

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

Others present: Larry and Pat Roop, Caren Rossi, John and Anne Tappan, Paul and Annie Gasowski, Roger Rice, Townsley Chisholm, Chief Tom Dronsfield, Town Administrator Julie Glover and Town Secretary Denise Duval.

1. Chairman Bugbee calls the meeting to order at 6:30 pm.
2. Chairman Bugbee opens the meeting up to public comment. There is none.
3. Chairman Bugbee opens the Discretionary Preservation Easement Public Hearing and asks if either party presenting an application would to speak. Pat Roop, 248 North River Road, states it has been a privilege to be able to own the barn and to be given the opportunity to preserve it like it is. It is still considered a working barn. She has 7 horses, 4 goats and 2 geese living in the barn. She thanks the Town and the Selectmen for making it possible for them to participate in this program.

Selectman Brown would like to have some sort of marker on the historical barns so they may be easier to locate. Pat Roop adds it would be nice if all of the signs were the same. Chairman Bugbee will bring this idea to the Heritage Commission.

Chairman Bugbee moves to approve Mr. and Mrs. Roop's application for a Discretionary Preservation Easement on the barn for a ten year term and a 75% reduction in assessed value and to authorize the Town Administrator to work with Town Counsel and the property owner on drafting the easement document. Selectman Brown, seconds. All in favor. **Motion Carries.**

Chairman Bugbee moves to approve Mr. and Mrs. Chisholm's application for a Discretionary Preservation Easement on the barn for a ten year term and a 75% reduction in assessed value and to authorize the Town Administrator to work with Town Counsel and the property owner on drafting the easement document. Selectman Brown, seconds. All in favor. **Motion Carries.**

Chairman Bugbee closes the Public Hearing on the preservation easements.

4. Chairman Bugbee opens the Chestnut Way Street Acceptance Public Hearing and asks if anyone would like to speak on this issue. There is no one.

Chairman Bugbee asks Caren Rossi about the issues that were raised at the last public hearing. She confirmed that those issues have nothing to do with accepting the road. Ms. Rossi explains that in November the owner of the property requested a variance for the setback from the well to septic requirement and that was granted. Several abutters did not receive their notification in time. She indicates that the Town met its legal obligation. The abutters appealed the Zoning Board's decision to grant the variance and the Zoning Board did not grant them a re-hearing. The variance stands unless the abutters appeal to Superior Court. The Town Engineer confirmed as well that these are two separate issues.

Chairman Bugbee moves to accept Chestnut Way as a Town-owned street and move to accept the Warranty Deed for conveyance of land and easements for said-street effective at the end of

business day Wednesday, January 25, 2107 and move to accept a Letter of Credit in lieu of a maintenance bond and return the funds currently in escrow plus interest to the property owner. Selectman Brown, seconds. All in favor. **Motion Carries.**

Chairman Bugbee closes the Public Hearing on the Acceptance of Chestnut Way.

5. a) TA Glover states that after two public hearings, the operating budget stands at \$3,901,124.00 and all other warrant articles total \$702,340.00. That is a combination of funds being deposited into capital reserve funds and funds coming out of capital reserve funds to purchase certain items. There are two warrant articles that have funds coming out of capital reserve funds which are actually expendable funds meaning the Select Board has the authority to expend those funds without having a warrant article. One is the \$185,000 for the snow plow and the other is the \$62,000 for the fire cistern project. TA Glover wants to make sure that they have a discussion about a possible issue if those warrant articles are voted down; that even though the Board is the agent to expend they might not be able to approve the expenditure. There may be a problem with RSA 32:10-e which is the ‘no mean no’ provision.

There is a place holder in the budget for record scanning in the amount of \$20,000. There is a discussion about this matter. The Board decides to keep this item in the budget.

b) Chairman Bugbee did have questions concerning the two warrant articles that TA Glover referenced. If the plow truck costs more than \$185,000 then as agents to expend can the Board authorize the extra amount? Also, what if the article is voted down, can the Board as agents to expend purchase the item anyway. He would like to know where DRA sits on this. TA Glover states that she had a conversation with someone at NHMA re: no mean no and there isn’t really one body that polices it. Certainly there might be an issue of trust with the voters if after voting an article down it was done anyway. Someone could also bring a suit against the Board in Superior Court. TA Glover was unable to find any case law on no means no. It is a relatively new law.

Chairman Bugbee says for smaller items the Board would simply decide to purchase or not but with a larger purchase he thinks traditionally they ask the voters if they want to buy the particular thing. He asks if the balance in the capital funds can be listed in the articles. TA Glover says they can be put into the Voter’s Guide that is sent out after the Deliberative Session.

Chairman Bugbee moves to approve the FY18 Budget and the FY17 Warrant as presented. Selectman Brown, seconds. All in favor. **Motion Carries.**

c) The Board has a conversation regarding having office hours at Town Hall for the Selectmen. TA Glover cautions the Board that one Selectman can’t speak for the Board and whatever is discussed would have to come back to the Board for a decision. Selectman Brown says that this is his intention. He believes that he has discussed this before with everybody in Town Hall and the Board. Chairman Bugbee did not recollect a discussion about office hours. The hours will be Tuesdays and Thursdays 10-2 to start. Chairman Bugbee is ok with this.

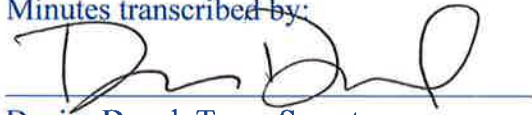
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- d) Chairman Bugbee moves to accept \$2999.00 from the Lamprey Regional Cooperative and to deposit said funds into the Town's General Fund. Selectman Brown, seconds. All in favor. **Motion Carries.**
6. There is no Consent Agenda.
7. Chairman Bugbee moves to accept the Public Meeting Minutes from January 3, 2017. Selectman Brown, seconds. All in favor. **Motion Carries.**
8. Chief Dronsfield asks for permission to miss the Deliberative Session on February 4<sup>th</sup> to attend a trip out of town. The Board grants him permission.
9. Chairman Bugbee motions to adjourn at 7:01 pm. Selectman Brown, seconds. All in favor. **Motion Carries.**

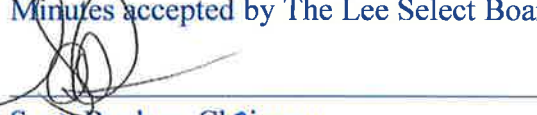
Minutes transcribed by:



Denise Duval, Town Secretary

1/30/17  
Date

Minutes accepted by The Lee Select Board:



Scott Bugbee, Chairman



John LaCourse



Cary Brown