

SELECT BOARD MEETING MINUTES

January 16, 2018

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

Others present: Catherine and Lester Fisher, Bill Humm, Annie and Paul Gasowski, John and Anne Tappan, Ruth Eifert, Dave Shay, Mary Ellen Webb, Patricia Jenkins, Laura Gund, Katrinka Pellecchia, Bill Booth, Chuck Cox, Deborah Schanda, Bambi Miller, Patrick Hotaling, Chief Nemet, Chief 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.

John Tappan, Chair and Bookkeeper Trustees of Trust Funds, reminds everyone that the Trustees were asked by the Board two questions. The first question was could the Town Buildings Capital Reserve Fund be used to pay for costs involved in acquiring and/or installing solar panels on or adjacent to the Public Safety Complex or other town buildings. The answer is yes. If the solar array is sized to the energy consumption of the building or buildings that it serves then the solar array is a capital improvement to a town building. The second question was could the \$60k in the Library Capital Reserve Fund by Warrant Article #19 voted in during the 2010 Town Meeting be used for the same purpose as the currently existing Lee Library Building Capital Reserve Fund. The answer is yes. They do ask that the \$60k is used all at once towards an item and as soon as possible. They will not calculate and hold separate any interest.

Mary Ellen Webb, Earl Drive and a teacher at Mast Way School, wants to speak on the vernal pool and forest that are behind the Mast Way School. Every year the vernal pool becomes an open air classroom for many Mast Way School classes. The vernal pool and the surrounding forest are an invaluable educational resource; therefore, placing these 7 acres under easement would help ensure that the future generations of students will continue to be enriched by this beautiful and nature resource.

3. Chairman LaCourse moves to open the FY19 Public Budget Hearing at 6:35pm.

TA Glover states that since the last review of the Warrant they have added 3 additional Warrant Articles. One is Article 5 which adds language regarding the purchase of the piece of land from the Church. The second is Article 6 which adds language to raise and appropriate funding for architectural, engineering and preliminary design for the Town Center Project. The third is an Article to deposit \$100,000 into the Library Building Capital Reserve Fund.

The Select Board reviews the Articles one by one. Articles 2 & 3 are from the Planning Board.

Article 4 provides the Veterans Tax Credit which the Board has already approved.

Chairman LaCourse asks to be reminded on how Article 5 is \$200,000. Selectman Bugbee states that this is not the final figure because they still need the number from the firm on how much the demolition will be with the hazardous wastes. That number will change. Selectman Brown asks why the Town doesn't make an offer on the land without the Parsonage building. Selectman Bugbee says because it is going to be removed. Selectman Brown states that the church could remove it. He does not understand why the Town would take on this project.

Chairman LaCourse thinks that the Town should take the opportunity to gain more land for the Town Center while it is available. Selectman Brown asks if the Town is going to buy the Banister property too? Chairman LaCourse says there is more opportunity for expansion on the church side, but he agrees with Selectman Brown that \$200,000 is questionable at this time. Selectman Bugbee thinks that language with regards to the building removed by a date certain should be added. They agree on July 1, 2019.

Ann Tappan, Stepping Stones Road, states that the Town has struggled for years to find a solution to the Town Center building space needs problem, acknowledging that the town owned parcel was too small. Previous committees have considered other possibilities while at the same time looking next door towards the church and saying 'too bad some of that church land isn't for sale'. Now that 5.4 acres of church land is available, it is the time to buy it. Ms. Tappan does not believe that this opportunity will come around again. She believes that using the money in the unassigned fund balance is an appropriate use and recommends that the Board purchase all of the available land from the church.

Paul Gasowski, Lamprey Lane, states that the Town Center proposal needs this piece of property. Regardless of where the Town Hall is built, there is not adequate space for expansion of the library, renovations of the Town Hall and the other parts of the plan. Mr. Gasowski hands out his Warrant Article edits. He would like to add the Historical Museum and Tool Shed to the list of buildings in Article 5.

