

SELECT BOARD MEETING MINUTES

April 25, 2016

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Board members present: Chairman Bugbee, Selectman LaCourse and Selectman Brown

Others present: Larry Kindberg, Caren Rossi, Randy Stevens, Matthew Purcell, Julie Butterfield, John & Anne Tappan, Sarah & John Dawson, Sally Fleming, Corey Parker, Claire Reinhold, Paul Gasowski, Laurel Cox, Susan Mattioni, Chief Dronsfield, Chief Nemet, Town Secretary Denise Duval and Town Administrator Julie Glover.

1. Chairman Bugbee calls the meeting to order at 6:03 pm.
2. Chairman Bugbee opens the meeting up to public comment. There is none.
3. Chairman Bugbee reads from the following statement regarding the Public Hearing on the Proposal for the Renewal of the Cable Television Franchise Agreement.

The purpose of today's hearing is to receive the public's input on the proposal for renewal of the cable television franchise with the cable operator in our community, Comcast.

Please be aware that Comcast has not given its final approval to this draft, so the Board will not vote on it tonight. When Comcast responds and we have a finalized agreement, if the changes are minor, no second public hearing is required. If the changes are major, then a second hearing will be scheduled. In either case, the Board will vote on the final agreement at a duly-notified public meeting.

The Select Board is the franchising authority under New Hampshire law. Our Town engaged in a process to determine whether Comcast has complied with the provisions of the current cable television franchise agreement. We have also ascertained the future cable related needs and interests of the community, to inform our negotiations of a renewal franchise with Comcast. The proposed cable TV franchise renewal agreement that is the subject of this hearing is the product of that work.

The public has been invited to attend this hearing through the Public Notice which was posted two weeks before the hearing. The proposed renewal agreement has been available during that time for public review. Any resident or representative of a local organization who wishes to speak will have that opportunity tonight. Please note that some topics are *not* included in the proposed cable TV franchise renewal agreement, such as cable rates and channel selection, as the Town has no jurisdiction over those items. Likewise, the cable TV franchise agreement does not deal with telephone services or internet services provided by Comcast, as those are also outside the jurisdiction of the Town.

Would anyone like to come forward and provide input regarding the proposal?

Sarah Dawson, 19 Osprey Lane, does not have service from Comcast. She is wondering about the conditions or terms of who gets service from Comcast. Osprey is off of Wednesday Hill Road. All the people at the end of Osprey Lane get coverage off the river. The TA has only heard from one other property owner in Lee who does not have service. Comcast at this time will only go 100 feet off of the main line. In the new agreement, the Town is asking to extend that to 200 feet. The Dawson's are ½ mile from Wednesday Hill Road. Years ago Comcast indicated it would cost \$10k to run the cable to their house. TA instructed to contact Comcast about this particular situation.

Sally Fleming, 85 Osprey Lane, states that the Dawson's land abuts Toon Lane which is high density. Ms. Fleming thinks that if a Comcast person were to be creative instead of not, they could come through the woods to the Dawson's. She wishes the Town would stick up for the residents.

Paul Gasowski, 46 Lamprey Lane, thinks that a 5yr agreement is the most that the Board should give them. He also thinks that there is a real need to improve the audio of these meetings. He would highly recommend that they take some of the franchise fee and add mics to the tables and podium, add a TV monitor, get a 2nd camera going and hire someone to operate them. The bulletin board could use some new music.

The Mast Tree video is debuting on May 4th then it can go onto Channel 13. TA Glover adds that the franchise fee is 3% and the Town gets about \$40k a year from that which goes into the general fund. The Town could raise the franchise fee and set aside the additional percentage for equipment. To do what Mr. Gasowski suggested would be a lot of additional cost.

Chairman Bugbee states that if there are no more comments, the Public Hearing is now closed, and we will return to the meeting of the Select Board. Thank you for your participation. The Public Hearing closed at 6:20pm.

4. John Tappan, 187 Stepping Stones Road, describes what he refers to as a disturbance on Tibbetts Road. From Route 4 there is a large pile of brush that blocks the road. There is fill that has been placed on the road as well. Continuing ahead there is discarded concrete, slate, boards, stacked cut logs and more brush. Once past all of this it is clear that there is a road by the stone walls visible on each side. State statutes give municipalities the authority to regulate disturbances on such highways. RSA 236:11 refers to restoration of disturbances. Mr. Tappan is asking the Board to instruct UNH to restore this area to a reasonable road grade. The Town is not responsible for the cost of restoring this highway. The Town will have the cost of monitoring the restoration.

