

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

Others present: Larry & Gail Kindberg, David Cedarholm, Romeo & Bonnie Turcotte, Chuck & Laurel Cox, Quinn Duffy, Shawn Madden, John and Anne Tappan, Brian Cisneros, Lauren Scheibel, Dick Kaiser, Bill Humm, John & Sarah Dawson, Nancy Vaughan, Bill Wood, Paul Gasowski, Irene Boisvert, Erick Sawtelle, Phil & Penny Boucher, John Collins, Kim Mosher, Lou Ann Griswold, Ruth Sample, Al Maza, Sally Cedarholm, Randy Stevens, Chief Tom Dronsfield, Chief Scott Nemet, 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 SB2 public hearing at 6:30pm for comment.

Chuck Cox, Captain Smith Emerson Road, states that he brought the Petition to Rescind SB2 forward to be placed on the Warrant. He has watched participation in the deliberative session go down every year since SB2 has been enacted. He doesn't think that the public has received the communication that it needs for the people to be fully informed on what's going on in town. He thinks the town would be better served to go back to Town Meeting format. He thinks that the social aspect is very important. He understands that there has been concerns about the length of time that town meeting has been and how many people are unable to get to this meeting. He thinks that these can be worked out by the town such as move the meeting to Saturday, provide child care by the girl scouts and have the library provide refreshments. He thinks that the current SB2 has its short comings primarily in the information that people have. He hopes that people don't feel like they need a secret ballot. This would cut down on the length of time the meeting would take. He hopes that everyone would be looking out for the best interest for the town and not for themselves.

Dave Cedarholm, Fox Garrison Road, presents several slides to the audience outlining various statistics surrounding Town Meeting vs. SB2 since SB2 was adopted in 2011. There has been an upward trend in town meeting results and a similar increase in the operational budget. Mr. Cedarholm points out that if all of the Warrant Articles are approved this year, the town is going to see a dramatic increase in the town tax rate, up to \$6.71. The only community that currently has a higher tax rate than Lee is Durham. The voter participation since SB2 was adopted in 2011. Prior to 2011 the average number of votes at the poles was 635. In the last 5 years since SB2 was adopted the average number of votes was 924. This is an increase of 46% in voter participation. In his view, the more people voting the better this town really is. Building community doesn't just mean maintaining the community you have, but bringing in more residents and getting people who live in town engaged. The more people who are engaged the better this town is going to be. The future of this town is the new comers and the young families in the town. SB2 allows everybody to be included in voting which is the basic civic participation. Voting is where civic engagement begins. Road blocks will discourage more people than you know per Mr. Cedarholm.

John Tappan, Stepping Stones Road, wants to comment on the quality of the information that was just given out. He focuses on the graph that was shown talking about the increase in tax

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rate this year if all the warrant articles are approved. He reads from several Select Board minutes which reference applying money from the unassigned fund balance to the tax rate. He thinks that to put out a chart showing what the tax rate would be when the tax rate hasn't been set is telling the voter's incorrect information. He thinks erroneous information going out to the tax payer should be corrected.

Lou Ann Griswold, Wednesday Hill Road, appreciates that SB2 gives more opportunity for people to have a voice; however, she thinks there's something to be said about the loss of community when we do not gather together. She thinks that the town has given up a prime time to come together and share ideas, hear one another, listen and even change our minds. In a previous meeting, she said she heard one community member talk about a community center and having a dance floor. That request says here was the desire for us to gather together and we have lost many of those opportunities throughout the years. Since she is sure that the end result of this vote will be against town meeting, she encourages the Select Board to think of other ways that the town can come together and build community and not tear it apart.

Ruth Sample, High Road, thinks there are lots of different ways people can actively participate in democracy and inform themselves. Some people go to meetings, read a lot or talk to many people; however, if you restrict voting to town meetings alone she does not see that as anything other than voter suppression. She does not see the need to hold her right to vote hostage to my participation in Town Meeting.

