

MINUTES OF THE APRIL 19, 2010 BOARD OF SELECTMEN'S MEETING

MEMBERS PRESENT: Chairman David Canada, Selectmen Bruno Federico and Tim Copeland, and Town Administrator Paul Deschaine.

At 7:04 pm, the Chair opened the general meeting of the Board of Selectmen.

Mr. Canada moved to go into non-public session to discuss a personnel matter with the Town Clerk/Tax Collector. Mr. Copeland seconded the motion, which passed unanimously.

At 7:33 pm, Mr. Canada moved to come out of non-public session and to seal the minutes due to the personnel matters discussed. Mr. Copeland seconded the motion, which passed unanimously.

The Board reconvened at 7:37 pm.

TREASURER'S REPORT: Kevin Peck reported that he had \$164,917.48 in the general fund checking account.

PARK PERMITS/MUNICIPAL CENTER RENTALS:

The following park permits and municipal center rentals were discussed and acted upon:

The Southern District YMCA requested the use of the Stratham Hill Park parking lot as a bus stop for the April vacation camp from April 26th to April 30th at approximately 8:40am and 4:40pm. The request was approved.

Lisa Thompson requested the use of the Morgera Room at the Fire Department. She included no narrative as to why she should be able to use the room as an individual per the policy established by the Board. No action was taken.

Kim Williams requested the use of the Municipal Center on May 16th for an Eagle Court of Honor event. Mr. Copeland moved to allow the use and to waive the fee. Mr. Canada seconded the motion, which passed unanimously.

Kacey Seratt requested the use of the Park on May 15th for a shower. That request was approved.

Susan Drew requested the use of the Pavilion at Stratham Hill Park on May 23rd for a graduation party. That request was approved.

Jayson Jarosz requested the use of the Park on June 26th for a graduation party. That request was approved.

Jamie Cutler requested the use of the Park for a Car Club barbecue on July 17th. That request was approved.

The Newmarket Elementary School requested the use of the Park on May 4th. Mr. Copeland moved to authorize the use and to waive the fee. Mr. Canada seconded the motion, which passed unanimously.

Cynthia Sheehan Hartwell of the AB Hearty & Friends Preschool requested the use of the Park on June 18th. That request was approved.

Joyce Rowe requested the use of the Park on May 29th for a graduation party. Mr. Canada moved to approve the use and to waive the fee due to Ms. Rowe's previous contributions to the Town. Mr. Copeland seconded the motion, which passed unanimously.

Kranthi Kantipudi requested the use of the Municipal Center for an observance on April 25th. That request was approved.

Arlene Pierce requested the use of the Park on August 7th for a family reunion. That request was approved.

The Wiggin Memorial Library requested the use of the Municipal Center on multiple dates for an antique sales fundraiser. That request was approved.

DEPARTMENT REPORTS:

Planning: Lincoln Daley was present to provide his monthly report. He advised the Selectmen of the Planning Board's schedule, which includes a proposed cluster subdivision on Bunker Hill Ave. His second pending application before the Board is by Altid Enterprises, which hopes to revise their site plan in order to change the parking lot arrangements at 100 Domain Drive. Both applications are in the preliminary consultation phase.

The Planning Board is also reviewing its regulations to reflect the zoning amendments that recently passed, specifically for the Gateway Commercial District.

In addition, Mr. Daley has been heading up the committee to evaluate the software needs of the Land Use Department. The committee is targeting early December for a report on their recommendations.

Mr. Canada asked if a meeting between COAST and the Rockingham Planning Commission had been arranged to discuss financial support of COAST and how that is measured by the Rockingham Planning Commission. Mr. Canada explained that the Executive Director of COAST expressed the difficulty in responding to changes to individual town circumstances which are reflected in their funding formula. He stated that basically, their budget is fixed at this time and any changes to any one town's assessment would require reallocation of the assessments of all the other towns. Mr. Canada asked if COAST was willing to meet with representatives of the Town. Mr. Daley said the representatives of COAST and the Rockingham Planning Commission are willing to meet, but he is unsure if the net result of those discussions would result in any change. Mr. Canada then asked if the Rockingham Planning Commission was willing to reconsider their ranking systems to reflect our actual support of COAST. Mr. Daley had not heard back from representatives of the Rockingham Planning Commission on that issue. He felt that they were willing to hear us out, but again their position is not likely to change.

