

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

Others present: Larry Kindberg, Joe Bassett, Red and Judy MacDonald, John and Anne Tappan, Caren Rossi, Bill Humm, Paul Gasowski, Malcolm McNeill, 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.

Larry Kindberg, 12 Lee Hill Road, states that the letter that the Board is going to review from Paul Gasowski regarding the Paris (Climate) Agreement is a politically charged issue in the country and is concerned about representation. He states that this letter amounts to nothing more than a political statement. The letter will have no effect as to how Lee residents approach sustainability. He adds that the Select Board should remember that they represent each and every resident or citizen of the Town of Lee. There are many different opinions regarding this. His personal recommendation is that the Select Board refrain from the political arena especially the hot potato issues and issuing any kind of statements on behalf of the citizens of Lee.

3. Joe Bassett, General Manager for the Race Track, is requesting to extend their flea market season into October and have the flexibility of doing other dates besides the 3rd weekend. Because of rain they really need more flexibility in using the property. Before they go to the Zoning Board they are seeking the Select Board's permission on this request first. Mr. Bassett clarifies for Chairman LaCourse that it will be Friday, Saturday or Sunday not two or three of the days in one weekend. Chief Dronsfield states that there haven't been any issues with regards to flea markets at the Speedway thus far. There haven't been any calls for service for either police or fire for any flea market events. Ms. Rossi further states that the Racetrack would like to have flexibility from May through November without having to ask permission every time. This way they could schedule three in one month if they wanted to as opposed to being tied down to just the 3rd weekend a month. Ms. Rossi suggested that they come to the Select Board before they spend the money on going to the Zoning and Planning Boards. Ms. Rossi states as a direct abutter to the Racetrack she doesn't even know that they are having a flea market unless she drives by. There have been no issues. Selectman Brown does not have any issues. Selectman Bugbee suggests changing November 31st to 30th in the Motion. Other than that he doesn't have any issues.

Chairman LaCourse moves to grant permission to 1st Strafford Realty Trust to conduct non-automotive related flea markets at the Lee USA Speedway May 1st through November 30th on any Friday, Saturday and/or Sunday in that time period, except that this must also be granted by the Lee Zoning Board. Selectman Brown, seconds. All in favor. **Motion Carries.**

4. Caren Rossi gives an update to the Board on Planning and Zoning matters. Ms. Rossi states that her office broke an all-time record for issuing 306 building permits last FY with an estimated cost of construction of \$9,272,086.00. This brought in \$58,331 in permit fees. 19 of these permits were for new homes. Chestnut Way subdivision has 15 foundations in the ground with 12 more vacant lots. Kelsey Road has 6 vacant lots out of the 14. Cheney's gravel pit is still actively for sale but there is someone inquiring about buying it. The UNH building on Route 4

currently has a P&S Agreement. The client has gone through the Planning Board process and it will be a mental health counseling facility. The assessor has valued it at \$395,400. This will be back on the tax roll after many years not being on the tax roll. 603 Self Storage has completed the Planning Board process for 5 single level storage unit buildings next to Life Storage and hoping to break ground this summer. Jim Daley has finished the permitting process and has started the foundation on a 100,000 sq. ft. warehouse at Noble Farm. He has also been approved for a \$3000 sq. ft. warehouse building which will be constructed next spring or fall after this big building. (Former) Leighton's Kawasaki is under a P&S Agreement to change hands from a furniture store to a dance studio. Selectman Brown asks what is going to go into the warehouse. Ms. Rossi says that it keeps going back and forth from Measured Progress and Lindt, possibly Chemtan Co. Ms. Rossi states that the new permit fees have been in effect for 1 ½ years.

5. Chief Dronsfield informs the Board that they applied and received a grant to purchase two more laptops for the cruisers. He is requesting that when the money comes in that it goes back into his new equipment line within the police department budget. Chairman LaCourse moves to accept the Office of Highway Safety Grant for the purchase of two (2) Mobile Data Terminals, total amount of the project is \$4000, with \$2000 being provided through the Grant and the balance of \$2000 to be funded through the Police Department Operating Budget. Once received, the grant funds shall be applied to the purchase of the equipment. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