John Collins, Belle Lane, served on the ORSB from 1997-2003 at the time that they adopted SB2. While he supports the SB2 way because it promotes more people being able to vote, he has mixed feelings about it.

Al Maza, Fox Garrison Road, has been in Lee for 20 years and is discouraged over what he has seen over the years. He used to attend Town Meetings and stopped going because of what used to happen after most of the people left at 9pm. He cannot understand why people are trying to bring this process back. He thinks that the Town should provide better information explaining what is going to be put out there for them to vote on. He uses today as an example of confusing information. One gentleman puts out charts and says one thing while another says another. No one is putting facts on the table from the Town. Mr. Maza wants to know what the reality is. He would not be able to make it to Town Meeting due to work.

Gail Kindberg, Lee Hill Road, says that this is not 1950 anymore. She thinks that the pull and yearning toward Town Meeting is a yearning to nostalgia. She felt intimidated at Town Meeting when it came time to vote. She resented that and stopped attending Town Meeting.

Paul Gasowski, Lamprey Lane, thinks that with SB2 there is a real challenge for communication. Mr. Gasowski wants everyone to be responsible for improving communications and becoming actively involved in our town.

John Tappan, Stepping Stones Road, wants people to ask him if they have questions about any statements he has made and he thinks that the Board needs to point out the efforts it has made to inform the citizens. He says this is the Board's opportunity to say what they need to say.

Dave Cedarholm has a letter from a resident who was unable to make it tonight partly due to this being school vacation week. The letter is from Deborah Jankura.

January 18, 2017

An open letter to all the residents of my town, Lee, New Hampshire:

My name is Deborah Jankura. I have lived in Lee since 1991. Some of you may know me as a veterinarian, a mom of 3 kids that went through the ORCSD, or a wheelchair bound ukulele player. My disability prevents me from attending a long, and often frustrating town meeting in order to vote on warrant articles. I have been using written resources and talking with folks in the Lee community to educate myself on the warrant articles so that I can make an informed decision when I vote.

If the ability to vote is restricted only to being present at a town meeting, I would be completely disenfranchised from having any input into the business of the town of Lee. I suspect there are other residents of Lee who would also lose the ability to contribute. Anyone who is disabled, elderly, who works in the evening, travels often for work, or has small children may be unable to attend a town meeting. The town will then be run by a select few who are able to endure a town meeting. Many members of the Lee community will lose their voice in the decision making of financial, environmental, and other matters concerning our town.

In an ideal world, the community meeting is the best way to run a true democracy. Everyone has a voice, the issues are discussed, decisions are made by people who have been informed of various points of view. We do not live in this Utopian world and need to conform to the realities we face. There are written and video resources that can be used to educate one's self on the issues before voting. It is the responsibility of every member of a democracy to make informed decisions, at all levels. Not all people will take this seriously to the same degree, whether we vote by ballot on election day or at a formal town meeting.

There is however, no question that restricting voting to being present at a town meeting will take away the voice of many residents who want to participate but for reasons beyond their control are unable to attend. I do not believe this proposal is in the best interest of our diverse community and would result in the exclusion of participation by many Lee residents, including myself.

I strongly urge folks to consider my thoughts when making a decision on voting rights in our community. I believe that everyone has a right to participate without restrictions. I hope I can continue to be an active resident of this town which is my home. Thank you for listening.

Sincerely,

Deborah Jankura
Lee, New Hampshire

Dave Cedarholm added that all of the data in the charts that he presented came from either Town Reports, the State website, the DRA and the Warrants. The estimated increase in tax rate came from the Town Administrator.

Romeo Turcotte, Calef Highway, asks if SB2 was to get voted down then where would Town Meeting take place. Chairman Bugbee says that it traditionally would take place at Mast Way School. If 1000 voters show up to a place that can only hold 400 people then there's a problem.

Brian Cisneros, Wadleigh Falls Road, supports SB2 but he has not been able to make the last two years due to work. At least he can vote by absentee ballot. He keeps himself informed by the town website, E-Crier, etc. It is not that difficult. Public information is out there.

