

MINUTES OF THE SELECT BOARD

Meeting

July 8, 2013

PAGE 1

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

Others present: Caren Rossi, Bill Humm, Katrinka Pellechia, Roger Rice, Larry Kindberg, Peter Hoyt, Town Administrator Julie Glover and Town Secretary Dawn Hayes.

1. Chairman LaCourse calls the meeting to order at 6:00 pm; opens the floor for public comment. There is none.
2. Emergency Management Deputy Caren Rossi advises the Board that the Hazard Mitigation Plan has been approved by FEMA and is pending the Board's adoption.

Chairman LaCourse motions to accept the Lee Hazard Mitigation Plan update 2013 as presented by the Emergency Management Deputy Caren Rossi. Selectwoman Dennis, seconds. **Motion Carries.**

3. Transfer Station Manager Roger Rice submits a staffing grid at the request of the Board. Mr. Rice states the current staffing is working pretty well and anticipates running an ad for a Part Time Laborer. The Board discusses the staffing hours; there is concern for health and safety regarding employees working 12 hour shifts. Mr. Rice explains the 12 hour shift schedule is preferred by the full time employee at the Transfer Station.

Selectwoman Dennis states the Town has a responsibility for the employee's health and safety; 12 hour days are too long. Selectman Cedarholm is concerned about the health of the employee and the liability to the town (regarding 12 hour days).

Mr. Rice describes the duties that are performed by the two full time employees. Peter Hoyt (occasional worker at the Transfer Station) states that beginning work at 6:00 am allows for an hour of clean up prior to the public coming in at 7:00 am; then heavy equipment is put away when people start coming in. Both explain that there are about twelve residents who drop off trash before they open.

Chairman LaCourse motions to table this matter for further review of the Board; requests Mr. Rice work with the Town Administrator to revise the schedule by the next meeting (cut the 12 hour days to 10 hours or less and make more use of the Part Time workers). Selectman Cedarholm, seconds. **Motion Carries.**

Mr. Rice submits the original data for establishing bulky waste fees; is still gathering current information from other towns. Chairman LaCourse requests an

MINUTES OF THE SELECT BOARD
Meeting

July 8, 2013

PAGE 2

update by the next meeting. Town Administrator Julie Glover advises that once the Board votes to accept revised Bulky Waste fees a Public Hearing is required.

4. Conservation Commission Chair Bill Humm describes the matter of controlling the growth of oriental bittersweet (an invasive plant as classified by the State of NH). Mr. Humm advises, in the area of the town forest (behind the Safety Complex, on the parking lot side of Steven's field) there is growth of this invasive plant; there are plans to treat it with the NHDES recommended herbicide. Application for a permit for the treatment has been made; Mr. Humm expects the treatment will occur sometime in August. Mr. Humm states that although the herbicide is non-hazardous to humans, the site will be posted and public notice will appear in the E-Crier as well. The cost is expected to be approximately \$300 - \$400 and will be paid from Conservation Commission funds.

Chairman LaCourse recommends public education on the matter, as residents may want to privately treat their own properties.

5. Library Building Committee Member Katrinka Pellecchia updates the Board on the soil test pits (9ft) recently dug at the site of the new Library. Ms. Pellecchia reports that the sandy base is very good quality sand which may be used by the Highway Department to help defer costs of the building. Further, Ms. Pellecchia requests the Board approve \$15,000 for the architectural design services of Dennis Mires (to bring the project forward to a bond vote in March, 2014).

Selectman Cedarholm is concerned that the bond is being considered ~~2~~³ years ahead of the anticipated ground breaking date of 2016. Town Administrator states, if we wait until 2015 and the bond fails, there won't be another opportunity (unless a special meeting was held) to vote on the bond before ground breaking. Ms. Glover explains the passing of the bond simply gives the authority to bond, not necessarily when you are going to use the monies or seek bond funds. Selectman Cedarholm notes he does multimillion dollar projects every year and the bond happens the same year you build the project. Ms. Glover states there is no harm in asking the voters for the authority to bond now (so that bond funds will be available when you need it).