Mr. Deschaine asked about the status of the Coastal Zone Grant application for funding the Department of Transportation Aerial Photography program. Mr. Daley said he had not heard anything regarding that grant.

The Board then reviewed the re-draft of the charter for the Economic Development Committee. Mr. Daley reviewed the specific revisions to that document. Mr. Copeland moved to adopt the charter as amended. Mr. Federico seconded the motion, which passed unanimously.

Code Enforcement Officer/Building Inspector: Terry Barnes was present to give his monthly report. Lindt Chocolate has received a permit for the roasting plant at their location.

He has also been working with the owners of 27 Marin Way, who are installing a whole building electrical generator for emergency backup power.

The Pet Life storefront in the Parkman Brook Plaza is progressing well with their renovations.

He also informed the Board that Ocean Bank is going to be changing their sign along with their name change to Peoples Bank.

He then reviewed the stages of progress on several residential properties in Town, noting that the construction on Greta's Way was approximately 85-90% complete. A house under construction on Sandy Point Road was between 85-90% complete. A residence at Lee Circle was approximately 50% complete. A permit to build a duplex in the Sewall Farms development was renewed.

Mr. Barnes then reported that the surplus fixtures that were obtained last week from the Great Bay Community College were a big addition to his office.

Other major projects within his Department are that Sarah Del Rossi is working on renumbering all the files to reflect the new tax map numbering system. The only other challenge to his Department was him serving jury duty for the next month. His service has been spotty. He has to report to the Court tomorrow. Hopefully, his commitment will be done then.

Fire Department: Fire Chief Stan Walker was present to provide his report to the Board on the status of the condition of the Department's tanker. He will be supplementing this report with other information in the future with the additional information that Mr. Canada has requested. Mr. Federico asked if the tanker was presently planned for replacement. Matt Larrabee from the Fire Department said that it is currently scheduled in the 2011 Fiscal Year, having previously been scheduled earlier on but pushed out to that year. Mr. Canada asked when the present tanker was purchased and if its planned life expectancy was for 30 years. Mr. Walker said that that was the initial expectation for the vehicle, but things do change, such as the pump manufacturer going out of business. The tank on the truck developed a chronic leak, which ultimately required the replacement of the entire tank with a poly one versus the original steel midway through its useful life.

Mr. Walker updated the Board on the Association's attempt to develop a trust for the Fire Department's funds. There is a committee developing a list of expectations before obtaining legal assistance in developing the trust documents. Mr. Canada agreed that this was a good idea and he wanted to make sure there was not any duplication of effort between the Department and the rest of the Town.

PUBLIC COMMENT:

Rich Gootee of 6 Jana Lane was present to discuss a drainage problem that they and Al Choiniere have been experiencing in their neighborhood. They explained that at the corner of Jason Drive and Jana Lane a pond develops every time it rains. They were requesting that additional drainage be installed to allow the water to flow downhill. Mr. Choiniere of 4 Jason Lane explained that Highway Agent Fred Hutton has stated what needs to be done. Several of the driveways in that area will need to have culverts installed to allow the water to continue to flow downhill. He also noted a new house at 5 Depot Road is shedding additional water onto their neighborhood. The sump pumps in their basements run constantly. He believes the new house was built on top of a stream so that's why the sump pump operates continuously adding to the surface water in their area. The road currently impedes the natural flow of the water downhill. Various neighbors refer to the pond as "the moat" around their house. Mr. Gootee stated he spent over \$200 with each major rain storm to pump out his cellar. Mr. Deschaine did not have any knowledge or history regarding this particular location. The Board agreed to examine the issue with the Highway Agent to see if there was a means of correcting the problem.

