

SELECT BOARD PUBLIC HEARING & MEETING MINUTES

January 11, 2016

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

Others present: John and Anne Tappan, Larry Kindberg, Ron Pitkin, Roger Rice, Cary Brown, Jan Allen, Bill Callen, David Cedarholm, Phil Stetson, Ruth Eifert, Paul and Annie Gasowski, David Meeker, Deborah Schanda, Warren Hatch, Charles Cox, Katrinka Pellecchia, Randy Stevens, Peg Dolan, Caren Rossi, Chief Dronsfield, Chief Nemet, 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 general public comment.

John Tappan has four comments. The first is regarding the way the warrant articles are presented and the information that should be in there. Mr. Tappan says that according to the DRA and RSA 32:5, special warrant articles must indicate the recommendation or non-recommendation of the governing body and budget committee if there is one. He adds he has never seen whether the budget committee recommends them. The second comment is about the cost of living raise. Last year the Board did not present a COLA for employees and this year it is the same. The problem last year is that with no COLA proposed, one was proposed by the public and he says that we ended up with one that might not be appropriate. He recommends that there should always be a calculated COLA that would be appropriate for the Board to consider even if it is small. The third item is about the police cruiser. Mr. Tappan thinks that the reason the police cruiser was voted down last year was because of Article #21 where the Town voted to authorize the expenditures from the Public Safety Special Duty Revolving Fund to include purpose of purchasing police cruisers. He thinks that maybe the public looked at that and thought well there is this fund that they can buy police cruisers from. Mr. Tappan could not find how much is in that fund. His last comment is about withdrawals from the Unassigned Fund Balance. He was concerned last week at the way the meeting progressed. The meeting ended with \$386,000 coming from that fund without almost any discussion about what the appropriate withdrawal should be or what the appropriate level of the fund should be. He sees the managing of the Unassigned Fund Balance as an important function for the Board. He admits to missing quite a few meetings, but thinks that the cart was put before the horse. His research showed that when special warrant articles are funded from the unassigned fund balance that there are special timing requirements on when that money goes into the trust fund. He refers to RSA 35:11 Payments from Surplus and reads it. He wants to bring this to the attention to the Board in case they were not aware of it.

Chairwoman Dennis turns it over to TA Glover to address his comments. Whenever the statutes reference things that the budget committee must do they are referring to a municipal budget committee established under RSA 32 which we do not have. The Town of Lee has an advisory budget committee which is different. Second, there was actually a significant amount of discussion this year relative to COLA's prior to the public budget hearings. The third thing is yes, she is aware of the RSA that Mr. Tappan referenced and so is the Town Clerk and Treasurer. It is noted in the budget calendar that she and the Board use that March 18th is the last day for the Town Clerk to forward the certified record for transfer. Chief Dronsfield speaks regarding the Special Duty Revolving Fund. He states that it has less than \$5000 and not all the

money in that account can be expended because it is a revolving account. Monies go in and out as details get paid for. What accrues in there is what gets charged for the cruiser. Once this adds up there may be enough to supplement cruiser equipment costs.

3. Chairwoman Dennis opens up the FY17 Budget Public Hearing and asks if there are any Public Hearing comments at this time.

David Cedarholm, Fox Garrison Road, commends the Board for bringing a budget forward that is actually less than last year's budget. He knows it is a lot of work and thanks the Board.

TA Glover asks if the Board wants to reconsider COLA's for FY17 or consider having some kind of merit pool. A starting off point for a dollar amount could be the 2% COLA voted for in FY16 for all full-time employees and regular part-time employees valued at \$36,600.

Chuck Cox, Captain Smith Emerson Road, sees that there is one copy of the budget over on the table. He says he would expect there to be more available and a presentation, but it doesn't look like that is going to be done. TA Glover points out that there were a number of copies of the budget, etc. on the table for people to take on their way in. In addition, during last week's public budget meeting the Board went through the budget line by line. The full budget was included in the agenda packet last week as well.

Chairwoman Dennis closes the Public Budget Hearing at 6:18pm.