Chairman LaCourse clarifies the motion that is being requested does not pertain specifically to this issue and that there is time for further discussion (on when to bond). Selectman Cedarholm is concerned that the Capital Reserve Fund was set up to 'build' the Library/Community Center, not preliminary design; contracting an architect may be a bit hasty. Selectman Cedarholm recommends preparing a warrant article in March for design money. Chairman LaCourse motions to contract with Dennis Mires, PA The Architects to continue the Library design work which began in 2009, in accordance with the draft proposal presented by the Library/Community Center Building Committee. Selectwoman Dennis, seconds. **Motions Carries 2-1.** Selectman Cedarholm, opposes.

MINUTES OF THE SELECT BOARD
Meeting

July 8, 2013

PAGE 3

6. Chairman LaCourse motions to approve the Minutes of June 24, 2013. Selectman Cedarholm, seconds. **Motion Carries.**

7. Chairman LaCourse motions to accept the Consent Agenda. Selectwoman Dennis, seconds. **Motion Carries.**

8. Town Administrator Julie Glover addresses the Board regarding a matter recently brought up by the Transfer Station Manager, of the current policy and practice for holiday pay for part time employees. Although it is not clearly stated in the policy, current and past practice has been to pay part time employees for the holiday if it coincides with their regularly scheduled work day. Mr. Rice had also inquired as to part time employees receiving more than 4 hours for holiday pay. Ms. Glover notes the policy does clearly state that the employee will receive 4 hours pay for the holiday.

Ms. Glover explains that should the practice be changed the financial impact would be approximately \$500 - \$1000 per year (based on current part time employees and their current schedules). Selectwoman Denis recuses herself from the discussion.

Chairman LaCourse motions to formally adopt the practice of granting holiday pay to part time employees of the holiday falls on a day they are regularly scheduled to work.

Selectman Cedarholm, seconds. Selectman Cedarholm asks if the policy prevents someone from getting paid for a holiday. Ms. Glover explains the practice has been to pay for the holiday if it falls on a day when the employee is regularly scheduled to work. Selectman Cedarholm suggest the discussion take place during budget time if there is consideration to change the practice. **Motion Carries.**

9. Town Administrator discusses the irrigation bids that have been submitted for the field at Little River Park. The low bidder was Hillside Landscaping at \$11,230. Mr. Cedarholm expresses concern that the mainline is running through known ledge; Ms. Glover acknowledges that the bid excluded ledge removal.

Chairman LaCourse motions to contact with Hillside Landscaping in the amount of \$11,230 to design/build the irrigation system for the multipurpose field at Little River Park as presented by the Town Administrator. Selectman Cedarholm, seconds. **Motion Carries.**

10. Town Administrator discusses the fuel bids for #2 heating oil and off road diesel that have been submitted. Hanscom's of Portsmouth is the low bidder for both heating oil and diesel.

MINUTES OF THE SELECT BOARD

Meeting

July 8, 2013

PAGE 4

Chairman LaCourse motions to approve the bid from Hanscom to purchase #2 heating oil and off road diesel for FY14 as presented by the Town Administrator. Selectman Cedarholm, seconds. **Motion Carries.**

11. Town Administrator Julie Glover advises the Board of an upcoming Public Information Meeting for the proposed rumble strips on Route 125. NHDOT will be making a presentation at the Public Safety Complex on Wednesday, September 11th at 7:00 pm. and will invite officials from Barrington and Rochester.
12. Town Administrator Julie Glover presents the matter of grading the multipurpose field at Little River Park on behalf of the Highway Supervisor Randy Stevens (not present). Mr. Stevens (not present) has requested the Board formally vote to instruct the Highway Department to remove 700 yards of material and change the grade per the Farwell Engineering plan.

Ms. Glover states her interpretation of the conversation with Mr. Stevens is that the current grading that has been there throughout the recent rainy season has not shown any pooling or puddling. Highway employee Peter Hoyt advises the Board that there are only two low spots and green grass has already grown; there has been 5-6 inches of water over the last 30 days and the current grade seems to have handled it.

Selectman Cedarholm states, it is difficult to make a decision without Mr. Farwell present to discuss the grading plan he was asked to design; it makes sense to adapt the grading plan (based on this new information) and see where Farwell Engineering is in the process to see if we can back up and modify the plan.

Recreation Commission Chair Larry Kindberg requests clarification on the drainage, grading and slope. Chairman LaCourse states the present evidence is that although it has been raining it seems to be draining.

