

Board members present: Chairwoman Dennis, Selectman Bugbee and Selectman LaCourse

Others present: Larry Kindberg, Cary Brown, Sharon Meeker, David Meeker, Anne Tappan, Ron Pitkin, Jim Banks, Naida Kaen, Roger Rice, Chuck Cox, Dorn Cox, Randy Stevens, Steve Hinchman, Brian Hotz, Erick Sawtelle, Town Secretary Denise Duval and Town Administrator Julie Glover.

1. Chairwoman Dennis calls the meeting to order at 6:00 pm and asks if the Select Board accepts the Agenda as presented. It does.
2. Chairwoman Dennis opens the meeting up to public comment.

Jim Banks, Carpenter Lane, informs the Board that he is in the process of putting in a photovoltaic source for his house that he will personally own and pay for. It will put electricity into his house and the extra will go to the power grid. There is also a 200 kw array being put in on the property that will be owned by investors in which he will have no involvement at all. He thinks that offering a PILOT is fine if it applies to everybody. Mr. Banks states that he obtained a building permit for his personal photovoltaic and paid for it at the regular rate so he is assuming that the corporation that is putting one in for Durham is going to be charged the same rate of building permit that one would pay in Lee. Durham charged the school district \$80,000 for a building permit when they rebuilt the high school. At the time, it was pointed out that neither Lee nor Madbury had ever charged the school district for a building permit. He would hope that the Town would not give any sort of special permission to the corporation working in Durham to not charge them the full amount of the building permit that would otherwise apply.

Cary Brown, Thornton Lane, states that from what he understands Durham operates on a budget that's five times what Lee's is will be getting a \$2 million array basically free of charge and now they come to Lee for a PILOT and to forgive the taxes. He does not agree with this and it has nothing to do with being a good neighbor. It has something to do with doing good business for Lee. If Lee has the opportunity to collect a tax from Durham for putting in their \$2 million array then that's what we should do per Mr. Brown. This could be a police car every four years. He does not agree with the \$1 be a good neighbor fee.

Chuck Cox, Capt. Smith Emerson Road, would encourage the Board to do whatever it can to increase the use of non-polluting energy sources. He also thinks that it would behoove the Town of Lee to support the Goss project.

3. Julie Glover reminds the Board that at the last meeting the Town of Durham and its partner ReVision Energy presented information about their proposed 640 KW photovoltaic solar array project to be located at the Packers Falls gravel pit in Lee. RSA 72:74 allows the governing body of the municipality, which in this case would be the Lee Select Board, to enter into a voluntary agreement to make a Payment in Lieu of Taxes with the owner or lessee, which in this case is going to be a Lessee, of a renewable generation facility. Durham has asked for that amount to be \$1. The TA suggests that if the Board agrees to a PILOT that they request that Durham and/or ReVision Energy and/or IGS pay our attorney to review the PILOT. The TA would also suggest that there be language in the agreement which reflect changes in the law that might come along and impact the tax payers in Lee. The TA also points out as did Mr. Banks that there are four potential projects similar to this in the works within the Town of Lee.

She does not know the legal ramifications at this point, if the Board were to enter into a PILOT with the Town of Durham and then refuse to do so with anyone else. The TA explains that if we were to assume a construction value and then an assessed/appraised value of \$2 million at the current town tax rate of \$5.19 per thousand, the tax revenue would equal \$10,380. DRA confirmed that the money that comes in via a PILOT goes into the town's general fund and is not distributed directly to the school or county.

Selectman LaCourse states that while he appreciates the fact that both photovoltaic and other ways of producing energy are extremely important, he does not envision any benefit to this activity to the Town of Lee; especially if he approves a PILOT program for \$1. If there was a benefit in some way where we could get some kind of income or electricity, but in this case there isn't; therefore, he is pretty firm on this decision to vote as a full tax utility.

Selectman Bugbee asks if DRA confirmed it was taxable. TA Glover states that yes, it is fully taxable as a private for profit corporation. There is an option to enter into a PILOT based solely on the town portion of the tax rate. The Town would get the same of money whether it is based on the Town tax rate or the entire tax rate.

Chairwoman Dennis asks Selectman LaCourse if he was looking at the town tax or the entire tax rate. He said he hasn't thought that through yet.

