

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

Others present: Phil Stetson, Caren Rossi, Joe Bassett, Norman Wren, Jr., Jeff LaPierre, Paul and Annamarie Gasowski, Jan and Jacki Neill, John and Anne Tappan, Corrine George, Linda Kahn, Attorney Sharon Somers, Attorney Chris Hilson, Susan Mattioni, Tom Murdoch, Rebecca Hawthorne, Toby Van Aken, Chief Dronsfield, Chief Nemet, 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. There is none.
3. Chairman Brown opens the Racetrack Public Hearing.  
Joe Bassett, General Manager USA Speedway, asks the Board if they have any questions with regards to the detailed schedule that he has presented. The first thing that he would like to point out is that they are asking to start racing in May this year. April is always too wet and never seems to work. They would like to start out with May Madness and then go into Memorial Day Weekend with the Monster Truck Show. The following weekend they would open with their season opener through the last Friday night in August. Then close with Oktoberfest and the Demolition Derby as they have done in the past. They would like to add the Rusty Wallace Driving Experience twice this year and move the Flea Market from November to the first weekend in May.

The Police and Fire Chief's do not have any issue with this schedule. Selectman Bugbee asks the Police Chief if the sound issues that they had last season have been taken care of. The Police Chief indicates that they have been taken care of. TA Glover points out that the early date of May 5<sup>th</sup> for the Flea Market can be waived by the Board but the Racetrack Ordinance states that automotive related flea markets shall be scheduled on the 3<sup>rd</sup> Sunday of May, June, July and August. May 5<sup>th</sup> is not the 3<sup>rd</sup> Sunday in May; however, the Board may waive that. TA Glover also points out that there are 5 dates that the Racetrack is requesting to exceed the 8 hours. Mr. Bassett points out that they have not requested as many rain dates this year. They would like a couple hours to be able to get the race in during the scheduled day and if not they push it to another race date or cancel it all together. They would like to start practice for ISMA an hour early to make sure they get done at a reasonable hour because of how loud those cars can be.

Chairman Brown opens it up for the public to comment.

Corrine George, 36 Tamarack Road, states that her neighborhood abuts the Racetrack and they love the Racetrack and go often. She has a concern with the addition of the May events. The May Madness will potentially be the Test & Tune on Friday night and then run 10 hours on Saturday and 10 hours on Sunday which is essentially the whole weekend that the Racetrack is going. As abutters it is very difficult to have outside family time. Then this weekend is followed by the holiday weekend with another 2 day event. This really affects the neighborhood's quality of life.

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Linda Kahn, 44 Tamarack Road, states that she has concerns about the extended hours and having races on consecutive weekend days. They usually plan to have outings on the opposite days that they are not racing. She lists the days in October and states that they can't plan anything in the fall. She states that going from 8-10 hours is a 25% increase. When she bought her land she knew the Racetrack was there and she knew what the agreement was with the Town only she thinks that over the 23 years that she has lived here the Racetrack has gotten more and more and she hasn't. She states that this one business affects dozens of families. She pays taxes and she should be able to enjoy her land. She doesn't think that the Town is protecting her on this and they have the ability to. The Select Board has the authority to protect the land owners and she would like to see them do so. She would like to see the Board limit the Racetrack so that they may be able to use their land and not always limiting the abutters.

Jeff LaPierre, 42 Tamarack Road, states that he also pays taxes and works at the track. He says they are actually running fewer races this year than in previous years. He points out the noise that the abutters make on Tamarack and how they don't have a problem running their snowmobiles on the Racetrack property during the winter time, but when it is time for the Racetrack to do business and make money there are problems.

Caren Rossi, 38 West Mill Pond Road, states that when she bought her property in 1999 she was told that the Racetrack raced 23 days per year which is consistent with this year's schedule. As far as the hours of operation go, she would rather go later at night than another day.

Selectman LaCourse asks if the 10 hours extend over into the rain dates. Joe Bassett states yes for the Octoberfest but he can only think of 3 times that they have gone to a rain date for Octoberfest. This is the main reason why he is asking for the extension in time to prevent the need for rain dates.

Selectman Bugbee points out a correction for August 9<sup>th</sup> on the license. It should be 8.5 hours.

Caren Rossi states that for the July 4<sup>th</sup> race date which is a Thursday night, she suggested to Mr. Bassett that they send out a mailing to the town residents at their expense notifying them of this race and fireworks. Mainly because the last time the Board approved a race on a Tuesday night the Town Hall received a lot of calls about it. Chairman Brown asks if they agreed to this and Ms. Rossi said no but she was hoping the Board could require it. Mr. Bassett states that he has spoken with Mr. Wren about this and they will do something to make sure that everybody knows if this gets approved. His next question was going to be the 4<sup>th</sup> of July event.

