

**MINUTES OF THE SELECT BOARD
MONDAY, MAY 18, 2015 – 7:00PM**

Present: Chair, Lorn Buxton, David McGuckin, Selectman, William Stewart, Selectman, and Bette Jane Riordan, Secretary.

Also present: Tom Smith, Treasurer, Ken McDonald, Jim Cerny, and Will Connell.

Selectman Buxton convened the meeting at 7:00 PM.

Selectman McGuckin made a Motion to Nominate Lorn Buxton as Chairman, which was seconded by Selectman Stewart. Motion Carried. Chair Buxton presented his proposals for organization of the Select Board and future meetings.

1. Organization.

Chair Buxton explained assignments for Select Board members and explained their duties as liaisons to various departments, commissions, and committees. Selectman McGuckin referred to the hand out detailing the assignments. Selectman Stewart basically received those assignments that belonged to former Chair and Select Board member Patty Scholtz Cohen. Chair Buxton assigned him to the Budget Committee, and Chair Buxton will take the Historic District Commission (“HDC”).

Chair Buxton reminded the Board that if 2 or more of Select Board members are present at any of the meetings of boards, commissions or departments, that notice must be posted in a minimum of two places. Selectman McGuckin clarified that posting notice of the meeting applies only if the members intend to speak. They may attend without posting notice if they are not intending to speak.

Chair Buxton stated that the various committees, and boards need to be notified of their new representative from the Select Board.

Chair Buxton explained the minutes process, whereby Selectman Stewart will be the first one to receive draft minutes. He should make any edits and forward to Select McGuckin, who will forward to Chair Buxton for finalization.

The list of assignments are as follows:

Operating:

Fire- Bill Stewart

Police- Dave McGuckin

Public Works – Dave McGuckin

Finance-Lorn Buxton

Legal – Lorn Buxton

Insurance – Bill Stewart

Personnel Reviews – Bill Stewart

Web Site – Bill Stewart

Statutory Committees

Water & Sewer – Dave McGuckin

Planning – Lorn Buxton

HDC – Lorn Buxton

Budget – Bill Stewart

CIP – Dave McGuckin

Unofficial

Library – Lorn Buxton

School – Dave McGuckin

ZBA – Lorn Buxton

Chair Buxton explained administrative procedures and responsibilities, stating that two Selectmen are needed to sign checks. Selectmen should review the Select Board Mail drawer on a daily basis. He also suggested that Selectman Stewart get familiar with the NH Municipal Association materials and referred him to Pam Cullen, Assistant to the Select Board.

Chair Buxton presented a list of Appointments which need to be finalized. Selectman McGuckin will check with Steve Tabbutt, Supv. of Public Works, Walter Liff, Water & Sewer Commission, and Normand Houle, member Water & Sewer Commission. Chair Buxton will check on the Planning Board appointments. Selectman Stewart reported that he hoped Lynn McCarthy would continue on the Conservation Commission, and would check on any vacancies. He will also check with Sandy Bissett, chair of the Energy Commission.

Chair Buxton will check with the Library and the Recreation Department, and ask Pam Cullen to prepare the proper forms for appointment.

2. Approve Select Board Minutes of May 4, 2015.

Chair Buxton made a Motion to Approve the Select Board Minutes of May 4, 2015, as amended. Selectman McGuckin seconded, and the Motion carried.

3. Public Q & A.

Chair Buxton introduced this new section for meetings and asked if anyone wished to address the Board. Will Connell, of 79 Wentworth Road presented a letter from property owner Marcia Cutting's legal counsel regarding the unmerged lots issue. He stated there is no need for a new deed. Chair Buxton stated that the Board has already drafted the document to be recorded. Mr. Connell stated he preferred not to record the document. He requested a vote of the Select Board, which Chair Buxton stated would not happen without advice from Town counsel. Mr. Connell reiterated that the property owner does not need a new deed and that no additional work is needed. Chair Buxton replied that the work has already been done and he was hoping to avoid additional legal expense for either party. Selectman McGuckin asked if just a signature of Ms. Cutting was required. Chair Buxton stated that was true and that there is no single document which clearly describes the transaction, and that is what is needed to be signed and recorded. Chair Buxton stated he would forward Attorney Springer's letter to Town counsel.

4. Items for Discussion.

a. Ocean Road.

This item concerns the ongoing project of Chris Peterson, to bury the utility lines on Ocean Road. Selectman Stewart reported that the Conservation Commission sent an E-mail regarding its review of their request to remove pine trees. The Commission concluded that Peterson could remove the trees if they were negatively impacted by the power line project, but that the trees would need to be replaced on the land adjacent to where the work is being done. Selectman McGuckin asked who would make the decision if the trees were in the way of the project. Selectman Stewart responded that the contractor would make the decision taking into consideration the deepness of the root system. Selectman McGuckin commented that the current pines are not particularly attractive, so it would be in the Town's best interest to get better trees. He stated he assumed that there had already been a determination that the trees were in fact on Town owned land. Jim Cerny replied in the affirmative. Selectman Stewart stated there is an assumption that new trees would be much better for the site. Selectman McGuckin stated that the current trees are scrubby, and if the property owner are willing to pay to replace them, that benefits the Town. The sense of the Select Board was to agree to allow the removal of the pine trees.

Discussion ensued about pole removal and street lights. Chair Buxton stated that all poles would go away except for the one at the end of Ocean Road. Selectman McGuckin stated the Police Chief was concerned and wished to keep the light at the end of the road for safety concerns. The Board agreed that the next step is to hear from Mr. Peterson.

b. Steamboat Lane.