6. Paul Gasowski, representing the Sustainability Committee, informs the Board that the committee has been working on drafting a letter to Governor Sununu to express their opinion about the US withdrawing from the Paris (Climate) Agreement. The initial letter was drafted by Dean Rubine and discussed at several meetings. This Committee of six feels that they have an obligation to all living systems and that Lee as evidenced in its Master Plan has a rich history of being stewards of resources. The Committee has been working on water resources, composting and volunteer mentorship program. After drafting and approving the letter, the Committee understands that they cannot act on their own and it is up to the Board to decide what action to take. Mr. Gasowski says that it is not inconsistent for Lee to take a position on this based on the fact that other surrounding towns and cities have already done so. He acknowledges that Mr. Kindberg may be right in that this may be a larger issue that warrants a larger community discussion. He agrees that this would be a political action and states that President Trump's action is a political action and the stakes are awfully high. The letter represents the Committee's feeling and position. The Committee is looking for the Board's permission to send a letter to Governor Sununu. Chairman LaCourse is very uncomfortable sending a letter. He is not enthusiastic about sending a letter. His feels his responsibility as a Selectperson is to maintain budget issues etc. but not a political football at this time. He will refrain from moving forward on this. Selectman Brown read the 27 articles in the Paris Agreement and it struck him as being very toothless. The main objective was to reduce the omissions by ½ of 1 percent and there were so many exceptions to who doesn't have to comply or try to join the team that he was dumbfounded that it doesn't have any teeth at all. There were no penalties so he honestly does not see writing a letter. Mr. Gasowski is aware that it is not a mandate but an agreement and that it relies on the will of the nations. Selectman Bugbee agrees with the two selectmen. He states the companies that are already doing stuff are going to continue. It is self-monitoring with no penalties; therefore, he thinks it's a political issue. He adds that he does not think that it

was a good idea to pull out but he does not want the Town of Lee to be sending a letter to the Governor. He suggests sending a personal letter. Mr. Gasowski asks the Board what they think about a larger community discussion. Chairman LaCourse states that he thinks that is a healthy idea and he has no problem with having an open opportunity for people to put their thoughts forward and have a conversation. The Board would be interested in seeing what kind of participation the Committee could get.

3. Malcolm McNeill thanks TA Glover for getting him on the agenda tonight. He is present on behalf of the Wilson family that owns Demeritt Hill Farm since 1992. Mr. Roy Wilson died suddenly last Wednesday and it had always been his desire to be buried on the farm. Mr. Wilson states that the funeral home had initially inquired as to any issues that may arise with being placed in the Demeritt Cemetery that exists on the property bearing tombstones that go back to 1812. Mr. McNeill states that in consultation with Marianne Banks she states that the process of being able to locate in the existing cemetery would require the consent of the descendants of the decedents who are in the cemetery. Given the fact that stones started in 1812 and ran through 1888 this seemed like an impossible task so the alternative would be to place the new grave site 25' from the existing cemetery which is what the statute requires in NH, but the complication that ensued was that this property is under conservation easement to the Town of Lee. He adds that there was no explicit language in the easement with regards to burial grounds. The State also contributed funds to this easement in 1991 which would require their consent as well. Mr. McNeill states that due to the involvement of Mr. Humm, they were able to contact the State and receive a response from the State with regards to this matter. Mr. Walker from the State indicated that they would not have an objection to this burial and considered it to be consistent with the agricultural use. The Wilsons have every intention of complying with all setbacks and restrictions. Mr. McNeill requests the Board's permission for the Wilsons to move forward with the planned funeral and burial scheduled for tomorrow. Selectman Brown asks if the intent is to have just Mr. Wilson buried here or to have a family cemetery. Mr. McNeill states that Mrs. Wilson might like to be buried there as well. He did not get the sense that it is the family's desire to make a large cemetery. Mr. Humm states that there has not been any opposition to this request. Chairman LaCourse moves to approve the request to Mary Ellen Wilson contained in her letter of July 17, 2017 and in accordance with the letter from Steve Walker of the NH Office of Energy dated 7/17/2017 furthermore, an additional plot be available for Mary Ellen Wilson if required. Selectman Bugbee, seconds. All in favor.
Motion Carries.

