

**MINUTES OF THE SELECT BOARD**  
**Meeting**

**September 3, 2013**

**PAGE 1**

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

**Others present:** Caren Rossi, Roger Rice, Preston Samuel, Bill Humm, Randy Stevens, Dennis Hambucken, Sharon Taylor, William Pearce, Tom Seubert, Jane & Kevin Crawford, Judy & Frank Eitler, Nathaniel Meyer, Nicholas Scuderi, David Przybylski, Ryan & Barbara Mountain, Town Administrator Julie Glover and Town Secretary Denise Duval.

1. Chairman LaCourse calls the meeting to order at 6:00 pm; opens the floor for public comment.
2. Tom Seubert of 10 Sheppard Lane comments on the issues at 101 Stepping Stones Road aka Veteran Resort-Chapel. Greatest concern is for the safety of the residents in close proximity of 101 Stepping Stones Road along with property values in that area. It is Mr. Seubert's opinion that Mr. MacDonald will try any and all avenues to circumvent the ordinances of Lee and laws of NH to assist homeless veterans at his Veteran Resort-Chapel. Mr. Seubert provided copies of the NH Law pertaining to non-profits and the Articles of Agreement for the Veteran Resort-Chapel. Mr. Seubert asks the Board to take appropriate action at this time.

Kevin Crawford of 100 Stepping Stones Road apologizes for his recent rough email to the Board over this situation. He is simply protecting his family. Mr. Crawford believes the Town of Lee needs to be more aggressive, now that it appears there is a homeless man living at 101 Stepping Stones Road. This property is only supposed to be a single family residence.

Chairman LaCourse thanks the public for their emails and letters regarding this matter.

Judy Eitler, 2 Sheep Road wants some issues clarified. As a single family property, does Mr. MacDonald need a permit to bring a residential trailer on to the property? If he is in violation then he should be fined for every day it is there and if he defies the law then he should be arrested and jailed. She does not believe this is about veterans rather she believes it is about Mr. MacDonald's defiance of authority. At this time she does not feel safe walking down Stepping Stones Road. Mr. MacDonald should have to abide by the rules and laws just like the rest of the residents.

Ryan Mountain, 53 Stepping Stones Road wants to second what Judy Eitler has said. His wife will no longer jog down Stepping Stone Road. He feels like they are living in fear of what's happening now and the potential of what could happen down the road.

David Przybylski, 57 Stepping Stones Road feels that the Town is not doing enough to stop this process. His neighborhood is being held hostage. Respectfully

**MINUTES OF THE SELECT BOARD**  
**Meeting**

September 3, 2013

PAGE 2

asking the Select Board to do something about this, protect our community, family and neighbors. He asks the Board to please understand the seriousness of this.

Nathaniel Meyer, 39 Sheep Road asks what is the next step. They have been to meeting after meeting and he continues to do what he wants to do. Mr. Meyer asks what authority the Board has to stop him from defying the law. Everyone is playing by the rules except for him.

Chairman LaCourse appreciates all the comments. The Police Chief is well aware of what is going on and the Board is talking to counsel to collect information as to what legal rights and authority they have to move on if we have to. Whether MacDonald can put in a foundation lies with the Planning Board and Code Enforcement. The Board promises to follow through as much as they possibly can under the law.

Mr. Meyer asks him to elaborate. Chairman LaCourse indicates that they are not going to provide further comment since they are talking to counsel. The comments have been recorded and are in the minutes.

