

SELECT BOARD MEETING & PUBLIC HEARING MINUTES

June 9, 2014

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

Others present: Larry Kindberg, Chris LaRocca, Ellen Dorrance, Patricia Jenkins, Laura Gund, Laurel Cox, Paul and Annie Gasowski, Andy Lelio, Tom Loureiro, Randy Stevens, Robin Estee, Chief Dronsfield, Town Administrator Julie Glover and Town Secretary Denise Duval.

1. Chairman Cedarholm calls the meeting to order at 6:03 pm.
2. Chairman Cedarholm announces the Public Hearing for the Department Highway Safety Grant application in the amount of \$6000.00 for the Town of Lee. Chief Dronsfield explains that they are working with Strafford County to change over to a software program that would allow for cross agency checks. The county is aware of town budget constraints. This grant will help offset the cost of this program. Selectwoman Dennis supports a program that would aid the police department in identifying individuals faster and more efficiently. There is no public comment. Chairman Cedarholm closes the public hearing. Chairman Cedarholm moves that the Board sign the grant agreement with the NH State Highway Safety agency. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
3. Chairman Cedarholm opens the meeting up to public comment while reminding everyone of the protocol.

Annie Gasowski states that hiring a facilitator is unnecessary and hopes that the Board will give an explanation as to why they think this is necessary.

Andy Lelio thanks the Board for putting item #10 on the Agenda regarding noise at the racetrack. 73.8% of the voting public voted in favor of Article #7 (noise measurement language) back in 2012.

4. Patricia Jenkins states that the Town of Lee needs a real vault. One that is climate controlled and has convenient access and has a work area. The Town bought a second-hand storage box unit which was not intended to be used forever. They share it with the Clerk's office. It started out in the hobo shed. Then the decision was made to move it outdoors. There is a difference of opinion as to whether the unit should be inside or out. It is now outside with a fence around the front. There is leakage on the Clerk's side and puddles form inside. There should not be moisture inside. The hot sun is also not good for the life of documents. During the winter, access is a problem. Security concerns would be lessened if it was inside the hobo shed. Climate control would be better controlled if it were inside as well. Lastly, it is just plain ugly and clutters up the area. Randy uses the space in the hobo shed for the large generator now. The roof of the hobo shed has been fixed per Ms. Jenkins. Selectman Bugbee took a look inside the hobo shed with the Clerk not too long ago and said that the Clerk has to use a huge screw driver to pry the door open; the power was off; therefore, the dehumidifier was not working and the papers were all crinkly. The basement of the Library is no longer a usable space for storage according to Ms. Jenkins. The Heritage Commission had researched building a vault inside the ~~hobo shed~~ but it would be too expensive. They need a secure above ground vault. The Heritage Commission and Historical Society have been offered things that they could not accept because they do not have any place to store them. Selectwoman Dennis asks how much does a vault cost. Selectman Bugbee states that the used one they have was \$18,000. Chairman Cedarholm

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asks if they could use one of the rooms at the PSC. Ms. Jenkins says that has never been proposed to them before. Cedarholm says that could be discussed at a later time.

5. Chris LaRocco runs an electrical contracting and alarm company on the property identified as Map 4 Lot 5 which does not have any road frontage on Route 4. They are requesting permission from the Board to erect a business sign on the Lee town-owned property at the end of their driveway. This unlit sign will be approximately 2-3 feet tall by 4-5 feet wide between two posts (wooden or plastic). Chairman Cedarholm says this sounds appropriate. Selectman Bugbee asks what the rest of the process is. There is some discussion around a permit and referring them to the Planning and Zoning Administrator for their next step. Selectwoman Dennis mentions that she spoke to Alan Dennis regarding this matter and does not have any questions. Chairman Cedarholm moves to approve the request to erect a business sign on Lee town-owned property located at Map 4 Lot 5 on Route 4 which is at the end of the driveway belonging to CE Morgan Holdings, LLC. Selectman Bugbee asks Selectwoman Dennis officially or unofficially what did Alan say? Selectwoman Dennis states that he said it was commercial property that the Town of Lee owned; it was pretty wet, didn't see that we would ever develop it and encouraged us to think about allowing the use for a sign. All in favor.
Motion Carries.
6. Roger Rice is not present for this agenda item regarding the Lamprey Regional Co-op.
7. Randy Stevens informs the Board that the signs came in for the playground. They will work on building a kiosk with pressure treated wood.