7. a) TA Glover gives an update on the water at the Lee Circle. It appears that the Town of Durham is going to approve the plan to provide water at the Lee Circle. This means that there is enough water in the Durham water system to accommodate the four existing users in Lee, the planned commercial users around the circle and the Lee Commercial District. Durham is currently in the stages of planning for a new water treatment plant. The State has offered funds towards this new plant. The Town of Durham would oversee the (waterline extension) project and the State will fund it. The Town of Lee will not be directly involved in the project. Caren Rossi explains that the water line goes down Route 4 and if a property owner wants to tie in they can for a connection fee and then Durham will bill them. Those businesses that are contaminated are getting tied in for free. According to Ms. Rossi, these properties are (former) Come 'n Go and the house next door, Family Dollar/ Lee Friendly Pets, Dunkin Donuts, Dollar General, Mobil, McDonalds, Wendy's, and Sunoco. There is a discussion regarding the

existing agreement surrounding the Lee Well that Durham owns. There will be fire hydrants installed at the circle for which the Town of Lee will not be charged. Ms. Rossi states that the new water treatment plant in Durham is scheduled to be completed in 2018 so this project at the Circle should start soon. Durham is only obligated to go as far as the contaminated businesses are located. Market Basket has 4 large wells.

b) TA Glover proposes a change to the budget process to the Board. She reviews the outline that was included in the agenda packet. TA Glover indicates that the department heads are enthusiastic about the changes. She reminds everyone that there will be some significant budget increases to work with during this next budget year. TA Glover says that this can be a slow transition; not all the information will be readily available as early as she would like it but it's a good idea to start somewhere. For example the health insurance which is probably the biggest piece we may not know until October. Ms. Rossi states that currently the CIP presents to the Board in the beginning of December. She can ask Chairman Smith to move it up. She agrees with Chairman LaCourse who mentioned that the CIP is planned 10 years out. She indicates that moving it up for next year would be absolutely possible.

Selectman Bugbee asks if the TA can put out directives to the department heads as to what the Board is expecting this year and then put it on the agenda.

8. Chairman LaCourse moves to accept the Consent Agenda as presented. Selectman Brown, seconds. All in favor. **Motion Carries.**
9. Chairman LaCourse moves to accept the Non Public Meeting Minutes from June 26, 2017. Selectman Brown, seconds. All in favor. **Motion Carries.**
10. Chairman LaCourse moves to accept the Public Meeting Minutes from July 3, 2017. Selectman Brown, seconds. All in favor. **Motion Carries.**
11. Chairman LaCourse moves to accept the Manifest #27 and #1 and Weeks Payroll Ending July 2nd and July 16th, 2017. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
12. Chairman LaCourse moves to enter into Non-Public Session per NH RSA 91-A: 3 II (a) Personnel at approximately 7:40pm. Selectman Bugbee, seconds. Roll Call Vote. **All Agree following Roll Call Vote. Motion Carries.** The Board returns to public session at 7:50 pm.
13. Chairman LaCourse indicates that non-public minutes are not to be sealed. The Board discussed the budget and COLA increases for the Fire Department.
14. Selectman Brown reminds the other two board members that they are owed a response from the master plan committee relative to bookkeeping on how we did last year as compared to this year. Ms. Rossi mentioned it recently to TA Glover. Selectman Brown asks TA Glover to either remind her or put it on the schedule.

Selectman Brown points out that we are almost through July. He feels that regardless of the outcome of the decision of the Facilities Committee, Town Hall needs work. It seems to him that they keep waiting for something to happen, but they don't address the issues that exist with

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Town Hall. He thinks at the very least they should start getting estimates on what it would take to fix some of the bigger issues with Town Hall and get a feel for what needs to be done first and how much will it cost. Sooner or later they are going to have to make a decision to start working on Town Hall. Selectman Brown adds that regardless of the decision the Town Hall building is going to still exist so they need to take some action now.

Selectman Bugbee asks to schedule each one of the Committees and Commissions to come to the Board to give a 5-10 minute update on what they have done this last year and what their plans are for the next year. For example, what has the Sustainability Committee been working on. Chairman LaCourse asks if they can do a one page write-up that they can submit ahead of time to prepare the Board for some questions.

Selectman Bugbee asks if the Facilities Committee (FC) can do their final presentation on August 28th. The Board is favorable to this. He asks how the Board wants to present the idea to the public; how do they get the information out to the public; what is the next step. There is a discussion about some of the things that the Board can expect at the presentation.

TA Glover reminds the Board that the Select Board does not have to accept what the FC recommends. The Select Board makes the ultimate decision.

Chairman LaCourse asks to have the new Transfer Station Manager, Toby Van Aken, report to the Board in September to update them on his transition, progress, ideas and/or issues.

The Heritage Commission will put signage up at Thompson Mill.

- 15. Chairman LaCourse moves to adjourn at **8:03 pm**. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

Minutes transcribed by:


Denise Duval, Town Secretary

7/31/17
Date

Minutes accepted by The Lee Select Board:


John LaCourse, Chairman


Cary Brown


Scott Bugbee