

## SELECT BOARD MEETING MINUTES

May 8, 2017

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

**Others present:** Anne and John Tappan, Bill Humm, Randy Stevens, Roger Rice, Toby Van Aken, Chief Tom Dronsfield, Town Administrator Julie Glover and Town Secretary Denise Duval.

1. Chairman LaCourse calls the meeting to order at 6:30 pm.
2. Chairman LaCourse opens the meeting up to public comment.

Anne Tappan, Stepping Stones Road, speaking as a member of the Conservation Commission states that at the last Select Board meeting Chairman LaCourse presented the Board's goals. He recommended not continuing with the practice of having Select Board representative's appointed to each commission and committee. Selectman Bugbee is a representative to the Conservation Commission and he regularly attends the meetings. Ms. Tappan states that the Conservation Commission appreciates this. Ms. Tappan believes that having representatives is a win win arrangement and urges the Board to continue this valuable practice.

Chairman LaCourse states that the Selectmen are welcome to continue attending these meetings.

John Tappan, Stepping Stones Road, reminds everyone that at the last meeting he presented a drawing which was a recommendation for purchasing a larger area of the church property and the question arose with regards to where is the cemetery really. At the Facility Committee last week, Mr. Tappan indicates that Selectman Bugbee had surveys of the town property and one that covered most of the church property. With these and a physical measurement that he and his wife took, he drew a new drawing that according to his calculations is accurate. He is not recommending that this be a starting point, but he thinks that this shows in fact that there is a reasonable distance on the road would fully enclose the cemetery. Mr. Tappan adds that the Master Plan is incorrect with regards to who is buried in that cemetery. There are actually 8 individuals in the cemetery according to Selectman Bugbee. He adds that the land that the church chapel is on was purchased from the Town in 1861.

Selectman Brown re-enforces Mrs. Tappan's comments with regards to attending committee meetings. He will continue to attend the Energy and Ag meetings.

3. Chairman LaCourse opens the Public Hearing on HB329 and moves to legalize, ratify and confirm all actions, votes and proceedings from the postponed Town Meeting/Voting Session that was held on March 18, 2017 and to hear public comment on the issue. Selectman Bugbee, seconds.

WHERE AS, the Town of Lee has the 2017 Town Meeting voting session scheduled for March 14<sup>th</sup>, 2017 from 7 am to 7 pm at the Public Safety Complex located at 20 George Bennett Road in accordance with the provision of RSA 40:13.

On March 12<sup>th</sup>, 2017 at 8:28 pm the New Hampshire Bureau of Homeland Security and Emergency Management provided an initial briefing from the National Weather Service. The NWS issued a winter storm warning for all of New Hampshire warning of a "Major Winter

Storm". The prediction of the NWS was for 8-18 inches with 1-4 inches per hour possible. Blizzard conditions were possible with gusts of wind from 30-40 mph. Governor Chris Sununu warned citizens not to travel on the roadways unless it was absolutely necessary. State offices and liquor stores were closed in anticipation of the winter storm.

On the morning of March 13<sup>th</sup>, 2017 Town Moderator Jan Neill determined that the forecasted weather presented an unnecessary risk to the safety of voters who would need to travel to the polls to vote.

(This was done in accordance with RSA 40:4.)

The moderator postponed the voting day from March 14<sup>th</sup>, 2017 to March 18<sup>th</sup>, 2017. The voting times and the location remained the same. On March 13<sup>th</sup>, 2017 a notice was posted on the Town website, at Town Hall, on the Lee Transfer Station TV monitor, and at the Public Safety Complex. The notice was also posted on the sign board in front of the Public Safety Complex. The information was provided to the WMUR television station, radio station WOKQ, and Foster's newspaper.

THEREFORE, the moderator acted within her authority, Further, she acted in the best interest of the voters by postponing the voting session of town meeting in the interest of public safety. The decision to postpone ensured the safety of citizens and allowed for the processes of democracy to occur without unduly infringing upon the right to vote.

After a properly noticed public hearing in accordance with provision of HB 329 which was passed into law on April 21<sup>st</sup>, 2017 we do hereby ratify the 2017 Ballot Session/Town Meeting and all actions taken by the legislative body by vote of the people on March 18<sup>th</sup>, 2017.

All in favor. **Motion Carries.** Chairman LaCourse closes the Public Hearing.