Selectman Bugbee says that he is in the same place. He does not see any benefit to the Town of Lee other than being a good neighbor. We have to think of the people who pay taxes in this town first.

Chairwoman Dennis is thinking about the four other projects in town as well.

TA Glover asks if the Board would be looking to tax this project fully or enter into a PILOT and the amount of the PILOT is the tax revenue that the town would normally receive or no PILOT at all. Selectman Bugbee indicates that he is not at that point.

Selectman LaCourse moves not to schedule a public hearing relative to entering into a PILOT agreement with IGS for the proposed Solar Photovoltaic project to be constructed on Packers Falls Road in Lee. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

4. Brian Hotz, VP for Land Conservation/Society for the Protection of NH Forests, presents a briefing on the Goss project which involves conserving 227 acres of land in Lee, Madbury and Durham owned by the Goss family. The land has been kept open to the public and offers a 10 mile trail system for hiking, snowmobiling and horseback riding. When the family decided to sell they gave the Forest Society the opportunity to raise the \$2 million and purchase the land within a year. The property would remain open to recreation, hunting hiking, fishing, snowmobiling and horseback riding. There is one Goss family member that will continue to own the historic home and 32-35 acres that is the farm which will be subject to a conservation easement. They are currently working on a funding package and applying for grants. The Forest Society may be asking each town to add conservation easements on their portion of the property that they own. They will be raising funds through this time next year.

5. Randy Stevens presents a material quote in the amount of \$2,592 for installing the guardrails at Little River Park. Selectman Bugbee asks to discuss the Pavilion at this time as well since the Warrant Article is for both the Pavilion and the guardrail at LRP.

TA Glover states that the RFP for the Pavilion was advertised in several places and 4 contractors contacted her regarding the project; however, only one submitted a proposal for \$74,520. The contractor that submitted the proposal is Excel Construction which is the firm that built the pavilion in Greenland where they managed to build a nice pavilion within their budget. The TA recommends that she contact Mike Todd at Excel to meet with him and Mr. Stevens and the Rec Commission to see if they can come up with ways to save money. Since the guardrail project is less than \$3000, her recommendation would be to go ahead and complete that now. The Board agrees. Chairwoman Dennis moves to grant the Highway Supervisor permission to purchase materials at a cost not to exceed \$3000 and to install a guard rail along the parking lot which abuts Little River Park. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

TA Glover asks the Board if they would be amenable to making the pavilion smaller in order to get it down to the amount of money we have to work with which would be \$57,000. Selectman LaCourse says that is an option. She will try to meet before the next meeting and bring back to the Board the results of that meeting.

6. Roger Rice informs the Board that the contract between Lamprey Regional Coop and Waste Management is in process. He hopes to have it by the September 14th meeting to sign. The contract was reviewed 'in-house' as opposed to sending it out for a lawyer to review. Chairwoman Dennis asks if there is an attorney 'in-house' to review the contract. Mr. Rice states that the Town Administrator for Stratham did the review.
7. Chairwoman Dennis would like to advocate for the individual commissions and boards to be responsible for volunteer recognition if they choose to do so. She does not see it as being the Select Board's place to randomly choose people to be recognized. She doesn't want to see anyone passed over. Selectman LaCourse agrees. He would like to see a volunteer recognition night. Selectman Bugbee agrees with both. The question is how much money should be spent on and annual event such as this. Selectman LaCourse asks that the TA draft a short policy regarding volunteer recognition.
8. Selectman Bugbee states that on June 8th, the Board voted to present an honorable Boston Post Cane to Harold Ward who has subsequently passed away. At this time the Board has to agree on the language to be inscribed on the cane. Selectman Bugbee suggests 'Honorary Boston Post Cane presented to Harold Ward June 8th, 2015 Lee, NH.

Chairwoman Dennis asks why the Heritage Commission and the Select Board chose to recognize Harold Ward but didn't choose to recognize Thelma LaBeau or Inez Bennett who were both elderly and longtime community members. This was arbitrary and not very thoughtful in the process in how to honor volunteers.

Chairwoman Dennis would like to know if the Town Hall notified Mr. Ward's family about the last discussion that was had. The answer was no. She asks the Board members how they got notified. Both Selectmen indicate that they do not know.