Chairman Bugbee closes the public hearing at 7:16pm.

Chairman Bugbee states that the E-Crier goes out every Friday; there is a TV monitor at the Transfer Station with bulletins; the Voters Guide goes out every year before the vote; postcards are periodically mailed to every household and meetings are all online.

4. a) Chief Nemet introduces Bill Wood from the Division of Fire Safety at the Fire Academy. Mr. Wood, the Special Projects Preparedness Coordinator with the Bureau of EMS, speaks about the State-wide effort to implement HeartSafe Community initiatives throughout the State. He states that the Department of Safety in cooperation with the Department of Public Health and the American Heart Association are trying to reach communities to develop a chain of survival at the local level. Sudden cardiac arrest is a national epidemic with over 400,000 adults dying each year. In the NH, EMS average about 210 cardiac arrest incidents a month. Last week there was an AED save at the high school on a seventeen year old. Today they have over 3700 AED's located in all parts of the State and that number grows by the day. AED's compliment CPA and help save lives. Lee is the 31st community in the State to receive this designation by exemplifying a small town effort. Nancy Vaughan, from the American Heart Association and Cindy Tuttle, a nurse educator and nursing supervisor at Concord Hospital, applaud and congratulate the Town of Lee for all of their efforts towards becoming a HeartSafe community. Mr. Wood reads the following letter:

To the Honorable Chief:

Congratulations to Lee Fire and Rescue and the Community of Lee on obtaining NH HeartSafe Community status. The Town of Lee is the 31st municipality to receive this recognition. This is an exciting opportunity for local organizations to positively impact citizens and visitors in New Hampshire. The primary goal of the HeartSafe Communities is to increase survival rates from out of hospital cardiac arrests. The Lee Fire and Rescue, Lee Police Department, MacGregor Memorial Ambulance and the Town of Lee's partnership is instrumental to ensuring the chain of survival through community CPR programs, access to public defibrillators or AED's and the availability of advanced cardiac life support to ambulance services such as MacGregor. Thank you for the community's ongoing efforts in this life saving initiative.

Signed by Chief Nick Mercuri, Chief of Fire and EMS Strategy and Planning

Mr. Wood hands the rest of the presentation over to Nancy Vaughan. The Town is presented with a Certificate and a sign to post in Town. Chief Nemet introduces Quinn Duffy, the EMS Coordinator, Shawn Madden, from McGregor and Chief Dronsfield and emphasizes how much of a group effort this was between the Fire and Police departments and McGregor EMS.

b) Chief Nemet states that the Fire Department has been looking at different ways to recruit members. The group has decided they would be interested in making another Explorer Post. They have offered this program in the past. It is a good program and everyone wants to do it. Daniel Webster Council runs the program with the Boys Scouts. The Fire Department would be paying for a Charter for 18 months at the cost of \$80. There will be an individual fee paid to the Fire Department by each candidate in the amount of \$37. Once the program gets going it will hopefully fund itself. Currently there are 7 people that are very interested. The Explorer Post has its own SOP's and bi-laws. The Fire Department members will be taking Explorer and Youth Protection Training and Ride-A-Long Training through the Daniel Webster Council. This will take place during their Thursday night training night. The Board agrees that it is a great idea.

5. Skip for now

6. a) Larry Kindberg, Recreation Commission Chair, reminds the Board of what has been approved for programs this year: Easter Egg Hunt at Town Field Saturday, April 15th; Fishing Derby, Saturday, May 13th; Outdoor Movie Night at LRP playing "The Never Ending Story" Saturday, June 24th; Model Rocket Day, Saturday, July 22nd (Rain Date July 29th); and Outdoor Movie Night at LRP playing "Casablanca" Saturday, September 9th. Mr. Kindberg indicates that the Commission has the monies in their budget to cover the cost of these events. Chairman Bugbee moves to authorize the Rec Commission to expend up to \$4500 for the programs presented. Selectman Brown, seconds. All in favor. **Motion Carries.**

