

Board members present: Chairman Cedarholm and Selectman Bugbee

Others present: Larry Kindberg, Paul Gasowski, Erick Sawtelle, Town Administrator Julie Glover and Town Secretary Denise Duval.

1. Chairman Cedarholm calls the meeting to order at 6:00 pm.
2. Chairman Cedarholm opens up the meeting to public comment. There is none.
3. Larry Kindberg references the email that the Town received from Lori Wright regarding remote controlled airplanes at Little River Park. Mr. Kindberg says that the Rec Commission has been working on this for a while. There have been a number of people utilizing LRP to fly remote control aircraft including him. This group of people has been working with the Rec Commission to create a set of rules and regulations regarding this. Ms. Wright has concerns with using LRP and whether or not it is ideal for this type of operation. Mr. Kindberg states that this park is not ideal. The Rec Commission is looking to address this.

Chairman Cedarholm reads a few of the concerns that are mentioned in an email from David Witham at Primex. 1. Unless prohibited by ordinance the Town could not fully control the use of RC planes at the park. 2. The use of RC planes at the park may pose risks if the park were being used for other activities at the same time as for example soccer or baseball. 3. Liability for the Town is present but seems minimal with reasonable controls in place. 4. Primex's aviation exclusion does not pertain to RC planes; therefore, does not apply to this situation. Mr. Witham suggests that if the Town wants to allow RC plane use at the park then the Town may want to consider scheduling RC plane use to times where the fields are not in use by sports teams.

Mr. Kindberg will draft a set of rules and guidelines for the Board to review. Selectman Bugbee asks when the Board can expect to receive this draft. Mr. Kindberg says after he gets back from vacation next month.

The swing sets have been shipped out and should be arriving tomorrow. The slide structure should be built soon. They have the plans and the materials.

4. Erick Sawtelle states that he is present as a resident not as an Ag Commission representative. Mr. Sawtelle has some concerns with NHMA Standing Policy Recommendations #13 Environmental Regulation and Preemption. It is extremely open-ended and has tremendous consequences for agriculture the way that it is written. He would ask that Selectman Bugbee voice these concerns (*at the NHMA meeting on Sept. 26th*) and not vote in favor of this policy. Erick reads policy #13. He does not want to see municipalities make laws and rules for the environment particularly pertaining to agriculture that are more restrictive and limited than the State already has them. TA Glover will get more background information on this item and bring to the next meeting.
5. TA Glover reviews the Advisory Budget Committee Meeting schedule with the Board. TA Glover reminds the Board that they had requested in a prior meeting that the first meeting include the CIP Committee as part of a planning and goal setting kick off meeting. Chairman

SELECT BOARD MEETING MINUTES

September 15, 2014

PAGE 2

Cedarholm believes that having the CIP discussion on October 21st is early enough in the process. As it is a Town holiday, the November 11th meeting is moved to November 18th and the November 25th meeting is moved to November 19th. The Recreation Commission discussion will most likely be moved off of October 7th since Chairman Kindberg will be on vacation that week. The rest of the schedule is accepted.

6. a) The Town received a notice from the HealthTrust of an overall return to members of \$17.1 million as a result of the BSR regulatory proceeding. Chairman Cedarholm moves to allow the Town Administrator to send a letter to the Health Trust instructing them to forward this return in the form of a Contribution Holiday in the amount of \$18,967.72. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

b) The TA references a letter received from the owners of the Wiswall House Antiques located in Durham. The Carter's asked that this matter be brought to the Board; however, it is not the recommendation of the TA to violate the Town of Lee's zoning regulations. Chairman Cedarholm states this is unfortunate but to be fair he must support the code enforcement. TA Glover clarifies for Selectman Bugbee that the Wiswall sign was taken down from the triangle due to a complaint being filed. The Town has an agreement with the State that no signs may be placed in the triangle. Our zoning regulations do not allow for a directional sign for a business that is not located in the Town of Lee. TA Glover will advise the Carter's that they cannot put up a sign in Town.

c) The ESA draft discussion is tabled for Chairman Cedarholm to review further.

d) Chairman Cedarholm asks to review the selection criteria for the Need Assessment RFP. Would like to hire based on qualifications and then look at billing rates. They should focus on qualifications and who will provide the best scope of work and then look their cost proposals. TA states that this is actually a very common practice. TA will prepare a revised request including the language 'to deliver proposed cost in a separate sealed envelope' and bring it to the next meeting on September 22nd for the Board to review. In the meantime, the TA will send out an addendum postponing the deadline for submittals until Thursday, September 25, 2014 by 4:00 pm.

Paul Gasowski states that he was hoping the selection committee for this project would be broader than just the Select Board. He thinks it should be as public as possible. He thinks it is in the best interest of the Town to broaden this beyond just the Select Board. It will help heal and facilitate future process. He encourages the Board to reach out to other players and to be inclusive and publicizing the process.