Chairman Brown moves to accept the Lee USA Speedway's 2019 proposed operation schedule and grant them a license, subject to the conditions imposed by the Lee Racetrack Ordinance, including inspections by the Building Inspections, Fire Chief, Police Chief and submission of certificate of insurance to the Town Administrator. Selectman LaCourse, seconds. TA Glover confirms that by accepting this schedule the Board is waiving certain items that are contained in the Ordinance more specifically those times that are extending past 8 hours and the May 5<sup>th</sup> Flea Market date. All in favor. **Motion Carries.**

4. Tom Murdoch, Advisory Budget Committee Chair, presents the committee's recommendations to the Select Board for the FY20 Budget.
  1. Recommend funding Strafford County Regional Planning Commission for this year, but review again in the coming year, to consider eliminating funding.
  2. Recommend funding a FT police position, FT and PT fire position and if not funded in the budget, then it will be put in 3 separate warrant articles for the town citizens to vote on. If the FT police is approved then reduce the OT pay by \$5k to \$10k. If not approved keep it at \$15k. Recommend to BOS to review PD wages and adjust upward as appropriate.
  3. Recommend to BOS no funding on FT Transfer Station position, but increase PT hours and increased wages and PT personnel as needed or look into reduction of hours open on Tuesdays and Thursdays.
  4. Recommend to BOS to not fund the Ag Commission this year based on the fact that they have not used the money appropriated in previous years.
  5. Recommend that the BOS treat sick leave the same to ALL employees.
  6. ABC recommends approving the budget for \$4.8 million.
  
5. a) TA Glover presents the Board with an application for Cemetery Trustee. Jan Neil, Cemetery Trustee Chair, states that the Trustees fully endorse the appointment of Donna Eisenhard to the position of Cemetery Trustee. Chairman Brown moves to approve the appointment of Donna Eisenhard to serves as a Cemetery until 2020. All in favor. **Motion Carries.**
  
- b) TA Glover presents the Board with the final Lee Circle Water agreement for approval. Once approved, the Town of Durham's Engineer will present it to the Durham Town Council at their January 7<sup>th</sup> meeting for approval. Once that is complete Mr. Selig and TA Glover will execute the agreement and they will move forward with the project. TA Glover explains that with this agreement the Town of Lee will be giving up the 15% after 700,000 gallons per day that was agreed upon back in the 1984 agreement. They are proposing to give up the 15% for two reasons. 1. The engineers don't believe that the well will ever produce 700,000 gallons per day so it becomes a moot point and 2. With this agreement what the Town is gaining is water that is available to Lee users through the entire UNH/Durham water system. They did agree to take out the surcharge to Lee users for now. The Lee well is based on the amount of rainfall. The engineers studied it and believe that the safe yield is between 360,000 and 648,000 gallons per day. All of the properties that are currently attached to the system and have been attached since the 80's and then the additional 13 or 14 MTBE properties are permanent and whatever the Lee well produces or doesn't produce is irrelevant. Should someone come along after this agreement and after the system is extended, they are going to have to go to Durham and request to be connected. Caren Rossi states that they did a buildout analysis early on and if every parcel along both sides of Route 4 hooks up to the well it's about 8000 gallons a day over the 10%. In other words, worst case scenario Lee would be just over the daily allowed amount. Chairman Brown moves to approve the Lee Circle Water Agreement as presented and to authorize the Town Administrator to execute same, provided that there are no substantive changes made by the Durham Town Council. All in favor. **Motion Carries.**
  
- c) TA Glover updates the Board on the LED project. The fixtures have been ordered and they are hoping to get them installed at the Transfer Station and the PSC by the end of the year. The project cost is going to be a bit less than what was originally discussed and approved.

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Originally the total cost was going to be \$27,338 and it is now \$22,070 because the incentive amounts are greater than had been originally proposed. This is all NH Cooperative Electric.

d) TA Glover informs the Board that the Town is now the owner of the Parish House and the surrounding land. The closing was on Friday, the deed has been recorded and the house is now listed as an insured property with Primex.