Chuck Cox, Captain Smith Emerson Road, supports that the money comes from the unassigned fund balance and that descriptions are made available to the people so they know what they are buying. He does not think that the parsonage is necessarily a liability.

Deborah Schanda, Hill Farm Road, thinks that there should be purpose associated with Article 5. She had written the Article as 'in order to allow for future expansion of the Town Center site as required'. She does not want people to think that this is wrapped into the larger millions of dollars. She wants it to say 'in order for the Town Center project to move forward'.

John Tappan speaks on the best practices for using the unassigned fund balance by bringing to everyone's attention an article on Fund Balance Guideline for the General Fund. He reads from the article Recommended Practice 4.1 of the National Advisory Council on State and Local Budgeting governments on the need to "maintain a prudent level of financial resources to protect against reducing service levels or raising taxes and fees because of temporary revenue shortfalls or unpredicted one-time expenditures." He also reads one line from another paragraph on the same page, "In all cases, use of those funds should be prohibited as a funding source for ongoing recurring expenditures." He does not think that this fund should be used for the ones singled out for the Fire Department equipment or the Highway bridge replacement because they are ongoing recurring expenditures whereas purchasing the church land is an unpredicted one-time expenditure. He thinks that it is entirely appropriate to use money out of the unassigned fund balance for this purchase.

TA Glover states that she did not include a sentence as was suggested in Ms. Schanda's revision because she heard in numerous meetings that there was a desire to buy the property regardless. Chairman LaCourse agrees that he has said no matter what happens the Town

should buy this piece of land. TA Glover reminds the Board that they need to be cautious of advocating within a Warrant Article. Explanations can be put into the Voter's Guide. DRA also has to approve the language. Selectman Bugbee wants to change the funding source from taxation to the unassigned fund balance. TA Glover indicates that based on the MS 535, the balance in the unassigned fund balance is \$2,061,022 not including what they have assigned to the Warrant Articles thus far. The Board agrees to change the fund source and change the word Parsonage to Parish House.

Selectman Bugbee shares with the audience that there was a tour of the Parish House that took place the prior week. A local individual who does renovations of old house was present for the tour and his opinion is that the house is in such bad shape he would not invest in renovating it. He does not see any value in it. There was also a gentleman from NH Preservation Alliance present who is going to forward a report on his findings. He could possibly find money to relocate it. The general consensus is that it is in too bad of shape and there is nothing of true architectural value to preserve.

Chairman LaCourse reads Article 6. Selectman Bugbee would like to strike the sentence in the middle that begins with 'A new Town Hall will be constructed at...'. He would also like to take 70% of what the total is out of the Town Building Fund and 30% out of the Lee Library Fund. The total cost is Mr. Guadano's quote and is high. Chairman LaCourse asks why he wants to take that sentence out. Selectman Bugbee says that he does not want to tie them (the Town) to either one of these two places. He suggests add Town Offices instead of Town Hall to the prior sentence. He also suggests adding "with Tramp Room" following Tool Shed.

Paul Gasowski, Lamprey Lane, agrees with striking the sentence above. He would like to add the following language after Town Center Project in the first sentence "(Plan 2-D), which includes construction of a new Town Hall at the current Town Center". He thinks that the public needs to know that we are a united front which wants a Town Center with a new Town Hall and Plan 2-D.

Katrinka Pellecchia, Wiswall Road, asks if the \$130,000 in this Article is a place holder. Chairman LaCourse confirms it is.

John Tappan reiterates that the Trustees would like to see the \$60k in the Library Capital Reserve Fund used all at once and not in smaller amounts over time.

Deb Schanda also had striking the same sentence but also wants to add the following language following Town Center Project, "which has been laid out by the Facilities Committee and is continuing to be supported by the Town Center Vision Committee (TCVC). The Plan encompasses all town center buildings." She does not think that Plan 2D will be familiar enough. She hands her version to the Board.

TA Glover reminds everyone that we should be asking in the Warrant Articles what we want the voters to be voting for and advocating for them should be something separate. Ms. Schanda asks what the difference is between what she wrote and has already been written. She does not understand the difference. The Board says they will take what she wrote under consideration.

