

MINUTES OF THE SELECT BOARD
MONDAY, JANUARY 5, 2015 - 10:00 AM

Present: Patty Cohen, Chair, Lorn Buxton, Selectman and Bette Jane Riordan, Secretary.
Also present: Jim Cerny

Chair Cohen convened the meeting at 10:00 AM and stated that our hearts go out to Selectman Dave McGuckin. She took a moment to acknowledge the passing of Sally McGuckin.

1. Approve Select Board's minutes of the Select Board Meeting and Executive Session of December 15, 2014.

Selectman Buxton made a Motion Approve the minutes of the December 15, 2014. Chair Cohen seconded, and the Motion carried.

Selectman Buxton made a Motion to Approve the minutes of the Executive Session of December 15, 2014. Chair Cohen seconded and the Motion carried.

2. OLD BUSINESS.

a. 53-b.

The Board reviewed the proposed withdrawal agreement, which would result in the Town's withdrawing from the Southeast Regional Compact (waste removal and disposal). Chair Cohen asked if the Board should sign the agreement now or wait until after the issue is brought up at Town Meeting in May. Selectman Buxton was not certain and questioned what the notice requirements were for this mater. He suggested they sign, but modify the agreement to state the approval is subject to the approval at Town Meeting in May. After further discussion and edits to the agreement, the Board agreed to table the signing until the next meeting of the Select Board in order to include Selectman McGuckin in this discussion.

Chair Cohen referred to prior discussions regarding the possible costs related to hazardous waste drop off, and asked if the Board should budget a certain amount for the upcoming fiscal year. She stated that based upon Selectman McGuckin numbers of \$70-\$75 per car and a projected number of 20 cars from New Castle, the amount would be \$1,500 per car for dropping off hazardous waste at a designated site. In the past, there were 2 hazardous drop off days at the Hampton facility per year. She stated she was not comfortable with budgeting \$3000, and suggested \$750 as a starter figure to include in the proposed budget. Selectman Buxton noted that budget recommendations are due by midnight. Chair Cohen stated that there was discussion at the last Select Board meeting about the possibility of providing citizens with a stipend for the hazardous waste, but not covering the full cost of \$70-\$75 per car. Jim Cerny reported that the City of Dover has a program where citizens just show their ID in order to drop off their hazardous waste. Chair Cohen noted she had visited the Hampton program and indicated that town was very careful to ID everyone in their operation. After further discussion, Selectman Buxton proposed that the Board submit a figure of \$1500 to include in the budget.

b. Ocean Road trees update.

As a result of discussions at a prior Select Board meeting, Chair Cohen conferred with the Chair of the Conservation Commission regarding impact of removal of four trees on Ocean Road to allow for the burial of power lines as requested by Chris Peterson. Selectman Buxton reported that all four trees are on Town property, and indicated all four are reasonably healthy. After reviewing Chair Stewart's comments, the Board agreed to refer the matter to the full Conservation Commission since that had been the protocol established when a previous request was made for removing trees on town-owned property

3. NEW BUSINESS.

a. Fairpoint Settlement.

Selectman Buxton stated he believes the Board should accept the settlement, noting that Fairpoint had argued that the taxing of utility poles by municipalities was unconstitutional. The attorney representing the Town negotiated a 10% reduction in the assessment. , Selectman Buxton stated the Town should move forward and sign the settlement agreement. He made a Motion to Approve the settlement, which was seconded by Chair Cohen, and the Motion carried.

4. Any other business to come before the Board.

a. Meeting with City of Portsmouth Public Works.

Selectman Buxton announced there would be a meeting on January 13, 2015 with the City of Portsmouth's Public Works Dept. regarding the transfer of infrastructure for the water/sewer conveyance. Chair Cohen suggested two meeting dates to meet with legal counsel to prepare for the meeting. The dates discussed were either January 8th or 11th.

b. T-mobile matter.

Selectman Buxton referenced a legal notice in the local paper indicating T-mobile's intent to add to their space on the church tower. Chair Cohen stated the Board should check with legal counsel. She noted that originally, the company had to go before the Planning Board. Selectman Buxton stated no approval is needed for "additions". Chair Cohen stated she would still like a legal opinion on this matter.

c. Closing of Fort Constitution.

The Board discussed the recent closure of Fort Constitution due to security issues as reported in the local newspaper. The Board agreed to monitor this situation as to the length of time the closure is expected to last.

d. Town Budget.

Selectman Buxton stated that departmental budgets are due to the Budget Committee by midnight January 5, 2015. Only two departments have responded so far: Cemetery and Public Works. Chair Cohen will follow up on reminders.

e. Sewer flow uptick.

Selectman Buxton reported that there was a significant increase in the amount of sewer flow for the month of December. While the average is 20,000 gallons per month,

December's was 35,000. Chair Cohen wondered if there was some kind of leak in the system. She thought the increase might possibly be due to the amount of rain in December, with sump pump run off. Selectman Buxton stated it was imperative this matter be addressed at the next meeting of the Water & Sewer Commission.

f. Wentworth Bridge Meeting.

The next public meeting on the replacement of the Wentworth Bridge is scheduled for January 29, 2015 at the Rec. Building.

g. Helicopter Noise.

Chair Cohen stated there is a meeting scheduled for January 15th regarding the issue of helicopter noise, and asked whether or not the Town should have a representative present. Selectman Buxton did not think that was necessary. Chair Cohen asked if there had been any more complaints from residents. Neither Board member had received any recent complaints.

At 10:37 AM, Selectman Buxton made a Motion to go into Executive Session to discuss a legal matter. Chair Cohen seconded, and the Motion carried.

The Select Board came out of Executive Session at 10:50 and resumed the regular Select Board Meeting relating to matters involving use of public spaces in the Town.

Selectman Buxton made a Motion to Adjourn, seconded by Selectman Buxton. Motion carried. Meeting adjourned at 11:18 AM.