Selectwoman Dennis picked up the Alteration of Terrain plans in Concord. The AOT permit expires on April 4th of next year. There is lengthy discussion around completing an as-built plan. First need to do something with the huge pile of gravel and then there is the fill. There was discussion regarding using the gravel for the parking area. They need to find a place to store the gravel. There is discussion regarding the fill.

The crack sealing and striping have been completed. Marc Jacobs is struggling with wetland permits. Hazard Mitigation Assistance grant is on the Consent Agenda. We now need a Benefit Cost Analysis. Erin Darrow from Right Angle Engineering can provide one for \$540. Then the next step would be an Engineering Analysis. If the ratio is <1 then she wouldn't go past a Cost Analysis. Chairman Cedarholm moves to approve a contract with Right Angle Engineering to perform a Benefit Cost Analysis for the Tuttle Road HSEM Grant Application at the cost of \$540. Selectwoman, seconds. The Board amends this motion to also include the application. Chairman Cedarholm moves to approve a contract with Right Angle Engineering to perform a Benefit Cost Analysis and prepare the grant application for the Tuttle Road HSEM Grant at a total cost of \$3,075. All in favor. **Motion Carries.** Selectman Bugbee asks what the piles of stone are worth. For the 350-400 yards of the ½ inch, the Town may be able to get \$10 per yard. The same is true for the 1000 yards of the ¾ inch.

8. Larry Kindberg recommends the purchase of handicap accessible swings and a handicap accessible digger along with considering access to this equipment. The 5' arch swings are approximately \$6063 plus \$790 shipping and handling. The digger will be about \$800-\$900. They still have the 7 slides to install. Mr. Kindberg has contacted Tobin Farewell to produce a

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drawing for a wooden structure with a roof which will be about \$1500-\$2000 for materials and hopefully put together a work group to construct. Mr. Kindberg states that he has been unable to get a quote for installing the equipment and building the access walkways to the equipment because everyone is so booked up. During the most recent site walk, Randy was amenable to doing this work. There is discussion between Mr. Kindberg and the Board over the actual plans for the park. There is a question from the audience to ask if anyone has consulted with David Miner, who is a certified playground consultant. The answer is no, but Chief Dronsfield states Bronwyn Dronsfield has consulted with experts in her circle. Selectman Bugbee asks Randy Stevens if he and his team are ok with doing all of this work - he is fine. The Recreation Commission recommends purchasing the equipment and moving forward with the highway department to install equipment and access paths. Chairman Cedarholm moves to authorize the Highway Department to assist the Recreation Commission with constructing handicap access paths. Chairman Cedarholm moves to authorize the Recreation Commission to purchase handicap-accessible swing set and digger for LRP and to purchase materials to construct a play structure for approximately 4 slides and authorize the Highway Department to install the equipment, utilizing funds from WA18FY13 and not to exceed \$12,000. Selectman Bugbee, seconds. All in favor. **Motion Carries.** The Board informs Mr. Kindberg to bring the contract to the next meeting for the Board to sign.

Paul Gasowski has accounting questions. Is Randy's department compensated for these hours? Whose budget covers these hours? TA Glover states that this is all within the Highway Department operating budget. Mr. Gasowski thinks that budget for the park should have labor in it. He does not think that Randy can take on all of these projects. Selectman Bugbee said that they tried the pay back option in the past with cemetery work and it did not work. Mr. Gasowski states that the Board should have a heart to heart regarding his budget for next year.