Matt Purcell, Representative from USNH (the current owners of the property,) thanks Mr. Tappan for bringing up this issue. It was never UNH's intent to block this roadway. The solid

fill was, to the best of their knowledge, done when Mr. White owned the property back in the early 60's when he built the parking lot. UNH and USNH are happy to work with the Town to do the best that they can to clean this area up. Much of the solid fill and material has been there for over 50 years. Selectman LaCourse states that soil disturbance could be a problem. Randy Stevens agrees and states that getting the brush and materials out would be good and then just smoothing out the grade would suffice. The Board agrees. Selectman LaCourse **moves** to instruct the Road Agent to supervise the University System in removing the manmade objects such as cement and slate, remove the brush pile and level the area to maintain drainage. Selectman Brown seconds. All in favor. **Motion Carries.** Mr. Purcell understands.

5. Corey Parker, Director of Athletics for ORCSD, apologizes for not being at the April 11th meeting. Mr. Parker refers to the schedules for ORHS baseball and Middle School that were included in the packet for tonight and asks that the Board approve this usage of LRP. On a side note, the athletic field project in Durham is ahead of schedule. TA Glover adds the request that ORHS be sure to pick up all trash from the fields before they leave. Mr. Kindberg asks if the maintenance of the fields is still under the care of ORYA. TA Glover states that it will be a collaborative effort now between ORYA and ORCSD due to the increased field usage on their part. Chairman Bugbee **moves** to grant ORCSD permission to use the Little River Park baseball field for the Oyster River High School baseball and Middle School baseball for the 2016 season. Selectman Brown seconds. All in favor. **Motion Carries.**
6. Paul Gasowski, 46 Lamprey Lane, is here to follow-up on forming the Sustainability Committee. There are currently 3 prospective members who met on the 19th to talk in general and get to know each other a little bit. There were concerns about the size of the committee vs. the size of the task. They are going to meet again in the 2nd week in May to share their visions. They want to design and start a campaign in order to bring other members on. Following the growth of the committee, they will talk about what Lee would like as a sustainable community. They would like to hold off on the charge and grow the committee first.
7. a) Randy Stevens, Highway Supervisor, reviews the plow truck material which was in the packet with the Board. There is a long discussion between buying a new vs. old truck. Selectman LaCourse is leaning towards new; Chairman Bugbee is leaning towards old. Mr. Stevens states he is leaning towards old, but then says he is still on the fence. Mr. Stevens will look at what is going up for State auction on May 14th. The Board asks Mr. Stevens to provide more data on buying a new truck.

b) The Board has reviewed the paving bids. Mr. Stevens received 7 bids and recommends going with Brox who submitted the lowest bid. Madbury and Deerfield have been pleased with their work in the past. Chairman Bugbee **moves** to authorize the Highway Supervisor to enter into an agreement and sign a contract with Brox Industries for the paving of various roads per

the Summer Road Work Plan contingent upon favorable reference checks. Selectman LaCourse seconds. All in favor. **Motion Carries.**

c) There is back and forth discussion with regards to the loam and stone deal with the ORHS contractor and Seth Peters. The Board again gives Mr. Stevens authority to make the best deal he sees fit.

TA Glover informs the Board that approving the sustainability members was on the agenda under #6. Chairman Bugbee **moves** to approve the following full membership appointments to the Sustainability Committee: Brian Giles, Paul Gasowski and Leslie Adams. Selectman LaCourse seconds. All in favor. **Motion Carries.**