Pat Jenkins, Harvey Mill Road, states that she is guilty for telling people that we have a Town Hall and we need Town Offices. She adds that there are two places in this Article that she thinks will be confusing. She agrees that the Town needs that land no matter what. She doesn't think it should be tied up with Steven's Field. She agrees there are people who want the Town Offices in the center of town and those that want it at Steven's Field, but she thinks that should be a separate decision.

Selectman Bugbee proposes the amount in Articles 6 be reduced from \$130,000 to \$115,000. He went through Mr. Guadano's proposal and eliminated several things that are not necessary.

Article 7 and 8 are fine for now.

The Board agrees to strike the unassigned fund balance from Article 9, 10 and 13.

Selectman Bugbee proposes to strike Article 12 from the Warrant. The Board agrees.

Article 14, 15, 16, 17, 18, 19 and 20 are all fine for now.

Article 21: Mr. Humm, Conservation Commission, passes out an aerial photograph showing the property in question and a survey showing the vernal pool behind the Mast Way School along with a report written by Wetlands Scientist Jamie Long in 2009 which both located and evaluated this vernal pool. The results of the survey rated this vernal pool as highly productive. This vernal pool is part of an isolated wetlands system. Meaning there are smaller pools surrounding with biological value. The results also indicated that the "surrounding upland habitat (750 foot radius) consists mainly of undisturbed mature forest and serves to provide excellent habitat during the non-breeding season. It is the opinion of NHSC that this surrounding upland habitat is a main contributor to the productivity and diversity of the vernal pool." Mr. Humm refers to drawing that he has handed out of the 750 foot radius. The recommendation of biologists is that 75% of the 750ft radius is protected. There is already development at the Transfer Station, Mast Way School and Lee Church that take a portion of this 25%. In Mr. Humm's estimation there is a piece of property left that has no room from a biological conservation perspective for further development. Mr. Humm asks if there is anyone in the room who would like to speak.

Catherine Fisher, Allens Avenue, states that for the past 30 years the vernal pool and the surrounding areas have been her classroom. She has taken hundreds/thousands of students out there. This is the face of the Town Forest. She hopes that the Board saves this parcel of land.

Selectman Bugbee says it is his understanding that State law provides protection for vernal pools. Mr. Humm says yes theoretically. Anne Tappan says it is not theoretical; it is in the DES regulations. Selectman Bugbee says based on that, this particular parcel is already covered. There is nothing the Town can do with it. Selectman Bugbee wants to hold off on putting an easement on the land behind the school until next year.

Mr. Humm refers to his aerial photo that he handed out. He states that when the scale in the left hand corner is applied to the area regardless of where the vernal pool is located in the wooded area there is nothing left to be developed.

John Tappan states that he brought this question up at the TCVC meeting because one of their responsibilities is to foresee questions that may come up about the plan that the Select Board is proposing including the purchase of this parcel. The drawing shows a 290 foot common boundary; therefore, people are going to ask how do we know that all of this parcel B has to go into conservation easement. The TCVC was not questioning whether it was desirable to preserve this parcel and there was no plan to build a road around the vernal pool. The question is whether this easement needs to be brought up now. The TCVC could not see a reason to muddy the waters by putting this conservation easement on it now. Mr. Tappan asks as a member of the TCVC that this be postponed.

Anne Tappan, Conservation Commission, speaking reluctantly states that she is the one who brought up questions about whether or not the timing was right for this. She is in complete agreement with what has been said by the Commission and school members and supports placing an easement on this currently excluded parcel; however, in light of the possibility of purchasing the 5.4 acres from the church and realizing that this purchase would connect the present Town parcel to the excluded parcel she suggested to the Conservation Commission at the January meeting that they revisit the time of this Warrant Article. She suggested that they take a step back and take a detailed look at the parcel to carve out a conservation easement area that will adequately protect the vernal pools and wetlands and also provide some additional land for the town. Ms. Tappan suggests that next year a conservation easement could be put on the parcel which has been delineated by surveying documentation.