9. Chairman Cedarholm asks if there is interest in discussing the need for a facilitator. Selectman Bugbee is not opposed to it, but in terms of getting another Town Center or Town Building Committee formed would come first before a facilitator. He understands the difficulty in facilitating, but there will be a cost also to consider. Chairman Cedarholm had proposed this prior to the LBC being formed again. He does not think it is productive to have two committees that will compete. He doesn't think it is possible to have 2 committees working side by side. Selectman Bugbee thinks we should try to coordinate them. The Board is supposed to deliver the Library Building Committee's charge within 30 days after forming the committee. Selectwoman Dennis states that the Board does not have a line item in their budget for a facilitator. The public will think that this is their job and she is afraid that it might be a mistake to make this decision without educating the public on why the Board is thinking about hiring a facilitator. Chairman Cedarholm moves on to agenda item #10. Lauren Cox asks if the Board has tried to contact Strafford County Regional Planning for assistance. Chairman Cedarholm thanks Mrs. Cox for her suggestions but states that there is no interest so he is moving on.
10. Chief Dronsfield reads Section 21-A from the noise ordinance and asks how do they measure that? After researching this topic extensively, Chief Dronsfield has come to the conclusion that if they are going to enforce this it needs to be defensible in court. Chief Dronsfield has invited Brian Fisher, a professional sound engineer, to come in and educate us on what we need to know and do. They need to learn how to enforce this properly. Also, need to train several people in the department not just the Chief. The ordinance places this cost on the Track, but the

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Chief's contact suggests splitting it with the Track. The Town should also involve the Track in this process. It is a good idea to let them know we are going to enforce the ordinance.

Chairman Cedarholm volunteers to be the Board of Selectmen's Rep on the reconstituted Ad Hoc Race Track Committee. Chairman Cedarholm moves to reconstitute the Ad Hoc Race Track Committee with the purpose to bring on a consultant and refine the Town's approach to noise measurement and enforcement at the Track. Selectwoman Dennis, seconds. Who will bear the cost of the consultant? Chairman Cedarholm and Chief Dronsfield read the ordinance to say that the Race Track bears that cost.

The Ad Hoc Race Track Committee will consist of the Track Manager, Chief Dronsfield, Chairman Cedarholm, 4 other community members to apply and be approved by the Board. All in favor. **Motion Carries.**

11. Selectman Bugbee says that he is not an assessing expert but there are certain things that he is not clear about after talking with Alice MacKinnon. He sent the contract to Alice MacKinnon to take a look at. Selectman Bugbee asks if she can approach and speak to the Board. Chairman Cedarholm allows it. Selectman Bugbee asks her to speak on what she sees and her concerns with this particular contract and what it covers and what it doesn't. Ms. MacKinnon states that it covers doing a measure and list of the Town at 25% increments. They call it a property update or property review. This is the major cost of the \$30,000 that the Town is spending every year and we don't need it according to Ms. MacKinnon. She adds that we did a total and complete eval in 2011. TA Glover states that we did not do a complete eval in 2011. Cummerford/Nieder/Perkins did a measure and list of the properties that were sold from April 1, 2009 thru April 1, 2011 which was about 16 properties. Ms. MacKinnon disagrees with her and says that they had already done measuring and listing for 4 prior years to that. The Town is due to perform a statistical update in 2016 according to the law. She thinks that the Town should contract with a company on an as needed basis. TA Glover states that most of the traffic in the office on a daily basis is assessing related. We hand out Mr. Marsh's cell phone number every day. They go out and perform assessing for building permits and abatements. Ms. MacKinnon cannot imagine that there are more building permits this year than last year. TA Glover disagrees and states that there is a high level of activity in the code enforcement and planning and zoning department these days. Ms. MacKinnon says there is no point in spending \$30,000 to measure and list property each year. TA Glover asks isn't the point to keep our assessing records as up to date as possible so that everybody is assessed in a fair and equitable manner and then when we have to do the evaluation the measuring and listing data is up to date. In 2011 they did a statistical update with the exception of 2 year's worth of sales. Selectwoman Dennis states that the Board has already had this discussion in a prior meeting to wait until next year to review this and make and changes this late in the game. In addition, if such a change were to be contemplated then MRI should have the opportunity to come in and tell us what exactly has been done and why. It is clear to Selectwoman Dennis what has been done and what hasn't so she is not sure why they are arguing over this. Selectman Bugbee thinks that the Town is spending more than they have to. Chairman Cedarholm has the contract for the reval in front of him. It says "under this contract only sale properties that sold with the time period of April 1, 2009 and March 31, 2011 shall be visited for exterior and interior measurement and inspection." TA Glover points out that if we are now proposing to not have MRI do measuring and listing each year then come the time to do the reval won't we just pay

