

SELECT BOARD MEETING MINUTES

November 23, 2015

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

Others present: Bill Humm, Martha Twombly, Ron Pitkin, Cary Brown, Paul and Annie Gasowski, Randy Stevens, Chief Dronsfield, 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.

Annie Gasowski and the Library Trustees would like everyone to know that they had their meeting last Wednesday and after hearing from the TA about the vote to remove the sign even though it was not an agenda item they will take down the sign.

The Trustees have also been following the Town Center Committee and the Select Board Minutes and they are open to a proposal of enlarging the library at the current site. They are concerned with the Capital Reserve funds and they feel that these funds were made for the library so they are interested in seeing that they work towards a proposal.

3. Martha Twombly is here in place of Brian Hotz to speak on behalf of the Forest Society. Ms. Twombly is a fund raiser for land acquisition projects. She provides the Board with more detailed information about the Powder Major project and gives an update on where they are at the present time. The main project is for the Forest Society to purchase 195 acres that are shown on the first map in the orange. This land to be referred to as the Forest Society Reservation. Also, part of the project is for the property owners to retain a portion of the land under a conservation easement. The second map outlines the land purchase, the conservation easement purchase, the Madbury Town parcel, the Goss House, the Hiking trails and the Conservation lands. The third map is a Subdivision Concept Plan prepared by Doucet Survey to help with determining how much the land is worth. This was to assist the families with buying each other out of the land ownership. The final information pertains to the Natural Resource Values and Public Benefits for moving forward with this project. The value of the whole project is about \$2.5 million to purchase the land and cover transaction fees. They are in the early stages of fundraising now. So far they have written for State grants and have received \$158,000 from the Aquatic Mitigation program through NH DES. Each of the 3 towns has to take some action with ballot initiatives to enable them to use funds from the towns. They are asking the communities to hold a conservation easement on the property in their towns and they are asking for \$150,000 to come from existing conservation funds. In addition, Madbury is considering donating a conservation easement on the land that they purchased last year. Selectman LaCourse asks if this is the original size of property. Ms. Twombly does not know for sure. Chairwoman Dennis asks if the wetlands were already taken out of the picture before doing the calculation on the worth of the land and they had.

There will be a public information meeting on Wednesday December 9th at the Public Safety Complex at 7pm.

Bill Humm informs the Board that several members walked the property on October 31st. At the November 2nd Conservation meeting the Commission voted unanimously to support the

project and to submit a warrant article for March 8th to acquire a conservation easement on the 45 acres that are located in Lee. There are two strong reasons for this. One is it will give the Town a long term leverage on the management of the property. Secondly, it helps with the funding of this very expensive acquisition that the Forest Society is undertaking on the 195 acres in fee simple and the 37 acres of the farm land that the Goss's will retain on which they will hold a conversation easement. They will be proposing to the voters that they support this acquisition. They will use \$150,000 from the LUCT Trust Fund.

4. Bill Humm explains that when the Driving Range Fore-on-Four constructed their driving range they inadvertently used a small amount of the easement property. Mr. Humm can understand how the confusion happened with the way this boundary was laid out, but the bottom line is that there is an encroachment by Fore-on-Fore on the Conservation Easement Property of Schulz and Friedlander. It is about 1/20th of an acre. Since they are mowing the grass in order to utilize another tee, there is not a burning legal urgency to correct this behavior, but over a short amount of time they would like to see this resolved. Back in 2010 the land owners, Fore-on-Four Driving Range and the town signed an agreement that would allow the encroachment to continue for 5 years at which time the owner of Fore-on-Four was to have removed the encroachment. That was supposed to be by December 1, 2015. The encroachment has not been corrected and the Commission has known this for some time. They have been working with both the land owners and with Fore-on-Four and with DES who are partial funders of the Conservation Easement. Fore-on-Four would like to extend the agreement for 2 years and the owners are in agreement. DES is also agreeable with this. The Conservation Commission is supportive of a 2 year extension, but do not want this to go to the last day and be confronted with a failure to remove the encroachment. The Commission will be working with Fore-on-Four over the next 2 years if this extension is agreed to. Originally this agreement was worked out because business was tough. They are beyond that now. Mr. Humm asks the Board if they would agree with this concept. If yes, he can return with a written agreement. Selectman LaCourse thinks that the extension is warranted at this time. He does not want it go past the 2 years. Selectman Bugbee agrees with an extension but not for 2 years. He would agree to one. Chairwoman Dennis is comfortable with the 2 years. Mr. Humm adds that maintaining a good working relationship with property owners on whose land we own easements and abutters to those lands is an important thing for the Commission to accomplish because it means that they avoid future problems.
5. Chief Dronsfield reminds that Board that he has previously discussed the poor condition of their (radio) base station. He acquired an estimate to replace the system from Motorola for \$13,988.00. He researched some grants with Homeland Security and after tying in the EOC they were able to word the grant accordingly. If they are awarded the grant the town would be responsible for half of the purchase price. The Chief is still working out the details with regards to where the money is going to come from. The grant needs to be submitted by 12/21 and it needs to be identified where the money is coming from before it can be submitted. Everyone decides to table this until the next Board meeting on December 7th.
6. Town Administrator's Report:
 - a) Chestnut Way LUCT paperwork is ready to be signed and is all individual paperwork. Kelsey Road will trickle in as the houses are built.

b) The TA confirms with the Board that the pay increases for the Chiefs will be effective 1/1/2016.