3. Selectman Cedarholm wants to outline the directives for the Advisory Budget Committee and discuss the proposed schedule and process for the FY15 budget. The ABC is an elected position; however, they are only advisory to the Select Board. After last year it seems to make sense to combine the work of the two committees and figure out a schedule to accommodate both the ABC and the Select Board to meet together. Chairman LaCourse feels that it is important that the Board have a full understanding of the budget itself early on rather than go back and forth with questions later on in the process. Selectwoman Dennis thinks it would be helpful to department heads to present one time rather than twice. She is not available Thursday evenings. Chairman LaCourse asked the Town Administrator to schedule dates. Town Administrator Julie Glover indicates that we need to start on this soon, by October. Meet first with ABC then joint meeting with department heads. Ms. Glover asked if Saturdays would be an option. Selectman Cedarholm would not be available. Meeting minutes from ABC are not being maintained. Town Administrator indicated that she has advised Scott Bugbee in the past that this should be completed. The Select Board strongly advised that he be reminded this is necessary.
4. Selectman Cedarholm informed the Board that the Town Center effort resumed with a meeting on June 28<sup>th</sup> and about a dozen people attended. They received three applicants. There is a recording of this meeting on the website along with the two meetings from last year. The Master Plan revision process should start up within the next 12 months and the two should move parallel to each other. Selectwoman Dennis asked how many letters went out regarding the committee interest. Town Administrator Julie Glover indicated approximately 100. Selectwoman Dennis stated that there were only 58 responses to the original survey and she did not think this was ample interest to make it work. Chairman LaCourse would like to see at least five people on the committee. Chairman

**MINUTES OF THE SELECT BOARD**  
**Meeting**

September 3, 2013

PAGE 3

LaCourse asked the Planning and Zoning Administrator, Caren Rossi, when the last Master Plan was completed by the Planning Board. She indicated it was due to be updated in 2015. Chairman LaCourse thinks maybe we should wait and incorporate Town Center with the Master Plan. Selectman Cedarholm points out that the Master Plan doesn't clearly define Town Center. The last Master Plan was done before the Charette and the Town Center Committee was formed and that the Town Center today is thought about differently than it was before. Selectman Cedarholm did not believe that the previous Town Center Committee included residents that lived in Town Center. According to Selectman Cedarholm an official from the Division of Historic Resources indicated it would make sense to prepare an application for Town Center as historic district, as there are a number of intact historic buildings that go back to colonial times. Chairman LaCourse suggests we look at the Town Center from a planning process and incorporate the Town Center Committee in the Master Plan. He moves to table pending discussion with the Planning Board Chair.

Town Administrator Julie Glover asks for Sharon Taylor to present next since her request is brief.

5. Sharon Taylor, Library Director, requests permission to sell Denis Hambucken's new book "American Soldier of WWI: D-Day" during a presentation at the Library on October 23<sup>rd</sup> at 7:00pm at the Safety Complex. Chairman LaCourse **moves** to allow the sale of books, CD's, and/or DVD's related to programs sponsored by the Lee Public Library and/or Friends of the Library. Selectwoman Dennis, seconds. **Motion Carries.**
  
6. Preston Samuel, Heritage Commission presents a PowerPoint presentation on the Eight Historic Sites chosen by the Lee Heritage Commission to be represented by signs at their locations with related information available on the Town website via the use of a handheld device accessed in the field. Preston indicates that this project was begun by Dick Wellington a few years ago. The focus is on historic sites and not just structures. The locations are Wadleigh Falls Village, South Lee Station, Cartland Road, Lee Hook Farms District, Lee Town Center, Wheelwright Pond, Site of First Meeting House and New Town Plains. The purpose to designating these sites was to promote the awareness of our rural heritage from the past, focus our civic pride in the present and encourage preservation of historic structures for the future. The expected completion date is some time in the fall of 2013. This is the first step in preparations for Lee's 250<sup>th</sup> Anniversary in 2016. Chairman LaCourse **moves** to grant permission to the Heritage Commission to place historic markers as presented, conditioned upon written authorization from NHDOT for signs in the State Right of Way and to instruct the Highway Supervisor to assist in the installation of the signs. Selectman Cedarholm, seconds. **Motion Carries.**
  