for it every 5 years? Alice MacKinnon does not answer this point. Selectman Bugbee states that he is not an assessing expert but it sounds like we don't need to measure and list. TA Glover does not agree with that statement. The Town will be in trouble if we don't hire an assessor and just have someone on an as needed basis. Ms. MacKinnon says that is what most towns do. TA Glover does not agree with that statement. Selectwoman Dennis would like an expert in assessing to weight in. Ms. MacKinnon says she is an expert because she reassessed 8 towns back in 2006(?). Selectwoman Dennis would like to have MRI come in to tell us what they are doing and why. The Board agrees. Chairman Cedarholm asks the TA to invite them to attend the next meeting or possibly the first meeting in July.

12. TA Glover submits a Highway Equipment Trust Fund request to the Trustees of the Trust Funds to reimburse the General Fund for the purchase of the 2015 For F-450 in the amount of \$20,411.00 for the Board to sign.

Chairman Cedarholm want to clarify statements he has said in the past that the town of Lee has had the highest tax rate of all the towns in Rockingham and Strafford counties. Currently there is only one town that has a higher overall tax rate and that is the town of Durham. Town of Lee has a high town tax rate, but it is not the highest. His point is the Town tax rate is the only portion that the Board can control. The public only cares about the overall tax rate. TA Glover has been provided with data from the Finance Officer that compares the Town of Lee to other Strafford county towns. The county average for the town tax rate is \$6.53 and Lee's town tax rate is \$5.53. The town tax rate is 18 cents lower that the State average. Lee's school tax rate is \$6.56 higher than the State average. Selectman Bugbee thanks whoever provided this data.(Joanne Clancy, Finance Officer.) Chairman Cedarholm reminds the Board that the Town tax rate would be closer to \$7 if this Board has not artificially lowered it to \$5.53 with monies from the Undesignated Fund Balance.

The RFP for municipal software resulted in four responses. TA Glover would like to bring 3 of the companies in and have them do a demonstration of the software for us and answer additional questions. Prices came in above the Town's budget, but TA believes that was because they based their numbers on more users than we intend on initially setting up. TA Glover would suggest that Selectman Bugbee be involved in these demonstrations by meeting with Ms. Clancy and the software companies.

TA Glover submits a vacation request for the Board to sign.

13. Chairman Cedarholm moves to approve the Consent Agenda as presented. Selectwoman Dennis, seconds. All in favor. **Motion Carries.**
14. Chairman Cedarholm moves to approve the public meeting minutes from May 12, 2014. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

Chairman Cedarholm moves to approve the non-public meeting minutes from May 12, 2014. Selectwoman Dennis, seconds. All in favor. **Motion Carries.**

15. Chairman Cedarholm moves to accept the Manifest #24 and week's payroll ending June 8, 2014. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

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16. Selectwoman Dennis informs the Board that she and Selectman Bugbee attended the Select Persons Institute on Saturday. It was an informative and nice day.

Selectwoman Dennis also would like to ask the managers and the public to support the town hall staff in get the agenda meeting supporting material to them in a timely manner so it can be included in the agenda packet.

Selectwoman Dennis also adds that it might be helpful in the future to ask speakers to state their credentials when they are speaking to a certain subject.

Chairman Cedarholm states that on Sunday he saw that the porta-potty was tipped over, the picnic tables were tipped over, hoses were tied to the basketball nets and there were ATV tracks on the dirt portion beyond the gate at Little River Park. The Town needs to get a secure fence around that field. TA Glover will look into finding funds for this. This is a priority. Chairman Cedarholm did not report to the police yet.

Chairman Cedarholm wants a written legal opinion with respect to the 2011 vote where the legislative body voted to put the Library Community Center on Lot 02 01 01. The Board agrees. TA Glover will get this. Chairman Cedarholm wishes to help formulate those questions.

17. Chairman Cedarholm motions to adjourn at 8:21 pm. Selectman Bugbee, seconds. All in favor.
Motion Carries.

Minutes transcribed by:

Denise Duval, Town Secretary

6/23/14

Minutes accepted by The Lee Select Board:



David Cedarholm, Chairman



Carole Dennis



Scott Bugbee