

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

**Others present:** Pat Barbour, Fred Kaen, Bambi Miller, Jim and Marianne Banks, Caren Rossi, Paul and Annie Gasowski, Bill Humm, Randy Stevens, Shirley McKeon, John and Anne Tappan, Jan Neill, Jacki Neill, Robin Wunderlich, Molly Darling, Town Administrator Julie Glover and Town Secretary Denise Duval.

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

Jim Banks, Carpenter Lane, wants to correct something that he said at a previous meeting with regards to changing from florescent lighting to LED lighting. He had talked to TS Manager Toby Van Aken to find out what it would cost the town to get rid of florescent lamps that came through the transfer station. He had said \$.65 per foot which he repeated that night. After further discussions with Mr. Van Aken, it was discovered that the \$.65 per foot was 6.5 cents per foot. This is a far better price than anything Mr. Banks could find.

3. Chairman Brown opens the Transfer Station Bulky Fees Public Hearing at 6:32pm. Dean Rubine states on behalf of the Solid Waste Advisory Committee that they reviewed the bulky waste fees and they decided to reduce a few to zero since the town is making money on those particular items and increased the price on a few others because the cost to the town to dispose of them has risen over the years. Chairman Brown moves to close the Public Hearing. Selectman Bugbee, seconds. All in favor. **Motion Carries.** TA Glover asks if the Board is going to have a discussion about the bulky fees and whether they want to accept or not accept the proposal in it's entirety or in part. Selectman LaCourse moves to approve the fee schedule as presented. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
4. Jen Czysz, the new Executive Director at the Strafford Regional Planning Commission, is here to introduce herself and touch base on some of the work that they do in the region. She introduces Kyle Pimental as the Principal Planner and leads the land use and environmental programs as well as Fred Kaen who is a Commissioner and is from the town of Lee. SRPC is a regional planning commission as established under state statute. This means they do basic things such as comprehensive planning, provide technical assistance and do housing needs assessments. They also are an economic development district and are a federal designation. As part of that they work with the communities in their region to develop a comprehensive economic development strategy. Thirdly they are a metropolitan planning organization and that is a federal designation as well. That is their transportation programs where they work with the communities to develop regional planning priorities for transportation infrastructure and feed those up to the state for federal funding. They consist of 18 different communities that include all of Strafford County as well as a couple of communities in Rockingham and Carroll counties. Each community has a minimum of 2 commissioners. The Town of Lee has 2 commissioners (2 votes) but currently only has 1. There is a vacant seat. The Board of Commissioners meets quarterly. The Policy Committee is voting on and selecting projects within transportation to feed up to the state. Those projects move into the 10 year plan and ultimately the Transportation Improvement Program for federal funding. The Technical Advisory Committee

is comprised of municipal staff. Caren Rossi is the Town of Lee's designee and Julie Glover is the Alternate. This committee brings the ideas forward and advises the Policy Committee. The Executive Committee is 7 commissioners and provides the day-to-day oversight of the agency's administration. There are 2 primary programs in the Economic Development side that the Town of Lee could take advantage of. There is a Brown Fields Grant from EPA. There is some funding left mostly in the petroleum assessments field. For example, if there was a former gas station or abandoned sites there is funding for them to come in and do the preliminary site assessments to get an understanding of what the contaminants are on the sites. This would help make the town eligible for redevelopment funding in the future. They will be applying for another round of Brown Fields funding this winter.

Kyle Pimental states that he has worked closely over the last several years with the Conservation Commission on mapping out existing conservation lands as well as potential future conservation projects. For example, they helped create the maps for Bedard, Kennard, Palmer, and Wadleigh Falls. They also helped with trail mapping last summer for Lee Town Forest, Maud Jones, Oyster River Reserve and Old Mill Reserve. Currently they are updating the Town's hazard mitigation plan. The Master Plan was adopted in 2016. There are a number of recommendations in there that the commission can help with such as outreach and education. They can assist with grant writing by strengthening our applications.

Annie Gasowski asks what the outreach has been to the schools. More specifically she asks if they can come to Mast Way School. Mr. Pimental says that they have only reached out to the Middle School.