7. Roger Rice, Transfer Station Manager submits revised staffing schedule. Informs the Board that (Transfer Station employee) Chip would prefer (to work on) Friday over Wednesday. The Board points out numerous addition errors. Roger indicates that he is still looking for one more part-time person. Roger states that he did not

MINUTES OF THE SELECT BOARD  
Meeting

September 3, 2013

PAGE 4

get a chance to proof it. Selectwoman Dennis points out that this document should have had a second edit before it came before this Board. Chairman LaCourse **moves** to approve the Transfer Station staffing schedule as presented, which restricts employees from working more than ten hours per day and requires full-time employees to work at least four hours on days that the Transfer Station is not open to the public. Selectman Cedarholm, seconds. **Motion Carries.**

Roger indicates that he has the new Transfer Station permit stickers but does not know when they should begin to distribute them. The Board asked him to bring to next meeting.

Selectwoman Dennis asked Transfer Manager Rice where he was with the brochure revision. According to Town Administrator Glover September 1<sup>st</sup> was the completion deadline. Rice indicates that (the PT temporary employee) Kaisha has started to completely redo the booklet. Roger said his changes were done 2 or 3 weeks ago and it is hard for him to say when it will be done. Selectwoman Dennis asked if Kaisha has a good understanding of the ordinance and/or does Roger have a good understanding. Roger says she has read it. Selectwoman Dennis is concerned as to whether Kaisha has enough knowledge regarding the ordinance to be able to write it on her own.

Town Administrator Glover indicates that Roger Rice was given the task of combining all the existing policies, procedures and solid waste ordinances to produce one solid waste ordinance for adoption by October 1<sup>st</sup>. Ms. Glover suggests that they may want to extend this deadline if it impacts the budget. The Brochure has not been updated in a very long time. Chairman LaCourse asks for a reasonable draft to be presented at the next meeting. All agree.

8. Town Administrator Julie Glover presented a letter for the Board to approve to SPI Plastic regarding the Slide in Little River Park. All agreed to send.

Ms. Glover introduced Randy Stevens, Highway Department Supervisor, to speak in regards to the Seed and Sod Bid Results for LRP along with a Representative from the Oyster River Youth Association (Nick Scuderi). Hillside Landscaping submitted the lowest bid on both. Seeding is less expensive but a bigger gamble. Randy's big concern is erosion. If seed is used, we would have to wait a year to play sports on it, but with sod could play next year. This late in the season brings more concern with regard to seed. Nick Scuderi, Oyster River Youth Association spoke about Tibbetts field. If given the chance to do it over, they would have sodded the entire area. They have had to treat the seeded areas with chemicals and reseed it several times. Sod can be easily cut and patched if there are problem areas.

The Board asks where the Town stands with the budget. Town Administrator Glover says we have \$48,278 left in that warrant article including the work that has been done and the work that we anticipate to be done. Selectman Cedarholm acknowledges that we have enough to do the sod. Ms. Glover acknowledges that this is due to Randy and his crew. Ms. Glover asks Randy what the square footage

**MINUTES OF THE SELECT BOARD**  
**Meeting**

September 3, 2013

PAGE 5

would be if we were to include the off area. We have enough in the budget to include small amount of off areas with sod. The Board asked Randy to work with Hillside on working this into the job. The highway crew will assist. Chairman LaCourse moves to accept the bid from Hillside Landscaping to furnish and install sod for the Multi-Purpose fields at Little River Park at a cost of \$0.32 /sf. Selectwoman Dennis, seconds. **Motion carries.**

Town Administrator, Julie Glover volunteers to go into the dunking booth at the Lee Town Fair. We are looking for volunteers from Boards, Committees and Commissions to step up. Selectman Cedarholm volunteers to be in the booth.

9. Chairman LaCourse **moves** to approve the Consent Agenda as presented. Selectwoman Dennis, seconds. **Motion Carries.**

Town Administrator, Julie Glover asks to draw attention to the consent agenda item regarding Joe Ford Estate Easement. Bill Humm would like to speak on this subject matter while the document is signed.