4. Mr. Murdoch is running late. The Board moves this item to the end.
5. Roger Rice had originally submitted a request to purchase a 60" sweeper for \$3854.00 but after discussing this with Randy Stevens it would be best to get a 72" sweeper which is the same width as the machine. The price for that attachment would be \$4285.00. This sweeper will fit on all of the bobcats that they have. Chairman LaCourse moves to grant the Transfer Station Manager permission to enter into a contract to purchase a Bobcat sweeper attachment for an amount not to exceed \$4285.00 said funds to come out of the Transfer Station Equipment Capital Reserve Fund. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
6. Bill Humm, Conservation Commission Chair, presents the document from Southeast Land Trust of NH who is the successor agency to Strafford Rivers Conservancy. When the Town acquired Lee 5 Corners in 2008, one of the agreements with the seller (Town of Durham) was that we would place a Conservation Easement on the property and that was done with Strafford Rivers Conservancy per Mr. Humm. About a year ago, Strafford Rivers merged with Southeast Land Trust and Southeast is now the governing organization. This document assures that all parties, namely the Town as owner and the Southeast Land Trust as holder of the Conservation Easement and the Town of Durham as Executive Interest holder that the property is as this

document represents at this time. Chairman LaCourse moves to approve the Addendum to the Baseline Conditions Documentation Report for the Town of Lee 5 Corners Reserve Conservation Easement presented by the Southeast Land Trust of NH. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

7. a&b) Randy Stevens, Highway Supervisor, presents the results for the Cab and Chassis and the equipment for the new truck. He gives the Board a handout and reviews the options. There is a low bid truck option, a better truck option and an even nicer truck option. Those costs are \$153,580, \$167,429 and \$178,947. The low bid truck has a lot of plastic on it per Mr. Stevens. The Board wants good value and they agree on getting a stainless body. Mr. Stevens informs the Board that the Mountain of Demonstrations Truck Show is May 25<sup>th</sup> and there is a good chance that all the trucks will be there. Selectman Brown is leaning towards the truck with the most power. Chairman LaCourse agrees. They eliminate the low bid truck. Both Selectman Brown and Bugbee want to attend the truck show. They will ride separately and Mr. Stevens will report back at the June 5<sup>th</sup> meeting with his recommendations.
8. Chairman LaCourse reads the final section of the Unassigned Fund Balance Policy:  
The Board of Selectmen will strive to maintain an unassigned fund balance in the General Fund equal to 12% of the Town's total annual appropriation. The Board will review this information each year in order to determine the amount, if any, of unassigned fund balance to use to balance the budget and/or to reduce the property tax rate.

The following are the guidelines established by the NH Government Finance Officers Association (GFOA):

1. 5% to 15% of regular general fund operating revenues, or
2. 8% to 17% of regular general fund operating expenditures

Chairman LaCourse is looking to ratify this policy as written on August 20, 2012.

TA Glover states that the last discussion the Board had on the matter was February 14<sup>th</sup> with the Town Treasurer and the Finance Officer who provided where we were at with regards to the fund balance at that time. According to the analysis they did, the adjusted fiscal 16 fund balance stands at \$1,844,155.00 which is 12%. This is the existing policy level.

Selectman Bugbee does not believe we are at that level because the policy does not talk about uncollected taxes. He thinks that \$1.8 is high. He would rather see it at \$1.5. The Town Treasurer is comfortable with a fund balance of \$2 million net the back taxes. Selectman Brown would be comfortable with 10%.

John Tappan, Stepping Stones Road, states that during the 2/14/17 Board meeting when they met with the Treasurer, Selectman Bugbee asked what the minimum balance in our checking account was and he does not remember getting an answer. He says it appears that the Board is again having this discussion without have an answer to this question and it is critical. TA Glover states that subsequent to that meeting the Board received a cash flow report. Chairman LaCourse agrees. Selectman Brown remembers seeing that the account touched fairly low. TA Glover believes that this was all discussed in a public meeting. The Board agrees to table this

and look at this report again to remind them of how low the account goes. There is a discussion of how low is low. This will be revisited at the May 22<sup>nd</sup> meeting.