Mr. Humm states that the recommendation to delay is ironic because this has been delayed by others for the last couple of years. Last year the timing was not good due to the Powder Major acquisition and the prior year it wasn't good for another reason. He does not want to see it on the back burner again and encourages the Board to recommend an action now.

The minimal costs would be \$3-5,000 and would be paid for by the Conservation Commission operating budget. There have also been offers in the form of donations to help the Town pay for this. Selectman Bugbee suggests saying where the money is coming from either in the warrant or voter's guide.

Catherine Fisher states that the children have donated \$389 so far.

John Tappan states that it is important that the government respond when situations change. He says that the situation on the ground has changed and that is the reason for postponing this thus far.

Catherine Fisher agrees that the situation has changed year after year but what hasn't changed is that the surrounding land is not suitable for building. She would argue it is time to do it now.

Mary Ellen Webb as a voter says she would want to see both topics on the warrant.

Paul Gasowski reminds everyone that the original proposal was to build a town hall on the Bales property and that proposal was abandoned due to vernal pools. He suggests that the drawings be improved before presented to the public.

Selectman Bugbee asks why we need to put an easement on something that is already protected by DES. Chairman LaCourse wants to leave it on for now until there is an answer. Mr. Humm states anyone who has followed the protection of wetlands in NH by DES knows that there is variance upon variance upon variance. He says they use easements to protect this type of nibbling away. TA Glover says that the Town owns it so the Town controls it. Mr. Humm and Chairman LaCourse agree that Board's change and one never knows what may happen in the future. Chairman LaCourse wants to hold onto this until they get more information.

Pertaining to Article 22 Selectman Bugbee and Chairman LaCourse are not in favor of putting solar on the roofs. TA Glover explains that a Warrant Article is necessary to enter into a PPA. Should the Town wish to purchase the solar outright then no Warrant Article is needed. The WA gives them options.

Article 23 is a Petition Warrant Article.

Article 24 is fine.

At 7:55pm the Board began discussing the FY19 Budget.

TA Glover states that the Town is required by statute to update the tax maps every year and there used to be a line item in the Assessing budget for that but somehow it has been removed. She recommends that the Board put back a line item for tax maps in the Assessing budget for \$1200. The Board agrees.

There is \$2000 leftover from the wage adjustments.

Selectman Bugbee states that based on the information he received with regards to Select Board salaries he would recommend increasing their salaries. Right now their salaries are at \$2000. Selectman Brown recommends \$2500 and Chairman LaCourse agrees.

Selectman Bugbee states that based on the information he received with regards to the Treasurer he would recommend reducing this salary. He believes that a lot of work that the past Treasurer used to do is now being done by the Finance Officer. Right now it is at \$5116. He thinks the big difference is who does the financial reconciliations of the statements. If the Treasurer does not do that than he does not think they should be compensated. He would also ask that this new pay start when the new term starts. Selectman Bugbee proposes \$3000. Chairman LaCourse proposes \$3500. Selectman Brown says he would like more but he will agree with \$3500.

TA Glover asks to confirm actions taken with regards to a few personnel issues. The budget in front of the Board today includes the 8th police officer and moving the part-time building inspector to full-time but it does not include funding to move the librarian assistant from part-time to full-time. Selectman Bugbee did not remember the library this way but was informed differently. He thought Chairman LaCourse approved all three. Chairman LaCourse remembers it the way the TA presented it.

Annie Gasowski, Library Trustee, states that the Library Trustees are in favor of moving the Assistant Librarian into a full-time position. This person already receives retirement benefits. Ms. Gasowski states that under the library policy she is considered to be full-time with 35 hours per week. They want her to be able to have the Town's health benefits. They could keep her at 35 hours per week or increase her to 40. It would be a savings to the Town if she remained at 35.

Chairman LaCourse moves to continue tonight's Budget Public Hearing to January 22nd. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

Chairman LaCourse closes the Budget Public Hearing at 8:10pm.