8. Chairman Bugbee moves to approve the following appointments to full membership positions: David Cedarholm to the Planning Board; Tom Loureiro to the Ad Hoc Race Track Committee; Elisabeth McCaffrey and Cord Blomquist to the Heritage Commission and approve the following appointment to an alternate position: Howard Huff to the Planning Board. Selectman Brown seconds. All in favor. **Motion Carries.**
9. b) TA Glover asks if the Board will accept the already existing ORYA Fundraising Policy. The funds raised by banner advertising will funnel through ORYA and then go into maintenance work at LRP baseball field. Susan Mattioni is present to speak on past practice and to how they would continue to conduct themselves with regards to the money raised. The money would first go towards maintenance of the fields and safety upgrades before it would be spent on any extras. There is a discussion with regards to who should hold the money. The TA will do further research on the Revolving Fund Statute.
 - a) TA Glover reviews what exists now for rules for Town Recreational Facilities and what has been proposed for changes. The big question is how do we police or monitor the use of the pavilion if we start taking reservations. Larry Kindberg suggests putting signage up at the pavilion indicating when it is reserved. He further suggests that the Recreation Commission could receive the reservation information from the Selectman's Office and put the sign up. Selectman LaCourse and Brown would like to see a reservation policy. Chairman Bugbee would like to see a sign with regards to picking up after your pet. The reservation policy will be a trial period through this season.
 - b) TA Glover reminds the Board of a recent discussion regarding the electrical outlets near the pavilion at LRP. Selectman Bugbee states that Jim Banks is concerned that the plug that is there now is all set up for his distribution system and if you convert to the four plugs you will reduce the power that can be taken from that particular outlet. Mr. Banks says there is more flexibility with what is there now then if we restrict it. This item is tabled for further review.

10. Chairman Bugbee **moves** to accept the Consent Agenda as presented. Selectman LaCourse seconds. All in favor. Motion Carries.
11. Chairman Bugbee **moves** to accept the Select Board Public Meeting Minutes from April 11, 2016. Selectman LaCourse seconds. All in favor. **Motion Carries.**
12. Chairman Bugbee **moves** to accept the Select Board Non Public Meeting Minutes from March 14th, 28th and April 11th, 2016. Selectman LaCourse seconds. All in favor. **Motion Carries.**
13. Chairman Bugbee **moves** to accept Manifest #21 and Weeks Payroll ending April 24, 2016. Selectman LaCourse seconds. All in favor. **Motion Carries.**
14. a) Chairman Bugbee **moves** to enter into Non-Public Session per NH RSA 91-A: 3 II (a) and (c) at 8:05pm. Selectman LaCourse seconds. All in favor. **Motion Carries.**

The Board returns to public session at 9:04pm. Chairman Bugbee publicly discloses the following two (a) items which were discussed in non-public.

1. The Emergency Management Assistant Director position has been reassigned from Chief Dronsfield to Caren Rossi effective immediately.
2. Discussed bonus amount for hourly staff and increased Kristen Cisneros' hourly wage to \$15.00 effective 4/24/2016.

15. **Motion** made by Chairman Bugbee to seal the minutes. Seconded by Selectman LaCourse, because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this Board. Roll Call Vote to Seal Minutes: Scott Bugbee Yes, John LaCourse Yes, Cary Brown Yes. **Motion Passed.**
16. Chairman Bugbee requests payment from the 250th Anniversary Committee account to do the time capsule in the amount of \$600. He requests to expend \$600 to re-order mugs and purchase for the first time small bells; \$1500 to pay for the NH Pipe and Drum Core Band for the parade and \$2000 for the ORMS Jazz Band Ensemble for the parade. Selectman LaCourse **moves** to approve these requests. Selectman Brown seconds. All in favor. **Motion Carries.**

The Mast Tree video is debuting on May 4th and then it will play on Channel 13.

The Backyard Initiative videos may be able to be played on Channel 13. Selectman Brown will ask Erick Sawtelle at the next meeting.

TA will reach out to Ear Craft in Dover regarding sound and video system updates.

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At the request of Chairman Bugbee the Town Secretary will put "review sealed non-public minutes" on the next meeting agenda.

Selectman LaCourse informs the Board that the Planning Board did approve the subdivision of the University System of NH. Tibbets Road is on the piece that is not sold. They sold the larger house. The access to the other parcel is up the Market Basket right of way.

17. Selectman Brown **motions** to adjourn at 9:15 pm. Selectman LaCourse seconds. All in favor. **Motion Carries.**

Minutes transcribed by:



Denise Duval, Town Secretary

5/9/16

Date

Minutes accepted by The Lee Select Board:



Scott Bugbee, Chairman



John LaCourse



Cary Brown