4. Tom Murdoch is present now to discuss the ABC appointment. Mr. Murdoch lives at 16 Riverside Farm Drive. He has for the last 20 or so years been volunteering and coaching for OYRA. He is a member of the Fire Association and the Lee Church. He is looking to do something more with the town and this seemed like a good fit and maybe he could help. Chairman LaCourse moves to approve a 1 year membership appointment for Tom Murdoch to serve on the Advisory Budget Committee. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
  
9. a) TA Glover explains the Timber Tax process with regards to delinquencies. After an Intent to Cut is filed a Report on the Cut is required. When that is not received, the Planning and Zoning Administrator generates a letter. A tax bill is not generated until a Report is submitted. There may be a provision in the law that involves the police but at this point the reports need to be filed. There are no tax bills outstanding at this time.  
  
b) TA Glover spoke to Bryan Dubois of Dubois Appraising out of Barrington to possibly conduct an appraisal on the church property. It would be about \$600 to have an appraisal done on the property if it was determined ahead of time that the parcel of land that we were contemplating purchasing is a building lot. If it is not a building lot then it becomes more expensive, maybe \$1500 to do the appraisal. She and Caren Rossi subsequently measured the property line. The town's zoning regulations require 250 feet of frontage if you are going to subdivide a property. 250 feet brought them to the section of fence in front of the parsonage. According to Ms. Rossi a non-conforming lot could be applied for but they are never approved if you do not have the frontage. TA Glover indicates that the value of the property declines if it is a not a building lot. If the Town were to purchase the property then the Town would adjust its lot line and the 250 foot frontage would not be an issue. As a point of reference research produced asking prices on a 2 acre buildable lot in Lee run from \$60k to \$97k. One might think that a non-buildable lot would be worth less than \$60k. TA Glover asks the Board in what direction they would like to go in. Selectman Bugbee asks if the Board can revisit this after they come out of non-public.  
  
d) The Board discusses the pay in lieu of vacation benefit offered to employees after they have been working for the Town for 10 years. Chairman LaCourse would like to move forward on ending this benefit for new hires as of May 1, 2017. Everyone else would be grandfathered in and would be able to receive this benefit. He believes that it works against employees taking the vacation time they need to recuperate. Selectman Brown states that they would be taking flexibility away from the employees and making a decision for them when they may not be able to take a vacation and they may need the additional monies to get them through. The Board would be taking this option away. He wants the Board to realize that there is a downside to this decision, but grandfathering it is fair. He wants the Board to be aware that they are taking something away. Selectman Bugbee agrees with Chairman LaCourse. He understands Selectman Brown's point. TA Glover will bring the policy as a final to the next meeting and inform the employees.  
  
c) TA Glover is still working on the Merit Increase policy.

- e) TA Glover and Town Secretary Duval will be attending the Primex Conference on Wednesday and Thursday this week.
- 10. Chairman LaCourse moves to accept the Consent Agenda as presented. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
- 11. Chairman LaCourse moves to accept the Public and Non Public Meeting Minutes from April 24, 2017. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
- 12. Chairman LaCourse moves to accept the Manifest #22 and Weeks Payroll Ending May 7, 2017. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
- 13. Chairman LaCourse moves to enter into Non-Public Session per NH RSA 91-A: 3 II (c) Tax Deeds, (a) Employee & Dept. Head Evals, (a) Transfer Station Mgr. Retirement, (c) Church Property at approximately 7:50pm. Selectman Bugbee, seconds. Roll Call Vote. **All Agree following Roll Call Vote. Motion Carries.** The Board returns to public session at 9:14 pm.
- 14. Chairman LaCourse moves to seal the non public meeting minutes. Selectman Bugbee, seconds. All in favor. Roll Call Vote. **All Agree following Roll Call Vote. Motion Carries.**
- 15. Selectman Brown moves the Select Board to vote that the Town Hall is the 1<sup>st</sup> priority for either relocation or refurbishment. Chairman LaCourse, seconds. All in favor. **Motion Carries.**

Selectman Bugbee announces that the new flag pole in in at LRP with the solar light. They will look at the other flag poles as well.

Selectman Brown states that the E-Crier looks 1<sup>st</sup> class!

Selectman Bugbee states that the records archivist from the Northeast Document Center is coming on May 15<sup>th</sup> to review our records and will subsequently write up a report.


- 16. Chairman LaCourse moves to adjourn at 9:19 pm. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

Minutes transcribed by:

  
Denise Duval, Town Secretary

5/22/17  
Date

Minutes accepted by The Lee Select Board:

  
John LaCourse, Chairman

  
Cary Brown

  
Scott Bugbee