4. a) TA Glover asks the Board about honoring residents who have passed away in the Town Report in a section referred to as Town Memorium. The five people that the TA is suggesting be included in this year's report are Dick Weyrick, Melvin Jenkins, Jay Grumbling, Bill Henze and Harold Ward. She asks about the preferred format and who would like to do this project. Selectman Bugbee suggests picture and blurb on what they did for the Town of Lee during their life time. TA Glover suggests asking the Heritage Commission. The Town Secretary will let them know what the deadline will be. Pat Jenkins accepts the project. As of now plan on the deadline being within the next two weeks.

b) Chairman LaCourse moves to accept listing the Lee Town Hall and Lee Toolshed with Tramp Room on the NH State Register. Selectman Bugbee, seconds. All in favor. **Motion Carries.** The Committee meets in April to put the buildings on the register.
5. Chairman LaCourse moves to accept the Consent Agenda as presented. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
6. Chairman LaCourse moves to enter into Non-Public Session per NH RSA 91-A: 3 II (a) Personnel (3) and (d) church at approximately **8:23pm**. Selectman Bugbee, seconds. Roll Call Vote. **All Agree following Roll Call Vote. Motion Carries.** The Board returns to public session at **9:30pm**.
7. There is no motion made to seal the non public meeting minutes.
8. Selectman Bugbee gives an update on the TCVC. They submitted an article about the Town Hall's condition in the E-Crier. This week will be the Library. The week after will be the other buildings included in Town Center. The 4th week will be the proposal and the 5th week will be the church property purchase. They are looking into the Boy Scouts doing some handouts at the Transfer Station. They would like to do a short documentary. There is currently a poster in the Library about the Town Hall and will be rotated out to match the E-Crier. They will be doing a presentation at the Deliberative Session if the Moderator approves it. All the posters at the Library will be at the Deliberative Session.

Chairman LaCourse gives an update on the Planning Board. There is discussion about putting condos across from the Racetrack. There is a Karate School going in at the Joy Dance Studio which is up Rte. 125 near the Barrington line. Mast Way School wants to add on up in the right

hand corner and in the process they want to cut down trees at the park in order to use our property for construction. The Select Board is the only one that can approve the cutting down of those trees. TA Glover informs the Board that this addition is not going to be on a Warrant Article. Selectman Bugbee says it is the same program with Siemens that they are doing for the energy program. Siemens is paying for it all through a lease purchase agreement. TA Glover asks why the Town of Lee can't build the Town Hall that way and Selectman Bugbee says because we are not sleazy. Superintendent Morse said he would say what he was planning on doing in the Deliberative Session and Selectman Bugbee does not think he did. Selectman Bugbee does not think this is right.

Chairman LaCourse asks if the TA is comfortable with the wording for Article 5 & 6. TA is not comfortable. TA Glover says that it is important that we craft Warrant Articles that are as clean and precise as possible and are acceptable with DRA. Advocacy is an issue that we need to be aware of. TA will make the necessary changes to the Warrant Articles, pass them on to the Board and then to DRA. TA Glover says that with regards to Article 6, we are calling it the Town Center Project and it is her understanding from all of the meetings that the intent was if the purchase of the church property couldn't happen for whatever reason then the project could still go forward. Chairman LaCourse says yes. TA Glover adds but Town Hall would be located at Stevens Field. Selectman Bugbee says that if we don't get extra property at the Town Center location then those other things are going to be problematic to accomplish. There won't be a large enough parking lot and adding on to the Library will be an issue. He adds that the Town needs to buy this property no matter what. He goes on to say that he doesn't necessarily want people to come to say I don't want it at Town Center, I want it at Stevens Field so I'm going to vote against Article 5. The concern that the TA has is that even by saying Town Center Project she hopes that is not limiting what they might be able to do. Selectman Bugbee says that the Facilities Committee said Plan 2D, we build it at Town Center and if we can't get the church property then it is on Stevens Field. He thinks that this town needs to decide where it is, but he does not think that has to come before they buy the church property. The church property purchase should stand alone. Selectman Bugbee doesn't want Article 6 to say it is going to be on Stevens Field or it's going to be at Town Center. TA Glover asks if they want to even call it the Town Center Project? Town Center is again larger than just the immediate area around the town hall. They talk about another name. Selectman Bugbee suggests taking "the Town Center Project which includes" out completely and add building new Town Offices at the end of the sentence. TA will make the changes and do the calculations.