5. Marianne Banks, Jan Neil and Jackie Neill, Cemetery Trustees, are present to discuss maintenance and burials for the cemeteries in Lee. Selectman Bugbee states that the Town's Sexton has resigned because he has retired from the Town of Lee. That responsibility now falls upon the Cemetery Trustees. They need to have a conversation about maintenance. The idea is for this FY the highway department will continue to do the maintenance, but they need to talk about the possibility of a 3<sup>rd</sup> party doing those services. Jan Neil asks if the funds will go back to the cemetery budget should these services go back to them to contract out. Selectman Bugbee says that will be part of the conversation. Selectman LaCourse states that Randy Stevens has given an estimate of \$18k for the cost of mowing etc. TA Glover states that there is not a separate line for this item in the highway budget.

Chairman Brown asks if they have started to look for a Sexton. Jan Neil states absolutely and then tells the Board that his or her responsibility would be that of record keeper. She states that they had somebody fully prepared to be the Sexton and that individual rescinded until the communication between the Cemetery Trustees and the Board is straightened out. Jackie states that having a Sexton would not affect the budget at all. She says that they could still manage extremely well with the budget that they have. Jackie continues to say that someone stopped a burial and she has never heard of such a thing; it is the Town's responsibility until the end of June to dig that hole and bury that person; it is the Town's moral obligation. Jan Neil states that they asked for a non-public but were denied. Jackie states that this is as far as she chooses to go publically. She assumes that it will never happen again. She states that she has 3 more years to go and "you will answer to me". She says that she has been doing this for 18 years. Selectman Bugbee asks for more information. Jan says only in a nonpublic setting. Selectman Bugbee states that there are only certain things that may be discussed in nonpublic. Jan says if it relates to a Town employee and it could or would affect their reputation then yes she wants a

nonpublic session. Selectman Bugbee states that if that person chooses to have it as a public conversation then it will be a public conversation. Jackie says whatever. Town Administration Glover states that if the Cemetery Trustees wanted to talk to the Select Board in nonpublic because they believe that she was somehow responsible for stopping a burial then she wants to have that conversation right now. This would be confusing to her because she has absolutely no oversight or supervision or responsibility for the highway department, the Sexton or the cemeteries. So even if she wanted to, which she certainly wouldn't want to, how would she stop a burial?

Marianne Banks states that there is money budgeted for mowing lawns etc. through FY18. She says that all of a sudden she was told after a Selectman's meeting that they can't have the highway department dig a grave. She did not understand why all of a sudden they couldn't dig it. She knows where it came from, but why could this decision be made.

Jackie states when Randy and Ricky did the burials it was a revenue stream for the Town of Lee. If the highway department does not do the burials, then the cemetery trustees will have to contract it out and that revenue will go elsewhere. She says that this choice does not make sense. She says that if they can resolve these issues tonight they can have a Sexton tomorrow morning. Marianne Banks clarifies that there are two types of digging. There is the hand digging for cremations and digging for a full burial which needs equipment. This is where hiring Ricky Stevens came into play. Ricky was hired by Randy to do the full burial digs.

Selectman Bugbee asks Mr. Stevens to clarify the financial relationship with Ricky and the families. Mr. Stevens says that on the week day the Town gets a check for \$400 for a full burial. \$100 goes to the excavator (3<sup>rd</sup> party contractor) on a full burial. The balance went to the general fund. The highway department does the cremation burials. This is how it has been for 7-8 years. Before that they did it with the Town's little bobcat. The amount on Mr. Steven's chart is gross not net amount received.

Mr. Stevens confirms that there is not separate line in the highway department budget. It was just put into the labor. In 2007 about \$18k was moved over to the highway department. It was problematic to keep track of how much time was spent on each cemetery.

Selectman LaCourse would like to see a separate budget line in the highway department for maintenance. TA Glover will have to speak to the Finance Officer about keeping track of payroll. Selectman LaCourse's opinion is to have the highway department continue with maintenance, the Sexton will do the administrative responsibilities and the highway department will maintain the responsibility of digging; however, will probably contract it out. Chairman Brown believes that contracting it out will come on pretty quick.