c) The current franchise agreement that the Town has with Comcast expires in May 2016. This is a five year agreement. She would recommend going forward with an informal renewal. It is possible to have this process be long and involve attorneys and end up costing a lot of money. At the end of the day, municipalities do not get a lot. The Town has no say in what channels people get or how much people pay for their cable. The one hole she found in the present agreement is that they never ran cable to the transfer station. At this time the TA asks the Board if they agree to allow her to pursue with Comcast in the least painful way possible. The Board is comfortable with this informal process.

d) TA Glover reminds the Board about the previous discussions with regards to the FSA. The only thing left to discuss is what the Board wants the maximum election amount to be. This is the amount that the employees can put in. The Federal government limits us to \$2550.00 for the health care and \$5000.00 for the dependent care. The health care money is available immediately come January 1st if that is the employees limit. The dependent care is only what the employee contributes; meaning they can only take out what they have put in. The TA suggests \$1000. The Board has already agreed to contribute \$200 January 1st and \$400 July 1st.

The question needs to be answered and disseminated to the employees whether or not the money from January – July will be forfeited if not used or if it will carry over into the plan year July 2016 – July 2017.

The TA will check with Health Trust. The Board agrees to \$1000 for the health care maximum for a 12 month period and \$5000 for the dependent care. Selectman Bugbee asks TA Glover to check with the department heads at the next meeting to make sure none of the employees have an issue with this.

TA Glover has received notification from the NHMA about the 2017-2018 legislative policy process which begins in April 2016. TA asks to be able to participate in this process on behalf of the Town and report back to the Board. Selectman LaCourse and Chairwoman Dennis support this.

TA Glover informs the Board that at the Municipal Manager's Association Annual Meeting at the NHMA Conference, she was nominated to, and accepted a position as, a member at large to the Municipal Manager's Group.

7. Chairwoman Dennis moves to enter into Non-Public session in accordance with RSA 91-A:3 II(a) at 7:00pm. Selectman LaCourse, seconds. All in favor. **Motion Carries.** The Board reconvenes to the public session at 7:40pm. Selectman LaCourse states that the minutes are to be sealed.

Chairwoman Dennis states that the Board is going to revisit the public comment session where Ann Gasowski talked about the Library sign. Selectman Bugbee wants a clarification with regards to when it was going to be taken down. Since Ms. Gasowski has left the meeting he requests that the Town itself removes the sign and deliver it to the Library. TA Glover asks for a time line. The Board agrees that they have until the next Board meeting (December 7th) to

take it down. TA Glover clarifies that she let the Library Trustees know right after the last Select Board meeting that the Board voted to have the sign removed. Chairwoman Dennis says that she believes that the Trustees meet once per month and she mentioned that they met last week.

8. Chairwoman Dennis moves to accept the Consent Agenda as presented. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

Chairwoman Dennis asks about the Tree Lighting. It is scheduled for December 6th at 4pm. Chairwoman Dennis would be happy to attend this year and flip the switch. She asks to remind Chief Dronsfield to provide a detail this year because the traffic is quite dangerous around the triangle.

The meeting to discuss the OYRA funding is December 9th at their office in Durham at 9:30am. Selectman Bugbee and Cary Brown will be attending.

9. Chairwoman Dennis moves to accept the Select Board Public Meeting Minutes from November 9, 2015. Selectman LaCourse, seconds. All in favor. **Motion Carries.**

Selectman Bugbee asks about reviewing Non-Public Meeting Minutes. TA Glover states that there is no requirement so it is whatever the Board feels comfortable with. The Board agrees to start the review of the Non-Public Minutes from 2015 at the December 7th meeting.

10. Chairwoman Dennis moves to accept Manifest #10 and Weeks Payroll ending November 22, 2015. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

11. Selectman Bugbee gives an update for the 250th Celebration Committee. The Mast Tree project is coming to fruition. The marking of the tree by Don Quigley and the 4th graders at Mast Way will take place on February 5th, 2016. The adult version of the tree marking will happen on February 6th, 2016 at about noon. The Sheriff and the King's officer will come and catch colonials chopping down the King's trees and there will be a tar (molasses) and feathering event. The felling of the tree will happen on February 12th, 2016 at about noon. The hauling out with oxen from the site to Mast Way School will happen on February 19th, 2016 at about noon. They will look into inviting Moharimet students as well.

The invites have gone out for the January 16th Proclamation Event. The Committee has invited the Governor, Executive Council, Chris Pappas, our representative to the general court, our two Senators and Representative and the President of the US. They are working with Mr. Daley to put flowers saying Lee 2016 at the end of George Bennett Road and 125.

TA Glover asks where we stand with the Brigade. Selectman Bugbee is working with them on tweaking the agreement so that everyone is in agreement.

TA Glover still has not heard back from Brian Seeley with regards to the parade application. It is extremely important that the State laws and Primex recommendations are followed with regards to parades. TA Glover states that we will want to have proof of insurance from all vehicles in the parade. Selectman Bugbee states that the Brigade has asked that the Town flag

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where all the sprinkler heads and lines are located and that we will allow them to put fire pits (in the playing field) by making H cuts and rolling the sod back. Selectman Bugbee says that the Rec Commission is ok with it. TA Glover says that would be a Board decision. The Board will discuss this at a later date once the insurance has been agreed upon.

The next budget meeting is the 1st of December. Select Board meetings in December are the 7th and the 21st.

12. Selectman Bugbee motions to adjourn at **8:11 pm**. Selectman LaCourse, seconds. All in favor.
Motion Carries.

Minutes transcribed by:



Denise Duval, Town Secretary

12/7/15

Date


Minutes accepted by The Lee Select Board:



Carole Dennis, Chairwoman



Scott Bugbee



John LaCourse