b) Larry Kindberg indicates that the Rec Commission had a meeting with Matt Glode, Director of ORYA, to discuss the MOU. The Commission agreed that the changes were fine, but they want to add Stevens Field back into the MOU because ORYA has a need for it. The Commission also strongly objects to the removal of all reference to the Parks & Recreation Commission from the MOU. Mr. Kindberg states that in discussion with Mr. Glode he prefers working directly through a Recreation Commission. Mr. Kindberg refers to RSA 35:B-3 and asks if this Board will reinstate the powers afforded by this RSA so that the Rec Commission can be involved in these contracts and regulations for the use of the fields.

TA Glover points out that the revised MOU does not specifically reference just the Recreation Commission because there are a number of committees and commissions that utilize LRP. Section 1-D states that "for the purposes of this Memorandum of Understanding the term *Town* shall include all Town of Lee department, committees and commissions. TA Glover spoke with Matt Glode as well and they are always looking for more fields to utilize and would like to use Stevens Field specifically for lacrosse. ORYA would like to do some maintenance on this field before they use it. The current MOU expires April 27, 2017. Selectman LaCourse would like to take this under consideration at this time and review in the near future.

Larry Kindberg thinks it would be more appropriate that this MOU should be between the Recreation Commission and ORYA with the approval of the Select Board. He says that the commission is frustrated with the way they've been put on the back burner. TA Glover is not clear about what Larry Kindberg is asking for with regards to responsibilities. Mr. Kindberg says they should be involved in all negotiations with regards to agreements for the use of parks and recreation facilities. TA Glover asks what within this MOU would the Rec Commission be in charge of. Mr. Kindberg says ORYA does the scheduling, the maintenance is already laid out in the agreement, and it would be the coordination of the Rec programs with ORYA directly rather than indirectly. Selectman Brown asks tries to ask the question in another way to better understand as well. Mr. Kindberg says that this MOU should be between the Rec Commission and ORYA. Mr. Kindberg says that he is not saying that there is anything wrong with this agreement. Chairman Bugbee asks Mr. Kindberg and TA Glover to produce a version of the MOU that works and send to the Board prior to the next meeting. Selectman LaCourse asks Mr. Kindberg to list the things that the Rec Commission wants to be involved in with an explanation and bring to the Board.

The Board would like to hear from Randy Stevens with regards to bringing Stevens Field back online.

7. Chairman Bugbee requests on behalf of the 250th Committee (and after consulting with Randy Stevens) permission from the Board to purchase a 25' flag pole for the LRP to be installed near the Pavilion along with a dark skies illumination on the top. Selectman Brown would ask that the POW flag be included. Chairman Bugbee moves to grant the 250th Committee permission to expend funds out of the 250th account to purchase and install a 25' flag pole at LRP to be located near the Pavilion. Selectman LaCourse, seconds. All in favor. **Motion Carries.** Chairman Bugbee makes a friendly amendment to spend up to \$1000. All in favor. Motion Carries. The Police Association will buy the POW flag for the pole.
8. a) The Election coverage for Tuesday, March 14th will be Selectman Brown 7:00am – Noon. Chairman Bugbee noon – 4:00pm and Selectman LaCourse 4:00pm – close.

b) TA Glover presents a revised procedure for Town Offices closing. The Town now has an account with WMUR for future use. As far as remotely accessing the town website, TA Glover will research with VTH as to whether or not this can be done with our existing software. The Board approves the policy as presented and will sign a final version at the next meeting.

c) TA Glover asks the Board for permission to extend her vacation from 3/2-3/8. The Town Secretary will be covering the Facilities Committee meeting on 3/8/17. The Board is fine with this.
5. Chairman Bugbee asks Randy Stevens what the condition of Stevens Field is because ORYA would like to start using it again. Mr. Stevens says that playing lacrosse on it will kill it without irrigation. Chairman Bugbee asks about the condition of the general purpose field at LRP. Mr. Stevens says there is very minor damage there. It will be ORYA's responsibility to re-sod the damaged part of the field. TA Glover will call ORYA to get them started on this ASAP or it may have to wait until the fall according to Randy Stevens. The damage is in front of the goals and some is where the encampments were from the 250th Celebration.