The Chair then reviewed the meetings scheduled for the coming week and reported on the meetings held this past week. Minutes of the previous meetings were reviewed. Mr. Copeland noted that the minutes reflect that he was present at the February 22nd meeting, which he was not. That was the only correction noted. Mr. Canada then moved to accept the minutes of January 25, 2010, February 1, 8, 9, 22, 2010 and March 1, 2010, with February 22nd being the only one revised. Mr. Federico seconded the motion, which passed unanimously.

DEPARTMENT REPORTS (continued):

Administration: The Board discussed the need to fill some recent vacancies. Mr. Deschaine will work on an ad to post the vacancies in the Town Clerk/Tax Collector's office and for a Project Manager position.

There was a discussion regarding the sale of wood chips from the Highway Department area. Mr. Deschaine has found out that payment is made at the time of pick up. Mr. Hutton does not allow the purchaser of the wood chips to remove the chips without paying for them first. The check is written on the spot by the driver. There is no other honorable system available to be put in place.

Mr. Canada explained the process involved in arriving at a quote for electrical service in the cafeteria for the new HVAC system. Several attempts and redesigns were required to come to this proposal. Mr. Canada recommended and, therefore, moved to accept the proposal from Kramer Electric at \$12,587. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Canada asked about an ordinance regulating animals at Stevens Park. Mr. Deschaine will take another look at the draft proposed by the Recreation Department.

Mr. Canada brought up the review of the bylaws of the Southeast Watershed Alliance. He felt that the organization has matured enough and seemed ready for the Town to officially join. Mr. Deschaine observed that until the bylaws are actually adopted, there may not have been a formal organization to join, nor has the public had an ability to speak on the issue. The Board requested

Mr. Deschaine to put the joining of the Southeast Watershed Alliance on next week's agenda for the Board to act on.

Mr. Canada said that Mel McGrail has asked to be allowed to have an informal group work on the gardens in front of the Noyes Stage at the Park. The Board accepted their offer to allow them to post any suitable recognition of their efforts.

OLD BUSINESS:

Mr. Canada opened up the first public reading of the Home Occupation Ordinance. Mr. Deschaine read the public notice and gave a synopsis of the reasons for the ordinance. Lynn Martin Brooks asked if the second reading was going to occur next week. Mr. Canada said that that was intended. Mr. Deschaine presented an amendment to the proposed ordinance relating to the enforcement authority of the Code Enforcement Officer. Concerns had been expressed that there wasn't enough due process and notice provided for in the original draft. Upon review and reflection and hearing no further comments, Mr. Canada moved to adopt the ordinance as amended. Mr. Copeland seconded the motion which passed unanimously. Subsequently, Mr. Canada moved to approve the ordinance as amended for a second reading. Mr. Federico seconded the motion, which passed unanimously.

At 9:32 pm, Mr. Canada moved to go into non-public session to discuss committee appointments which might affect the reputation of another not a member of the Board. Mr. Copeland seconded the motion, which passed unanimously.

At 11:03 pm, Mr. Canada moved to come out of non-public session and to seal the minutes due to the nature of the discussions which might affect the reputation of another not a member of the Board. Mr. Copeland seconded the motion which passed unanimously. The Board agreed that it was too late to act upon any appointments tonight and would put off action until the next meeting.

Mr. Federico moved to accept the Dowling Proposal to replace the 5 HVAC units in the Library area of the Municipal Center at a cost of \$31,757 and to authorize the Chair to sign the written proposal. Mr. Canada seconded the motion, which passed unanimously.

At 11:06 pm, Mr. Federico moved to adjourn. Mr. Copeland seconded the motion, which passed unanimously.

Respectfully Submitted,

Stacey J. Grella
Executive Assistant

Reviewed By,

Paul Deschaine
Town Administrator