9. a) TA Glover reminds the Board that at the request of the Library Trustees they conducted an Airborne Radon test and it came back at a level that is above the EPA's recommended 4 pCi/L. The TA sent the RFP to 12 or 13 firms and there were two proposals submitted. The low bidder is \$4950. The higher bidder at \$18,625 was offering a 5 year warranty and the lower bid is offering a 1 year. The TA's recommendation is to award the bid to McBride's to do the work at the Library and then to just move forward and work with them to do the other buildings. The funds to come from the Building Maintenance Capital Reserve Fund. This firm could also take over the testing of the remaining town owned buildings.

Chairwoman Dennis moves to award the Airborne Radon Mitigation for the Lee Library to McBride's Water Advantage, LLC; costs not to exceed \$4950 and to be paid from the Building Maintenance Capital Reserve Fund; AND move to authorize the Town Administrator to contract with McBride's to perform testing and mitigation for all other Town-owned facilities and to utilize funds from the Building Maintenance Capital Reserve Fund. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

b) TA Glover updates the Board on the NHRS issue. The attorney from Devine Millimet recommended that the town hire a CPA to make the determination as to what the dollar amount is in terms of the exposure for the 3 years and 4 months of corrected W-2's. She also recommended that we take care of it all in 2015. The estimate looks to be between \$25,000 and 50,000. The TA is recommending that the town hire the CPA that the attorney recommends in order to maintain objectivity. Selectman Bugbee asks the TA to come back with the cost of the CPA before hiring him or her.

c) Covered in #5

d) TA asks for possible dates to schedule the first CIP meeting. They land on September 29th.

e) TA gives an update on the Town Center Committee progress. The Committee is looking to spend some money on drawings. She predicts that they will be coming back to the Board prior to the 6 months.

Cary Brown states that the Committee is looking to put together some renderings, not engineering drawings. Basically just some sketches to show a picture of what they would like to do. TA Glover estimates a few thousand dollars from the contingency.

Ron Pitkin, Wadleigh Falls Road, states that he knows a builder who gave him a preliminary number for renovating and adding on to the existing buildings and it is quite low. Mr. Pitkin spoke with him today and he would be available to meet and give the committee a sketch for little cost. Selectman Bugbee asks that the committee come back to report on the cost first before going forward.

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Selectman Bugbee asks for an approximate finish date for the committee. TA Glover says October/November.

- 10. Chairwoman Dennis moves to accept the Consent Agenda as presented. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
- 11. Chairwoman Dennis moves to accept the Select Board Public and Non Public Meeting Minutes from August 17th. Selectman LaCourse, seconds. All in favor. **Motion Carries.**
- 12. Chairwoman Dennis moves to accept Manifest #4 and Weeks Payroll Ending August 30, 2015. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
- 13. Selectman LaCourse states that the child care center got its site plan approval and they discussed putting up greenery on the edge of the parking lot.

Selectman LaCourse understands the issues that the Chair raised regarding the Boston Post Cane. He asks if we have a formal policy. Chairwoman Dennis and the TA state that the Town has been following the same practice since 1908. Selectman LaCourse would like to turn the practice into a formal policy. He also hopes that some of the recognitions can take place during Select Board meetings in addition to having the annual recognition night.

Selectman Bugbee states that the ABC met last Thursday so we have to start that process soon. The Board is contemplating Tuesdays as the night to meet.

Chairwoman Dennis sated that she spoke with Doug Kemp, NH Dept. of Environmental Services, who indicated that they could sign the Facility Report and indicate on it that we are non-compliant but that the Operating Plan will be completed shortly. She will sign the Transfer Station Facility Report since only one signature is required. The Board agrees.

- 14. Chairwoman Dennis motions to adjourn at 7:12 pm. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

Minutes transcribed by:



 Denise Duval, Town Secretary

9/1/15

 Date

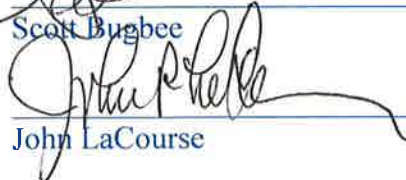
Minutes accepted by The Lee Select Board:



 Carole Dennis, Chairwoman



 Scott Bugbee



 John LaCourse