Randy Stevens states that the Town has an ordinance from 1986 that states anything over 55k needs a permit for all roads. He is requesting to post a revised notice to take effect 2/28/17 through 5/15/17 pursuant to RSA 41:11, 231:91. There is no fine associated with the ordinance, however; the RSA puts the onus on the police department to enforce it and then if written up the court can impose a fine up to \$1000. Chief Dronsfield indicates that this is just to start up enforcement. The judge will want a fine presented at the time of the court date. Randy Stevens will post signs in the pertinent areas. Chairman Bugbee moves to authorize the Highway Supervisor to post weight limits on certain roads as presented to be in effect from the date of posting to May 15, 2017. Certain Roads to include Snell Road, Newtown Plains Road, Hayes Road, Pinkham Road, Garrity Road, Packers Falls Road, Jenkins Road, Wednesday Hill Road, Stepping Stones East, West and South Road, Mitchell Road, Tuttle Road, Campground Road, Fox Garrison Road, Kelsey Road, West Mill Pond Road, Thompson Mill Road, Lee Hill Road, Cartland Road, DeMeritt Avenue, Gile Road, High Road, Birch Hill Road and Old Mill Road. Selectman LaCourse, seconds. All in favor. **Motion Carries.**

9. Chairman Bugbee moves to accept the Consent Agenda as presented. Selectman LaCourse, seconds. All in favor. **Motion Carries.**
10. Chairman Bugbee moves to accept the Manifest #17 and Weeks Payroll Ending February 26, 2017. Selectman LaCourse, seconds. All in favor. **Motion Carries.**
11. Chairman Bugbee moves to enter into Non-Public Session per NH RSA 91-A: 3 II (a) and (c) at approximately 8:20 pm. Selectman LaCourse, seconds. Roll Call Vote. **All Agree following Roll Call Vote. Motion Carries.** The Board returns to public session at 8:57pm.
12. Chairman Bugbee moves to give a pay increase to Rye Morrill from \$13.01 to \$16.00. Selectman LaCourse, seconds. All in favor. Motion Carries. Chairman Bugbee moves to seal the minutes from the other subject matter in non-public session. Selectman LaCourse, seconds. All in favor. Roll Call Vote. **All Agree following Roll Call Vote. Motion Carries.**
13. Chairman Bugbee reminds TA that all employee evaluations have to be done by April 1st. Asks her to send out reminder. The Board would like to be able to review them in April and/or May and do recommendations for increases to be ready to go by July 1st.

There is a discussion surrounding the unassigned fund balance based on the document that the Treasurer provided to the Board. Lee's rating is Aa3. Durham is Aa2. The higher the rating the better rate on a possible bond.

Chairman Bugbee gives a brief update on the Select Board and Facilities Committee's Public Presentation on February 22nd. There were about 42 people in attendance. There were many new faces who asked great questions and were very engaged. Just about all wanted Option 2-D which is purchasing church property. Two wanted Option 5 which is building on Stevens Field. Most people wanted all of the projects done at once and not a single phased approach. The next meeting will be on March 8th. Selectman Brown asks when Art Guadano's task is over. Chairman Bugbee says that the decision will need to be made to engage him again with the next phase. Chairman Bugbee adds that there were no comments about keeping the Annex.

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Selectman Brown asks if there is going to be a session to look at cost reductions. Chairman Bugbee says definitely yes.

14. Chairman Bugbee moves to adjourn at 9:15 pm. Selectman LaCourse, seconds. All in favor.
Motion Carries.

Minutes transcribed by:




Denise Duval, Town Secretary

3/13/17

Date

Minutes accepted by The Lee Select Board:



Scott Bugbee, Chairman



John LaCourse



Cary Brown