4. TA Glover presents the Town Center Committee memorandum which the committee elected her to do at their last meeting on 12/14/15. The committee met 12 times between 7/13/15 and 12/14/15 and it is safe to say that there is a divergence of opinion and a lot of strong and lively debate relative to the various topics. She would say that overall the committee recognized that Town Hall is inadequate for the purposes for which we are using it. There was not 100% agreement as to if we were going to do something about that what that would be. TA Glover thinks it is safe to say that the majority of people on the committee recognize that Town Hall is really not sufficient for what it is being used for. They discussed a number of options; expanding on the existing site; adding on to the PSC; building at Steven's field. The subject of cost came up a lot. The committee discussed the master plan survey when it came out as well. The meeting minutes are on the website along with this memorandum.

Selectman Bugbee asks if the committee discussed the costs associated with each of the options presented. TA Glover says that this would require a certain expertise that we did not necessarily have on the Town Center Committee nor was it really the charge of the committee to determine cost estimates for any of the options. TA Glover states that there wasn't really consensus on any one option. It appeared that among the department heads and staff the preference would be to build a new building on Steven's field. A number of the members on the committee felt that that there is just not enough room to successfully expand at the town center even if the hobo shed was to be moved. Selectman Bugbee asks the Board where it goes from here. Selectman LaCourse thinks that they should accept this report and decide whether the committee should continue on with further discussions. At this point Selectman LaCourse does not support renovating town hall. He believes it is historic and should be kept safe. He also is not interested in building with two other bonds still out there. He feels strongly about doing something at the

PSC and asks the TA if everyone at Town Hall needs to stay together and can people be phased over. The TCC discussed at great length moving offices to the PCS and it was ultimately determined that that really is not a feasible resolution to the problem. We would spend more money than one would think to try to incorporate offices into a space for which it was not designed. Then we would lose meeting space and what would happen to the record storage space.

David Meeker asks to be able to make another comment on behalf of the committee. She suggests that this discussion be held off until the new Board member comes on. Selectman Bugbee would like to have the discussion now and would like to have the public weigh in. The Board decides to give the public time to read the results and come back to discuss at the February 1st meeting. Mr. Meeker states that he is not asking to make a public comment he is a member of the committee and this is the committee report. Chairwoman Dennis wants to leave comments to the next meeting. Mr. Tappan asks why there wasn't more discussion about the land in-between the town center and the church. Chairwoman Dennis asks the Board if they would like to take comments from the committee members and/or audience or hold off until the next meeting. Selectman LaCourse would like to hold off but accept this report so that the committee knows that they have done their job. Selectman LaCourse moves to accept the report of the committee. Selectman Bugbee, seconds. All in favor. **Motion Carries.** Selectman LaCourse thanks the committee for doing such a good job.

5. a) TA Glover reminds the Board that there is one budget item left over for further discussion and that is the Pay in Lieu of Vacation dollar amount because the Board determined that really related to a larger policy discussion. TA Glover informs that Board that the department heads had a meeting on Friday and all seemed to be strongly in favor of leaving the policy as is. There is a lengthy discussion around who takes this benefit and who takes their vacation. Both Selectman Bugbee and LaCourse want to see employees have to take a certain amount of their vacation every year before they can be allowed to take the Pay in Lieu of Vacation benefit. TA Glover asks how the Board is going to police this and how far they are willing to impinge on the employee's vacation choices that they make. Selectman LaCourse believes that while this discussion is ongoing that the line item should be fully funded. Selectman Bugbee does not agree. Chairwoman Dennis and Selectman LaCourse agree to fund Pay in Lieu at \$15,200.

b) Pass for now (Operating Budget)

c) The Board reviews each of the Town Warrants after the TA reads each of them. The Board supports Article #1(Election of Officers) and #2 (Powder Major Farm easement.) Selectman LaCourse would like to remove Article #3 (Discontinue New Library CRF). Selectman Bugbee agrees and would remove #4 as well (Deposit funds from New Library CRF into Town Buildings CRF.) The Board agrees. The Land Use Change Tax Article would have been #5. Selectman LaCourse and Bugbee agree to remove Article #5. Article #5 becomes #5a. The Board supports Article #5a (Operating Budget). Selectman LaCourse would like to see the reference made to residential in Article #6 (Solar Exemption). The Board otherwise supports Article #6. The Board voted at the last meeting to take all of the capital reserve deposits out of the unassigned fund balance which includes Article #7, #8, #9, #10, #11, #12, #13, #14, #16 and #17. The Board supports Article #15, #18 and #19 (deposits to Capital Reserve Funds; purchase a Fingerprint Scanner/Printer; and purchase a police cruiser.)