Selectman Bugbee still thinks we should wait on the easement.

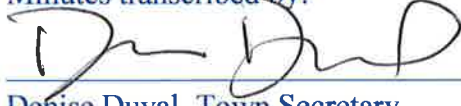
9. Selectman Bugbee moves to adjourn at **9:47pm**. Chairman LaCourse, seconds. All in favor.
Motion Carries.

SELECT BOARD MEETING MINUTES

January 16, 2018

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Minutes transcribed by:



Denise Duval, Town Secretary

1/29/18

Date

Minutes accepted by The Lee Select Board:



John LaCourse, Chairman



Cary Brown



Scott Bugbee

SELECT BOARD NON-PUBLIC MEETING MINUTES
January 16, 2018

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

Others present: Ruth Eifert, Annie Gasowski, Katrinka Pellecchia

1. Chairman LaCourse motions to enter into Non-Public Session at 8:23 pm per RSA 91-A: 3II (a) The dismissal, promotion, or compensation of any public employee or the discipline of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted. Selectman Bugbee, seconds. Roll Call Vote to enter into nonpublic session. All Agree following Roll Call Vote.
2. The Board discusses the Library budget.
3. A Motion will not be made to seal the minutes back in public session.
4. Minutes recorded by Chairman LaCourse.

Minutes typed by:

Denise Duval, Town Secretary

Minutes accepted by Lee Select Board on 1/29/18.



Chairman John LaCourse



Selectman Cary Brown



Selectman Scott Bugbee

SELECT BOARD NON-PUBLIC MEETING MINUTES
January 16, 2018

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

Others present: Town Administrator Julie Glover

1. Chairman LaCourse motions to enter into Non-Public Session at 8:23 pm per RSA 91-A: 3II (a) The dismissal, promotion, or compensation of any public employee or the discipline of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted. Selectman Bugbee, seconds. Roll Call Vote to enter into nonpublic session. All Agree following Roll Call Vote.
2. The Board discusses the Transfer Station manager's salary. Selectman Bugbee moves to raise Toby Van Aken's salary from \$45,000 to \$47,000 effective January 14, 2018. Selectman Brown, seconds. All in favor. Motion Carries.
3. A Motion will not be made to seal the minutes back in public session.
4. Minutes recorded by Chairman LaCourse.


Minutes typed by:

Denise Duval, Town Secretary

Minutes accepted by Lee Select Board on 1/29/18



Chairman John LaCourse



Selectman Cary Brown



Selectman Scott Bugbee

SELECT BOARD NON-PUBLIC MEETING MINUTES
January 16, 2018

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

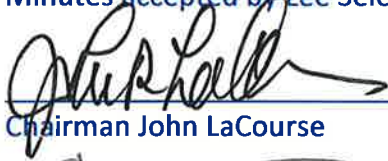
Others present: Town Administrator Julie Glover

1. Chairman LaCourse motions to enter into Non-Public Session at 8:23 pm per RSA 91-A: 3II (d). Selectman Bugbee, seconds. To consider the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community. **Roll Call Vote to enter into nonpublic session. All Agree following Roll Call Vote.**
2. The Board discusses the church property and possible acquisition.
3. A Motion will not be made to seal the minutes back in public session.
4. Minutes recorded by Chairman LaCourse.

Minutes typed by:

Denise Duval, Town Secretary

Minutes accepted by Lee Select Board on 1/29/18.



Chairman John LaCourse



Selectman Cary Brown



Selectman Scott Bugbee