e) TA Glover presents the Board with the Personnel Policy Amendment with regards to overtime during the week of a holiday for final approval. The only question to discuss is what the effective date is going to be. The options are retroactive to the first snow storm which was the week of Veterans Day, the week of Thanksgiving or just make it effective from this date forward. Selectman LaCourse states November 1<sup>st</sup>. Selectman Bugbee states he would want today because of the extra work it will cause the Finance Officer. Chairman Brown agrees with Selectman LaCourse. The Town Secretary assures the Board that the Finance Officer is completely ok with doing the calculations back to November 1<sup>st</sup>. Selectman Bugbee changes his mind based on that and agrees with the Board on November 1<sup>st</sup>. Chairman Brown moves to approve the revised Personnel Policy as presented effective November 1, 2018. Selectman LaCourse, seconds. All in favor. **Motion Carries.**

f) TA Glover presents the Board with the Waste Hauling Services RFP results. Toby Van Aken, Transfer Station Manager, recommends going with Shipyard Waste Solutions. The Town is using them now through the Lamprey Regional Coop and he is happy with them. The Board agrees with using them and entering into a 3 year contract effective 1/1/2019. Selectman Bugbee asks Mr. Van Aken to recalculate his budget based on these new lower numbers by the next meeting on January 2<sup>nd</sup>. Chairman Brown moves to authorize the Town Administrator to enter into a contract with Shipyard Waste Solutions for MSW, C&D and Glass Hauling Services for the Town of Lee for a term of 3 years. Selectman Bugbee, seconds. All in favor. **Motion Carries.**

g) TA Glover informs the Board that sometime this week she will need to send a notice to Foster's for publication for the Bond Public Hearing. The Board has a draft of the public hearing notice and the draft warrant article. TA Glover based the amount of the proposed bond on what the Board had voted on on November 8<sup>th</sup>. Since that time Lavallee Brensinger has put together numbers so that the total project cost is less than what the Board voted on on November 8<sup>th</sup>. TA Glover has concerns relative to the source of additional funds for the project that had been identified in a spreadsheet for that meeting on November 8<sup>th</sup>. First concern is the TCVC thinking that the Town is going to get grant money even though we are not proposing to renovate any of the older buildings in this first go around. Selectman Bugbee says that the answer is no. Second concern, \$228,000 had been identified as coming from the Town Building Capital Reserve Fund which would essentially wipe it out completely, and she expresses that there is no way of knowing whether the older buildings will need emergency repairs. She asks the Board to think about maintaining money in this fund. Selectman Bugbee hands out a spreadsheet and asks John Tappan to explain it. Mr. Tappan runs through four possible funding scenarios for the Town Center Project. The Bond amounts range from \$3,700,000 to \$3,865,000. TA Glover does not suggest relying on the Library Foundation money. The Board agrees on Option 3 which does not identify using the Library Foundation money and it leaves

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almost \$100k in the Town Building CRF. Option 3 leaves a bond amount of \$3,780,000 and a total project cost of \$4,345,561.

h) TA Glover asks the Board if the Town Offices may close at 3pm on New Year’s Eve. The Town Clerk has announced that they are closing at that time. The Board is ok with this, but asks to put it in the E-Crier and to post notices at Town Hall.

- 6. Chairman Brown moves to accept the Consent Agenda as presented. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
- 7. Chairman Brown moves to enter into Non-Public Session per NH RSA 91-A: 3 II (l) & (a) at approximately **7:36pm**. Selectman LaCourse, seconds. Roll Call Vote. **All Agree following Roll Call Vote. Motion Carries.** The Board returns to public session at **10:20pm**.
- 8. Chairman Brown moves to seal the nonpublic meeting minutes with legal counsel. Selectman LaCourse, seconds. Roll Call Vote. **All Agree following Roll Call Vote. Motion Carries.** There is no motion to seal the other nonpublic discussions.
- 9. Selectman Bugbee notifies the Board that the TCVC is sending out a postcard tomorrow with the Town Center Project Presentation dates.

Selectman Bugbee states that Paul Gasowski has offered to video tape the Town Center Bond Public Hearing and asks the Board if it is ok if he does this. The Board is ok with this.

- 10. Chairman Brown moves to adjourn at **10:28pm**. Selectman LaCourse, seconds. All in favor. **Motion Carries.**

Minutes transcribed by:

  
Denise Duval, Town Secretary

11/21/19  
Date

Minutes accepted by The Lee Select Board:

  
Cary Brown, Chairman

  
Scott Bugbee

  
John LaCourse

**SELECT BOARD NON-PUBLIC MEETING MINUTES**

**December 17, 2018**

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

**Others present:** TA Glover, Chief Dronsfield, Chief Nemet, Toby Van Aken and Caren Rossi


1. Chairman Brown motions to enter into Non-Public Session at **7:36 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 conducts department head reviews.
3. Selectman LaCourse 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 **10:20pm.**
4. Minutes recorded by Chairman Brown.

**Minutes typed by:**

**Denise Duval, Town Secretary**

**Minutes accepted by Lee Select Board on** 1/2/19.

  
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**Chairman Cary Brown**

  
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**Selectman Scott Bugbee**

  
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**Selectman John LaCourse**