Selectman LaCourse confirms that the money that comes in from cemetery burials goes into the general fund. He then asks if the money from plot sales goes into a trust and it does. He confirms that there is interest generated in this trust and asks what happens to this trust. Jan says that 5-6 years ago the ABC recommended that they leave the interest and let the principal grow. John Tappan, Chair of Trustees of Trust Funds, states that the last time they received a request for reimbursement was about 5 years ago. Mr. Tappan states that if the income is going to be used for maintenance then they would need the records to accompany the request. This

can be done on an average basis. The private cemetery trusts can pay for everything such as stone and fence repair. For Lee Hill Cemetery the money can only be used to pay for the cost associated with a plot or plots. Next year the Trustees expect to receive \$4600 in interest. A reminder that only the interest may be expended, not any of the principle. TA Glover asks if there is interest in the funds right now that may be used for the maintenance of the Lee Hill Cemetery. Mr. Tappan indicates there is and as of June 30<sup>th</sup> there was \$54,000 in retained income that could be used. Each private cemetery would need to have separate documentation.

TA Glover points out that for years the Town Secretary has maintained cemetery records. She believes that this is a duplicate of the records that are kept by the Sexton. She confirms with the Trustees that once the Sexton is hired the Town Secretary will no longer need to continue this task. Marianne states that they can discuss this at their next meeting, but she doesn't see the need to do it twice. TA Glover would also like clarification from the Select Board and the Cemetery Trustees on what information needs to be communicated tomorrow to the highway supervisor. Selectman LaCourse restates his opinion that it will be the responsibility of the highway department to maintain the cemeteries also their responsibility to control the burials; however, they may contract it out. He also understands that the Cemetery Trustees are asking for \$7200 in their budget. The TA is researching the question as to whether the Sexton is an employee. If he/she is an employee then they would fall under minimum wage requirements. The first answer that she received is that the Sexton is an employee. She has a call in to the employment law division of the NHMA law firm to find out their opinion. Jan thinks that the \$1500 budget would allow for the minimum wage requirement.

Selectman Bugbee would like to have a conversation with the highway supervisor. This was one of the questions or issues that came up during the process when they acquired him. He's not adverse to it but he wants to have a conversation about it. Chairman Brown agrees that they definitely need to talk to the highway supervisor because they have discussed this with him as to whether it was in the job or not in the job. Selectman LaCourse states that they have also asked him to evaluate his department and if he needs to expand it because of more maintenance or snow plowing or other transportation needs within the Town then the Select Board would consider it if he could justify it. There is a burial coming up and the Board confirms that the highway department will either do it themselves or contract it out.

TA Glover asks if the burial costs that are contracted out go directly to whoever is doing the work. It would be cleaner. Selectman Bugbee says morally he wants one check to be paid to the Town. The Board agrees.

The Board will speak to Steve and Randy at the next meeting.

Marianne Banks asks if the cemetery filing cabinet can be moved to a more accessible place. Town Hall does not have the room or there is a question whether or not it can handle the weight. They discuss putting it in Caren Rossi's office. Ms. Rossi states that there is no room. They discuss putting it in the public safety complex 2<sup>nd</sup> floor storage room.

6. Robin Wunderlich and Molly Darling who are the owners from Take 5 Dog Care are proposing putting in dog waste stations and maintaining them as the business. They would like to put one at the dump, one at the junction of trail from the church and library and one at the end of the



soccer field outside the public safety complex. In the proposal they would purchase, install and maintain the waste stations and keep the clean bag receptacle full. They are requesting that all three stations would have their logo and the words "Station Maintained by Take 5" on them. Bill Humm, Conservation Commission Chair, states that the Commission fully supports the proposal. Having seen the photograph they are in support of all 3. TA Glover recommends adding a minimal agreement of understanding between Take 5 and the Town that spells out what they are taking on, that there will be no cost to the Town and a general liability release language. There is a discussion surrounding where exactly the stations will be placed. Chairman Brown moves to grant Take 5 Dog Care permission to install 3 dog waste stations with their logo and the words "Station Maintained by Take 5" written on it at various trail locations throughout the Lee Town Forest. Take 5 will assume all responsibility for these stations. Selectman LaCourse, seconds. Amendment with a written agreement and 2<sup>nd</sup> location is not done until the Town owns the property. All in Favor. **Motion Carries.** Selectman LaCourse asks to put this in the E-Crier once they are placed.