Selectman Stewart explained the background of this issue which concerns encroachment. The subject property is the former Ricker's Lobster pilings and docks, which were unpermitted by the Department of Environmental Services ("DES"). The permits have been applied for "after the fact". The Town has not been noticed. The Conservation Commission referred the applicant to the Select Board. The questions is: Who needs to approve the encroachment? Selectman Stewart asked if the Town has a deeded right of way. Chair Buxton asked that Pam Cullen pull the file and give to Selectman Stewart for review and report back.

c. Hazardous Trash.

Chair Buxton stated that the Select Board had previously agreed to put together alternative disposal sites for the public. Selectman McGuckin reported that he is continuing his research into alternative sites. He reported that Portsmouth and Hampton are possible locations for oil based hazardous materials. He is looking into disposal of TV sets, fluorescent light bulbs, and other electronics. He agreed to produce a list of items and disposal locations.

d. Warrant Article Updates.

Chair Buxton updated on the following:

Article 1. Town Hall.

The article was defeated but the legislature during the last two days approved LCHIP for \$3.5 million for the biennium. He is confident the Town could get the necessary funding for next year. Selectman Stewart asked if the Town could apply for the grant to do part of the project using those grant funds, such as the exterior or renovations to the upstairs. Chair Buxton stated that the odds are better if the Town applies for the whole project, as there are matching funds. He stated that the Building Committee still exists based upon the passage of Article 8, so the Town can keep the committee together and retain the services of the architect.

Article 3. Operating Budget.-passed.

Article 4. Vehicle and Equipment Trust Fund – passed.

Article 5. Hazardous Materials.

The Town Hall Building Committee will figure out how to use the \$20,000, regarding remediation and the removal of vermiculite and lead paint.

Article 6. Conservation & Article 7 Donations to Non-profits will be distributed in December 2015.

Article 8 – Contingency Funds—passed.

Article 9 – Archiving

Chair Buxton reported that former Portsmouth Library Director Sherm Pridham has been retained by the Town and is in the process of archiving historical town records.

Article 10 – 53-B withdrawal

Chair Buxton reported that all documents have been signed, and Selectman McGuckin has taken care of advising the 53B group. .

Chair Buxton reported that the new contract with Oceanside Trash Removal would take effect July 1, 2015. The Town is awaiting the final signed contract from Oceanside.

Article regarding Sidewalk Trust Fund.-passed.

Article regarding management services for Trust Fund. (Hire an advisor) –passed.

Article 14 regarding Organization of Fire Department – passed.

Chair Buxton stated that Selectman Stewart would be handling this matter. Selectman Stewart stated that he assumes the fire ward individuals whose terms will expire in one year may continue in some capacity to assist the department as a volunteer advisors. Tom Smith asked the Board to clarify this statement as the article was clear that the current Fire Wards positions do in fact expire in one year. They do not continue to advise or manage the

Fire Department, which will in fact come under the Select Board in May 2016. Selectman Stewart was informed the Fire Wards meet every 2nd Tuesday at 4:00 PM.

Article regarding the Select Board's easement authority. – passed.

Article regarding CIP – passed

e. New Chart of Accounts.

Chair Buxton reported on the ongoing project conducted by Deb Knowles, Town Accountant with Chair Buxton's guidance, concerning the review of current categories of accounts with the goal of streamlining them. He reported that they have reduced the number of accounts from over 700 accounts to 500 hundred, by consolidating, renaming, and eliminating redundancies.

f. Water & Sewer rate structure.

Chair Buxton explained that the Select Board has the responsibility for setting rates but the Water and Sewer Commission has the job of oversight of the infrastructure. The Commission wants to do away with the current "minimums" billing system and has been studying various alternative-billing systems. Chair Buxton explained the problems and inadequacies with how to deal with depreciation, giving an example of the monetary effects of the leak at the Coast Guard. Chair Buxton stated that the Town's depreciation figures are totally inadequate as are the reserves. He stated that depreciation should be \$50,000 for sewer and \$50,000 for water. Presently they are \$12,000 for and \$3,000. He stated the Town should be recouping the current depreciation, and indicated the need to something fairly aggressive. Whatever the Town decides will be effective with the August 2015 billing. Selectman McGuckin questioned the August date, stating that it may be November 2015 before the Town decides to do away with "minimums" if at all. He stated that Water and Sewer Commission member, Normand Houle, has worked out various numbers which should be reviewed. Selectman McGuckin asked to have the Water and Sewer Commission come to the next Select Board meeting.

5. Other Old Business. - none.

6. Other New Business.

a. Henrys' Market.

Selectman McGuckin reported that that the letter requested by Perrie Purcell regarding the increase in chairs has been drafted. He referenced letter from former Chair Cohen dated May 12th.

7. Committee Reports.

Chair Buxton stated he has added this new item to the regular Select Board Agenda. This section is for Select Board members to discuss what transpired at their respective committee and commission meetings. As an example, Chair Buxton reported on the Library. The Library currently has 785 members. There are 12,000 print materials in the library. The library has loaned out almost 11,000 items (including inter-library loans)

4,000(?) of which are children's items. The Library also has access to approximately 21,000 e-book items.

Selectman McGuckin reported on the Common's revenue, stating that the revenue for Mother's Day alone was \$3000.

There being no further business to come before the Board, Selectman McGuckin made a Motion to Adjourn, which was seconded by Selectman Stewart.

Meeting adjourned at 8:22 PM.