TA Glover informs the Board that she received a Petition Warrant Article today with 70 signatures and the Town Clerk verified that 69 were registered voters. TA Glover reads the WA: To see if the Town of Lee will vote to establish an advisory committee under the direction of the Lee Select Board to study cost effective practices to create a sustainable energy efficient and resilient town. The committee shall be composed of community members at large, representatives of commissions and committees, and town personnel. The committee shall be appointed by the Select Board by March 31st, 2016 and shall be composed of 5-9 members each serving for a term of 3 years. Any vacancies that occur shall be filled by the Select Board. The committee shall meet and present its findings and recommendations yearly to the Select Board by Nov. 15th. The summary of the committee's annual report shall be published in the Town Report.

Chairwoman Dennis asks the difference between this committee and the Energy Committee that we already have established. Paul Gasowski states that this committee is modeled after the Oyster River School District's sustainability committee. The notion here is that sustainability and resilience encompasses everything. They would like to create a support for other committees and bring the town together to become more resilient and form a community. Selectman LaCourse believes that this committee would probably have a different function than the existing Energy Committee. Selectman Bugbee partially agrees and would like to see what the town wants to do with it.

The Board recommends each one of the Warrant Articles including the Petition Warrant Article.

TA Glover mentions that she received a phone call from Chuck Saia who is the Executive Director of the Governor's Commission on Disability letting us know that they received a lengthy email from Cynthia Giguere asking the Commission to look at the Library as to whether or not it is ADA compliant and accessible. He also mentioned that this information is public. They have not made a decision yet as to whether or not they were going to look into this. They would let us know. TA Glover suggested that they look at Town Hall if they do decide to look at the Library.

d) The Board approved the Default Budget at the last meeting which just needs to get signed so that it can be posted with the Warrant and the FY17 Operating Budget.

e) TA Glover references the Memo submitted by the Racetrack Committee relative to the progress they are making with regards to the noise study. It appears they are looking to come forward next summer with recommendations. Next Tuesday is the Racetrack Public Hearing. Selectman Bugbee asks why the lawyers were asked to get involved with regards to the noise study.

Chief Dronsfield states that it was his understanding that any correspondence relative to any actions that were going to be taken, the track wanted their attorney to be notified as well so that they were all on the same page. He states that the process has gone great and the only thing that delayed them was agreeing on a place to take measurements from. They have agreed on the

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closest property marker at the south end of the track. In the spring they will erect a pole that the measuring device will be mounted on and take accurate measurements from there.

Bill Callen states that they chose that spot for safety reasons also.

f) No miscellaneous.

6. Chairwoman Dennis moves to enter into Non-Public session NH RSA 91-A: 3 II (a) personnel at 7:11pm. Selectman LaCourse, seconds. All in favor. **Motion Carries.**
The Board returns from Non-Public at 7:50pm.

The Board has agreed to put \$30,000 into FY17 for a performance pool. TA Glover clarifies that the budget that the Board previously approved will be increased by \$30,000 and the number that was discussed in the public hearing for merit increases was \$36,000 but the Board is allocating \$30,000.

7. Selectman Bugbee confirms that the Board is all set with their Proclamation duties.
Selectman Bugbee asks to set the schedule for the Primary Election duties for Tuesday, February 9th. Chairwoman Dennis offers to do the morning 7-12. Selectman LaCourse will do 12-4 and Selectman Bugbee will to 4-close.

TA Glover remembers a procedural item that as of January 1 the Board needs to vote to seal the non-public minutes in public session with a roll call vote. Chairwoman Dennis moves to seal the non-public minutes for January 11, 2016. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

8. Chairwoman Dennis motions to adjourn at 7:54 pm. Selectman LaCourse, seconds. All in favor. **Motion Carries.**

Minutes transcribed by:

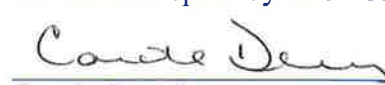


Denise Duval, Town Secretary

2/1/16

Date

Minutes accepted by The Lee Select Board:



Carole Dennis, Chairwoman



Scott Bugbee



John LaCourse