7. a) Toby Van Aken, Transfer Station, refers to the photo that he has handed out in regards to the proposed parking that he would like to put into place at the swap shop. Mr. Van Aken wants to have an engineer take a look at the parking situation. He wants to pave it and line it but he's worried about drainage.

c) Toby Van Aken requests permission to close the swap shop from January 1, 2019 – March 31, 2019 due to safety issues with parking and weather. He thinks that they also need this time to work on the policies and procedures.

b) Toby Van Aken states that the hours are supposed to be 7:00am - 5:30pm on the days that they are scheduled to be open, but they are not open all day. They close here and there throughout the day. They are mainly open on Saturday all day. The Committee is discussing that they open only on Saturday all day and not on Tuesdays and Thursdays.

Selectman LaCourse does not have an issue if they close the swap shop from January thru March as long as they announce it. The same with respect to only opening on Saturdays. The parking is more complicated. Chairman Brown is not quite as agreeable. He does not have a problem closing down for the winter months but the Town just built a brand new swap shop and everyone had input. Now there are more issues. He thinks that how it is organized and run should be managed by the Transfer Manager. Chairman Brown thought that there was a plan for parking when they designed and built this thing.

Shirley McKeye states that she is in charge of the swap shop volunteers. She has been gone for a month but when she was here in September it seemed to be working pretty good. She says she left someone in charge while she was gone; however, there were other ideas brought in that went against the grain of what everyone thought was going to happen. She states that everyone is on edge to know how to take everything and yet cram it in the space. She adds that she doesn't have enough volunteers to cover the hours that they are open such as Saturday mornings. Selectman LaCourse would rather reduce the number of days open to make sure those days are fully staffed then close all over the place.

Selectman Bugbee asks what the justification is for shutting down from January to March. Mr. Van Aken states that it is a safety issue with the snow and ice and no safe parking. Selectman Bugbee questions this. As far as hours per week he would rather see the hours reduced and fully staffed then closing without notice. In term of parking, he would suggest having the highway supervisor looking at it.

Paul Gasowski states that the swap shop has always performed an important function for the Town in terms of reducing the waste stream. If we reduce it we will reduce the opportunity for residents to reuse and recycle. He thinks that the layout is a problem. People do drive too fast. The speed bumps have helped. The safety is the primary concern. Finding money to hire an engineer might be an issue since we are well into this budget cycle. Maybe the volunteers and employees can park far away from the shop. He hears multiple reasons to close between January and March.

Caren Rossi asks what the liability is for the Town with regards to electronics, stuffed animals and used kids items. TA Glover states that her personal opinion is that the Town shouldn't have stuffed animals/toys at the shop but there is probably no greater liability. The Board says that they can ask the Solid Waste Committee to review this aspect of the policy. Toby Van Aken states that they are reviewed what to accept and what not to accept.

Selectman Bugbee is not in favor of closing during the winter if they can solve the safety issues. Chairman Brown agrees.

8. a) John Tappan produces a new spreadsheet with regards to the Town Center Project cost. Selectman Bugbee states that the programmatic needs have been finalized and the spreadsheet has preliminary numbers to do all the programmatic needs that were identified from the Town Hall, Library and Commissions. The first option which includes everything totals \$5,356,346. There is a discussion surrounding this option. Selectman Bugbee does not see the voters approving a project this size. Selectman LaCourse wants to confirm that all the department heads were consulted and agree with their part in this. Selectman Bugbee says yes except Caren Rossi was missing a piece, but he does not know what that is yet. TA Glover states that it will start to make more sense for the users if they could see a floor plan. This is the next step per Selectman Bugbee. The TCVC needs some direction from the Board as to what the next step should be. The other 2 options listed on the spreadsheet are potential ways to do the project at a reduced cost. The plan is to do the entire project all at once. TA Glover states that the most extreme option in terms of cutting is option 3 but you are still using a \$270 square foot cost. The true comparison would be to use that same \$270 in the first column. John Tappan says that as you reduce the area the unit cost should be going up because the smaller the building the more cost per square foot. Selectman LaCourse would like to keep everyone in one building like option 1 is designed and the Library does need the addition. He would like to sell it as one project and get rid of the Annex. There is a lengthy discussion about cutting this or that.

Annie Gasowski, Library Trustee, states that she really appreciates how everyone keeps trying to bring the cost down, but bringing the cost down does not bring us into the future. She states that we need to look forward into what's going to happen for the future of Lee.