TA Glover points out that the RFP does anticipate that the selected firm will meet with other groups, commissions, committee and staff in town. Mr. Gasowski thinks that should begin now. TA Glover states that the Board will open the RFP's and discuss them in a public meeting. Chairman Cedarholm reminds everyone that it is the Board that ultimately makes the decision. Mr. Gasowski suggests that there is an opportunity here to be inclusive. Chairman Cedarholm suggests putting on the proposals received on the website so that the public can read them and then comment on them. His feeling is that the real work will happen after the selection is made.

He believes that the actual decision will not be a difficult one. Mr. Gasowski wants the Board to create a selection committee. He does not want to do this electronically.

Selectman Bugbee hopes that the public will come to a BOS meeting to make their comments. He does not want to delay this process any more than they have to. He agrees doing this at a publicized Board meeting not at a non-Board meeting. He agrees with Chairman Cedarholm that the hard work will begin after the selection process.

Mr. Gasowski states that the way that this has been presented to the prospective groups has led to some confusion in terms of what the ultimate goals are of the proposal and that the process is unclear in terms of how the work will be conducted and how many folks will be involved and what the expectation is. He thinks that there is a problem with him being the only one there at this meeting to discuss this. He thinks that the Board should reach out to the commissions, committees and groups to let them know when it is on the agenda so they can send representatives to be part of the process. He feels right now the process is abstract and problematic.

TA Glover states that the RFP was reviewed and discussed at no less than three meetings. The BOS made changes to the original draft that the TA presented. The document that was approved and sent out specifically says that "It is requested that any and all contact with the authorized contact person be made by email. No contact with any other Town personnel other than the authorized contact person is allowed until such time as an award has been made." The Board designated the TA as the contact person. The TA is concerned that Mr. Gasowski is aware of confusion or questions on the part of anyone who might be submitting a proposal because that suggests that he has had contact with someone who might be submitting a proposal. The proposal also that any questions be submitted in writing which is very common practice, so that there isn't any information that goes out to one person and not another and that everyone gets the same information. The TA has received two sets of questions and has responded with two addendums.

Mr. Gasowski states that he has had no contact with any of these people. He has a problem with the Town Secretary conducting the walk through of the buildings for the prospective groups even though she did a good job. He was expecting any questions to be answered at that time and not through email. Chairman Cedarholm states that if the submitters that came to the meeting thought that there was going to be something else then there were mistaken because it was clear in the proposal that questions are supposed to be submitted in writing. Chairman Cedarholm states that it was unfortunate that the TA could not be present, but the Town Secretary handled giving a tour and if they thought they were going to have their questions answered verbally at the meeting then they were mistaken. Mr. Gasowski states that he thinks that someone should have been there to answer any questions about the scope of what this proposal was looking for. Chairman Cedarholm states that they are looking for a concept scope. Developing a final scope will happen once someone is hired. Chairman Cedarholm closes this discussion at this point and moves on to the next agenda item.

7. Chairman Cedarholm moves to accept the Consent Agenda as presented. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

8. Chairman Cedarholm moves to approve the BOS Public and Non-Public Meeting Minutes from September 2, 2014. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
9. Chairman Cedarholm moves to accept the Manifest #31 and Weeks Payroll ending September 14, 2014. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
10. Selectman Bugbee goes over his thought process regarding the Need Assessment RFP with Chairman Cedarholm; The Board goes through the RFP and chooses somebody in a regular meeting where the public can make comments and express concerns; after the choice is made then get a group together and have them go through the process with whomever is chosen. He would like to see something on the ballot this next year. Chairman Cedarholm feels the same way. He does not want this to turn into a 6 month exercise. He wants the group to understand the challenges over the last 15 years and encourage them to be creative. He wants to hear an independent third party's opinion.

There is a discussion about the vault and the need for safe, dry storage for town records.

Chairman Cedarholm gives an update on the Ad Hoc Race Track Committee. They have developed a scope of work or RFP to hire a noise consultant to design a noise study of the perimeter of the race track; review the ordinance to decide if it is enforceable and if it is not what they would recommend for modifications. The plan is to get proposals and bring a Warrant Article in March for the citizens to decide upon who should pay for this. The Board does not have the ability to say whether the Racetrack is violating the ordinance or not so the Town can't make the Racetrack pay for this study that would take place in 2015.

11. Selectman Bugbee gives an update on the Library Building Committee meetings. After the first round of modifications to the proposed Library, they have reduced the size of the proposed new Library to 10,000 square feet. The committee does not have enough information to find out how this equates to cost. They are still sensitive to the \$1.7 million. They have a rep from Milestone at the next meeting to talk about how much the building will now be with these square footage cuts.

The meeting with the Brickers has not taken place as of yet. Unofficially, Mr. Bricker is not interested in closing off one of his driveway entrances.

The information provided to the State for the driveway permit application might have been incorrect. The committee is researching this with Dennis Mires.

Selectman Bugbee would like to see something in front of the voters this next year.

12. Chairman Cedarholm moves to adjourn at 7:42 pm. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

SELECT BOARD MEETING MINUTES

September 15, 2014

PAGE 5

Minutes transcribed by:

Denise Duval, Town Secretary

9/29/14

Date

Minutes accepted by The Lee Select Board:



David Cedarholm, Chairman



Carole Dennis



Scott Bugbee