Mr. Humm states that on this occasion of receiving the bequest from Joe for the 71 acres he should be recognized. Joe was a remarkable man, a member of the select board for 30+ and a strong advocate for land conservation in Lee. In 2008 he donated a conservation easement on his 71 acres valued at \$608,000. In his bequest upon his death, he transferred ownership to the Town for this land. The conservation easement echoes the management objectives that he wanted enacted over time.

Chairman LaCourse comments on Joe Ford's major contribution towards the conservation work in the Town of Lee; 20% of the Town of Lee is protected due to Joe's efforts.

Bill Pierce, the Executor of Joe Ford's estate, spoke briefly on the agreement that he needs to get signed for Probate Court along with the receipts he needs to collect for the Court. He is also required to produce a Summary to the Probate Court by September 20<sup>th</sup>. As Executor it is his duty to notify the Town that this property has changed ownership. Original documents are given to Town Administrator to forward to legal counsel for review and then will go before the Board for signatures.

Mr. Pierce points out that Sarah Callaghan (Strafford Rivers Conservancy) was instrumental in getting through this process.

Ms. Glover asks Mr. Pierce to execute the Fiduciary Deed. Caren Rossi will notarize.

Chairman LaCourse indicates that the motion is still on the floor. **Motion Carries.**

**MINUTES OF THE SELECT BOARD**  
**Meeting**

**September 3, 2013**

**PAGE 6**

10. Chairman LaCourse **motions** to accept Manifest #4 and payroll ending August 25, 2013. Selectwoman Dennis, seconds. **Motions Carries.**

11. Chairman LaCourse **motions** to accept minutes from regular meeting dated August 5<sup>th</sup> and 19<sup>th</sup>. Selectman Cedarholm, seconds the 5<sup>th</sup> and Selectwoman Dennis, seconds the 19<sup>th</sup>. **Motion Carries.**

Chairman LaCourse **motions** to accept minutes from Non Public meeting dated August 5<sup>th</sup> and 19<sup>th</sup>. Selectwoman Dennis, seconds. **Motion Carries.**

12. Chairman LaCourse asks if there is any miscellaneous/unfinished business. Selectwoman Dennis talks about Family Celebration Day to be held on Saturday, October 26, 2013 between 10am-12pm. Selectwoman Dennis is requesting that the Board think about continuing to advocate for strong community ties by participating in Family Celebration Day. Chairman LaCourse appreciates all Selectwoman Dennis' hard work. He would like to see more of these events and thinks this is a good idea. Selectman Cedarholm agrees but will be out of town that weekend. The Town needs to confirm that walking on the new sod is acceptable.

13. Chairman LaCourse **moves** to go into a non-public meeting per RSA 91-A:3 II(d) Noble Farm Update and RSA 91-A:3 II(c) Property-Liability Trust Fire Service Operational /Risk Analysis. Selectman Cedarholm, seconds. **Motion Carries.**

14. The Board returns to public session at 9:00 pm and Chairman LaCourse announces that the non-public minutes are to be sealed.

15. Selectman Cedarholm asks for quick summary from the Library Building Committee meeting from last week. Selectwoman Dennis advised that seven people showed up. Five options were offered for a driveway entrance / exit. They all are from Rte. 155 or Lee Hill Road. There were concerns for both sides. Cedarholm asked what the RFQ deadline is for the Construction Manager for the Library building.

16. Public hearing regarding Rumble Strips will be held on September 11<sup>th</sup> at the Safety Complex which will be hosted by the NH DOT.

17. Chairman LaCourse motions to adjourn at 9:00 pm.

Minutes transcribed by:

Minutes accepted by The Lee Select Board:

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Denise Duval, Town Secretary

  
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John R. LaCourse, Chairman

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Carole Dennis

  
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David Cedarholm