13. Town Administrator Julie Glover advises the Board about concerns with paying Police and Fire details at the Race Track. Ms. Glover explains that some Police and Fire Fighters who are not Town of Lee employees get put on the town's payroll when they work details at the Race Track (their wages and administrative costs are reimbursed by the track). Ms. Glover notes the bookkeeper raised this question when a newly hired Lee Police Officer worked a detail and those wages were not retirement compensable or subject to social security withholdings. Ms. Glover advises that it has a long process trying to obtain clear answers from the NH Retirement System and the IRS to try to determine if they should be contributing to social security (the answers have varied); there is still more information to go through and questions to be asked before there is a clear answer. Ms. Glover notes that details for the Lee USA Speedway are processed differently than any other detail Police or Fire may be doing (PSNH, Comcast,

MINUTES OF THE SELECT BOARD

Meeting

July 8, 2013

PAGE 5

Verizon, Asplundh, etc.); if out of town officers are needed to fill the detail, that Officer would submit his time slip to his home department for reimbursement (he would not be put on the Town of Lee's payroll). However, there is a long standing practice of the details at Lee USA Speedway being handled differently (outside Officers, both Police and Fire were added to the town's payroll). Ms. Glover further notes, this practice of treating outside Officers as town employees increase the town's liability to the extent that should one of the Officers become injured while working at the track, the town's workers compensation would be impacted. Ms. Glover recommends stopping this practice, as it does not benefit the Town of Lee – it benefits a private employer. Ms. Glover offers that Fire Fighters who work such details could be brought on as Lee Call Fighters to at least establish an employment relationship with the town.

Fire Chief Peter Hoyt states he has addressed the Deputy Fire Chief and the General Manager at New England Dragway, Joe Lombardo; they follow the same process – the Town of Epping bills the Dragway for Police Officers in Exeter, Hampton, etc. Mr. Hoyt states, most speedways handle it in this manner.

Ms. Glover remarks that although other speedways use this practice, what is the benefit weighed against the risk to the Town of Lee to continue this practice; if it is a good idea, why isn't the practice the same for other entities requesting a detail (PSNH, Comcast, Verizon, etc.).

Chairman LaCourse tables the matter until the Town Administrator brings forth further information to the Board.

Selectwoman Dennis requests everyone be paid up to date for details already performed and written notification be given as to a change in the process.

Chief Hoyt advises the rate for the Town of Durham (Fire Fighter details) is \$50+ per hour; Lee set its rate in 2006 and has held it since. Chief Hoyt states the matter came up suddenly and experienced Officers from other towns needed to be pulled off details.

Ms. Glover reiterates outside Fire Fighters could be used if they were taken on as call Fire Fighters.

14. Chairman LaCourse requests clarification on an email recently received from Trustee of the Trust Fund, Scott Bugbee. Town Administrator Julie Glover advises the Board that the bookkeeper was working with Mr. Bugbee regarding year end transfers; she recommends that transfers to the trust funds happen at the beginning of the fiscal year (July 1st) and that requests for funds be made at the time the funds are expended. Mr. Bugbee (not present) seems to be opposed to this recommendation. Ms. Glover is happy to speak to Mr. Bugbee regarding the matter.

MINUTES OF THE SELECT BOARD
Meeting

July 8, 2013

PAGE 6


15. Chairman LaCourse motions to accept Manifest #27 and the payroll ending July 7, 2013. Selectman Cedarholm, seconds. **Motion Carries.**

16. Selectwoman Dennis is concerned about the sign on the outside of the Town Hall and that it does not reflect Caren Rossi's new position.

17. Chairman LaCourse motions to move into a Non Public Session per RSA 91-A:3 II(a) at 7:45 pm, Caren Rossi's 3 month review. Present in Non Public: Chairman LaCourse, Selectwoman Dennis, Selectman Cedarholm and Caren Rossi. Non Public ends at 8:15 pm. The Minutes are sealed.

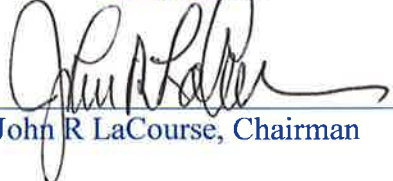
18. Chairman LaCourse motions to adjourn at **8:16 pm**. Selectman Cedarholm, seconds. **Motion Carries.**

Minutes transcribed by:




Dawn Hayes, Town Secretary


Minutes accepted by:



John R LaCourse, Chairman



Carole Dennis



David Cedarholm

LEE SELECT BOARD