Paul Gasowski, 46 Lamprey Lane, states that it is what it is and Town Hall needs that amount

of space. He is uncomfortable listening to this discussion about a spreadsheet that he does not have privy to even looking at with a deadline that the architect has for tomorrow. He thinks that the Library, Heritage and Historical people need to see this and to react to it. He states that for too long we have been driven by the dollar and not enough by the vision. People who have an interest in this who are not on the committee need time to look at this spreadsheet. Selectman Bugbee reminds everyone that they created this timeline because they wanted to come in this year before the new middle school which is coming up next year. Selectman Bugbee states that if this does not pass, he needs a break from this project so we need to put our best foot forward now.

John Tappan states that the architect asked for an answer tomorrow. It took 6 ½ weeks to get where they are now, so asking for some time should not be a problem. The architect wants to know what option he is designing for. It should not be expected to come up with such an important answer in one night.

The Board decides to meet Thursday, November 8<sup>th</sup> at 8am until 10:30am to discuss this further with the TCVC.

b) Selectman Bugbee says that the Board needs to set up dates for a public presentation in the early part of December and in later January. LBA is going to do the PowerPoint while the TCVC gives the presentation. LBA will be there as technical support. The Board says to let them pick the dates. TA Glover asks if December 10<sup>th</sup> was a date that was discussed and Selectman Bugbee does not recall that date. TA Glover warns about getting too close to Christmas. Selectman Bugbee suggests waiting to do the 2 presentations in January. TA Glover asks that they have the budget calendar in front of them when they schedule these dates.

9. Denise Duval, Town Secretary, states that the Volunteer Dinner has been narrowed down to Wednesday, December 5<sup>th</sup>. The dinner will be slightly less than last time, but this time we will need to pay a room rental fee. There will be a desert tray as well.

10. n/a

11. Chairman Brown moves to accept the Consent Agenda as presented. Selectman LaCourse, seconds. All in favor. **Motion Carries.** Added a pay in lieu of vacation request. Verbally approved without a motion.

Chairman Brown moves to enter into Non-Public Session per NH RSA 91-A: 3 II (1) at approximately **9:15pm**. Selectman LaCourse, seconds. Roll Call Vote. **All Agree following Roll Call Vote. Motion Carries.** The Board returns to public session at **9:19pm**.

~~Chairman Brown moves to seal the nonpublic meeting minutes. Selectman Bugbee, seconds. Roll Call Vote. All Agree following Roll Call Vote. Motion Carries. DD~~

12. Selectman Bugbee reminds the Board about choosing training dates that were emailed out by TA Glover and the topic will be Motivation and Coaching.

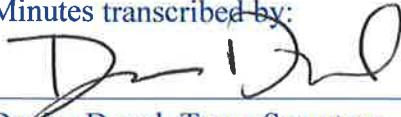
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13. Chairman Brown moves to adjourn at 9:20pm. Selectman Bugbee, seconds. All in favor.  
**Motion Carries.**

Minutes transcribed by:



Denise Duval, Town Secretary

11/19/18

Date

Minutes accepted by The Lee Select Board:



Cary Brown, Chairman



Scott Bugbee



John LaCourse



**SELECT BOARD NON-PUBLIC MEETING MINUTES**  
**November 5, 2018**

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

Others present: Town Administrator Julie Glover

1. Chairman Brown motions to enter into Non-Public Session at **9:15pm** per RSA 91-A: 3,II (I). Selectman LaCourse, seconds. Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present. **Roll Call Vote to enter into nonpublic session. All Agree following Roll Call Vote.**
2. The TA reminds the Board of a previous decision to take a mobile home by tax deed and that Jean Howe, owner of Pine Knoll Village has agreed to purchase it from the Town. Selectman LaCourse wants to move forward regardless of Jean Howe. Selectman LaCourse moves to take the property located at 2 Spruce Drive Tax Map 10 5 67. Chairman Brown, seconds. All in favor. Motion Carries.
3. No Motion will be made to seal minutes back in public session.
4. Chairman Brown moves to leave nonpublic session and return to public session. Selectman Bugbee, seconds. All in favor. **Motion Carries.** The Board reconvenes to public session at **9:19pm.**
5. Minutes recorded by Town Administrator Glover.

Minutes typed by:

Denise Duval, Town Secretary

Minutes accepted by Lee Select Board on 11/19/18

  
Chairman Cary Brown

  
Selectman Scott Bugbee

  
Selectman John LaCourse