carries.**

10. Chairman LaCourse motions to accept the Consent Agenda as presented. Selectman Cedarholm, seconds. **Motion Carries.**
11. Town Administrator Julie Glover presents a vacation request for Transfer Station Manager Roger Rice.
12. Town Administrator Julie Glover requests comment from the Board on the Lamprey Rivers Management Plan (presented by Sharon Meeker at a prior meeting). The Board acknowledges the plan and accepts it as is.
13. Town Administrator Julie Glover addresses a matter that has come to her attention regarding the Transfer Station Policy, specifically who can receive a sticker to use the facility. The current ordinance states you are required to be a resident or own a business within Lee (this matter has come to light with the recent taxing of Campers and their rights to use the Transfer Station). Chairman LaCourse requests the Town Administrator look at how other towns are handling the matter.
14. Town Administrator Julie Glover reviews the draft usage policy for Little River Park. Ms. Glover has conferred with the Police Chief on the matter of hours of operation (7:00 am – Sunset); the noise ordinance (7:00 am – 10:00 pm). After a brief discussion about usage fees and park capacity amounts, Chairman LaCourse requests Ms. Glover inquire with other towns about park policies.
15. Town Administrator Julie Glover presents a draft of the application procedure for Boards, Committees or Commissions. Ms. Glover advises under NH RSA residency is required for Commissions; residency for advisory Committees is at the discretion of the Board. Chairman LaCourse motions to accept and approve the policy on Boards, Committees and Commissions and to be effective immediately. Selectman Cedarholm, seconds. **Motion Carries.**
16. Town Administrator Julie Glover advises the Board, David Choate (not present), who has been contracted to review the Garvey proposal on Noble Farm, is

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requesting more time to do an intensive site walk at the property. Chairman LaCourse requests Mr. Choate attend the June 24th meeting to update the Board.

17. Town Administrator Julie Glover advises the Board that the Lee Fair Committee met; it has been determined that there are not enough volunteers to do all of the coordination that needs to take place prior to the event. The Lee Fair will be scaled back to include only: Town Boards, Committees and Commissions. Ms. Glover adds since the grass field at LRP will not be ready by the date of the fair, the fair will be located at the town field (next to Mast Way school). Selectwoman Dennis would like to see the Committees and Commissions work collaboratively and create less of a need for volunteers.

Chairman LaCourse motions to approve the town fair to be located at either the Town field or Stevens field. Selectman Cedarholm, seconds. **Motion Carries.** Chairman LaCourse requests the Fair Committee update the Board as soon as they decide on the location.

18. Fire Chief Peter Hoyt updates the Board on the matter at the Lee USA Speedway. Chief Hoyt states he will be meeting with the track tomorrow with the intent to identify what needs to be done and what has already been corrected. Mr. Hoyt will be asking about the status of the repairs and have boards been replaced on the bleachers; the major concern would be life safety issues (Chief Hoyt thinks those have been taken care of).

Chairman LaCourse asks who is going to be the authority to sign off on the matter to ensure that all issues have been taken addressed? Chief Hoyt recommends – Code Enforcement, Fire Dept. and Police Dept. go through (identify issues) and submit a report to the Board. Chief Hoyt asks if the State Fire Marshall should be brought back in to inspect, as they are experts.

Town Administrator Julie Glover notes the Town is the authorizing official(s), the town issues the license; it is the town's responsibility to make sure all requirements are met.

Selectwoman Dennis advises the State Fire Marshall's letter states a report was generated; did we receive that? Selectwoman Dennis adds, she thought the original intent was to ask the State Fire Marshalls office for assistance and their expertise.

Ms. Glover states the following items are still outstanding: a report from an electrical engineer; a compliance plan and schedule; verification that all work was completed by a licensed electrician. Ms. Glover states the meeting tomorrow was

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at the request of the track's attorney and the town's attorney agreed to attend to try to determine what else needs to be done.

Chairman LaCourse states it is in the best interest to go forward with the meeting tomorrow; the expertise of a third party will take the pressure off of the Code Officer and Fire Department.

Chief Hoyt states for what we need right now, a Master Electrician could do the job. Chairman LaCourse wants to make sure this is clarified that a Master Electrician is what we are looking for – not an Electrical Engineer.

Ms. Glover refers to a letter from Stillian Electric stating some things were done and other things still need to be done. (it is simply a letter not a complete report) Ms. Glover adds there is no verification that the work that has been done was completed by a Master Electrician; Lee USA Speedway has stated in a letter that their maintenance staff had completed some of the tasks. Ms. Glover adds a permit has never been pulled to perform the electrical work.

Selectman Cedarholm states that when things are out of compliance – a complete list (a Town of Lee list) should be made of all action items; items should be numbered and dated when they were done; items that are life safety issues should be noted as well as items that can be taken care of in time.

Selectwoman Dennis asks if notes were taken during the April walk at the Speedway; adds she is disappointed that we did not receive the assistance that we requested from the State Fire Marshall's Office.

Chairman LaCourse motions to change the wording (in the requirements) from Electrical Engineer to Master Licensed Electrician. Selectman Cedarholm, seconds. **Motion Carries.**

Chief Hoyt states, Mr. Stillian is a Licensed Electrician (it has been confirmed by the State).

19. Town Administrator Julie Glover requests the Board consider closing Town Hall on Friday, July 5th (Town Hall will already be closed on Thursday, July 4th for the holiday); notes the staff will use vacation time for Friday, July 5th.

Chairman LaCourse motions to close Town Hall on Friday, July 5th. Selectman Cedarholm, seconds. **Motion Carries.**

20. Chairman LaCourse motions to accept the payroll expense report and Manifest #25. Selectman Cedarholm, seconds. **Motion Carries.**

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21. Selectwoman Dennis would like to further discuss matters at the Transfer Station; requests clarification on staff hours (and requests a grid of all staffing hours be submitted by the Transfer Station Manager). Ms. Dennis is concerned that staff is working too many consecutive hours (12-15 hour days) (Ms. Dennis is concerned about the health and safety of employees). Selectman Cedarholm agrees the previous staffing data that was submitted was confusing.

Chief Hoyt states when he worked at the Transfer Station, he worked 3 twelve hour days and 1 four hour day. Chief Hoyt advises, in February he filled in for an employee that was on vacation (in addition to his regular duties at the Highway

Dept); he recently spent time there cleaning up before an employee on vacation had returned.

Selectwoman Dennis asks the Board to consider: how the staff can be reconfigured to achieve more than a one hour increase in operation hours; the job description appears to be exactly the same with a few tasks added at the end. Selectwoman Dennis feels the job description is outdated and request it be worked on together by the Transfer Station Manager and employee Chip Belyea.

Selectman Cedarholm notes, he feels the one extra hours being open is sufficient.

Selectwoman Dennis states the bulky waste fees were not well researched. After a brief discussion the Board agrees the Transfer Station Manager should look into what other towns are charging for bulky waste fees; requests details of staffing, including a grid.

Selectman Cedarholm notes, recently NRRA awarded Mr. Rice (with the recycler of the year award).

22. Chairman LaCourse motions to enter into a Non Public Session per RSA 91-A:3 II (c) at 8:15 pm, for Tax deeds and a Land Use Change Tax Application. Present in Non Public: Chairman LaCourse, Selectman Cedarholm, Selectwoman Dennis and Town Administrator Julie Glover. Non Public ends at 8:49 pm. The minutes are sealed.
23. Selectman Cedarholm advises letters have gone out to all residents within a ½ mile radius of the triangle, to invite them to a Town Center Committee public information meeting (on June 28th).
24. Chairman LaCourse motions to adjourn at 8:50 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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