

MINUTES OF THE MARCH 5, 2012 BOARD OF SELECTMEN'S MEETING

MEMBERS PRESENT: Chairman David Canada, Selectman Bruno Federico, and Town Administrator Paul Deschaine. Selectman Tim Copeland will be late.

At 7:35 pm, the Chair opened the general meeting of the Board of Selectmen.

CHAIRMAN'S REPORT: Mr. Canada announced that the Selectmen dedicated the 2011 Town Report to Doug & Stella Scamman. He then read an excerpt from the narrative that said, "The Board of Selectmen recognizes, values and thanks them for their service. Their good works have created a legacy which will be remembered for generations".

SECRETARY'S REPORT: Mr. Federico moved to approve the minutes as amended from the regular meeting on 02/27/12. Mr. Canada seconded the motion, which passed unanimously.

DEPARTMENT REPORTS:

HIGHWAY: Highway Agent Fred Hutton was present at the meeting to update the Board on his Department's activities. He stated they have been cutting roadside brush, and they just have a little bit of work left at the cemetery.

Mr. Hutton stated that during plowing operations, there were two minor breakdowns, but they were able to take care of the repairs to complete snow plowing.

He reported that all of the trucks will be inspected by the end of the week.

Selectman Tim Copeland arrived at 7:38 pm.

Mr. Hutton updated the Board on the stump removal project behind the Municipal Center. He stated there are some large stumps that he does not have the proper equipment for and suggested bringing in Bell & Flynn with an excavator. He will continue to work on this project.

He stated he will be ordering some salt to put in the shed before the price goes up. The cost would be approximately \$14,000. The Board authorized the expense.

Mr. Hutton reported that the tree that a Pinewood Drive resident brought to their attention a few months ago has been removed. The power company was doing some pruning in the area and took the tree down to the ground.

Mr. Canada inquired as to an update on the drainage issue on Scamman Road. Mr. Hutton stated he is going to wait until spring so there is no frost and he can dig down to find out what is going on with the drainage and possible correct it.

Mr. Hutton reported that Tim Slager is scheduled to attend the Underground Storage Tank certification training in April. He also stated the annual tests on their tanks are due in April.

PLANNING: Town Planner Lincoln Daley updated the Board on current Planning Board applications.

Mr. Daley presented proposals to the Board from three engineering firms to prepare "as built" plans for the Crockett Hill Farm subdivision Phase 1. Mr. Daley stated the Town maintains the contractor's bond, which currently has \$61,949 remaining after utilizing \$47,000 towards the construction of trails. Mr. Copeland moved to agree with Mr. Daley's recommendation, which is to use Woodbury Cammet, who is the original land surveyor and familiar with the boundaries, at a cost of up to \$16,229. Mr. Canada seconded the motion, which passed unanimously.

Mr. Daley informed the Board that regarding the RPC Exeter/Stratham Regional Water and Wastewater Study, the sub-group recently met with the engineers to further understand the process of the study. The study is still on track to be completed some time around June or July of this year.

Mr. Daley updated the Board on the window replacement project at the Municipal Center. He stated the grant deadline is this Saturday, March 10th, and the Town needs to submit the final request for reimbursement by Friday the 9th. There are still a few details that need to be completed on the windows. Mr. Daley stated the Town is holding onto the final payment to the contractor until all things are corrected.

Mr. Daley stated he will be prepared to discuss the Offsite Improvement Funds & Performance Bonds and the tracking of such assessments on March 19th.

Mr. Daley stated the Home Occupation project has been a lengthy process. Some people have been cooperative and others have not, but the process is ongoing.

ASSESSING: Assessor Andrea Lewy reported to the Board on her recommendation for action on an abatement application. Mr. Canada moved to approve the request by Michael McInnis, as recommended by Ms. Lewy. Mr. Copeland seconded the motion, which passed unanimously.

Ms. Lewy then presented two Veteran Credit applications. Mr. Canada moved to approve the Veteran Credit applications for Mark Atlee and Michael Johnston as recommended by Ms. Lewy. Mr. Copeland seconded the motion, which passed unanimously.

Ms. Lewy then updated the Board on a BTLA case regarding M.A.S.S. Realty Trust at 70 Portsmouth Ave. After several meetings and an inspection with a tax representative, they agreed on a final assessment of \$1,130,500. The abatement amount for 2010 is \$2,487.34, and the abatement amount for 2011 is \$2,516.56. Ms. Lewy left the meeting briefly to get the appraisal paperwork for the Board.

MEETINGS: The Chair then reviewed the meetings scheduled for the coming week and reviewed the meetings held this past week.

PARK PERMITS/MUNICIPAL CENTER RENTALS:

The following Park permits and Municipal Center rentals were discussed and acted upon:

Cheri LaFortune requested the use of the Park on June 24, 2012 for a graduation party. The request was approved.

Leo Gagnon requested the use of the Park on July 1, 2012 for an anniversary party. The request was approved.

Joe Berwanger requested the use of the Park on March 11, 2012 for a Troop 185 meeting. Mr. Copeland moved to allow the use and to waive the fee. Mr. Federico seconded the motion, which passed unanimously.

Ms. Lewy returned to the meeting and presented the appraisal paperwork to the Board. After some discussion, Mr. Federico moved to approve the settlement with M.A.S.S. Realty. Mr. Copeland seconded the motion, which passed unanimously.

The group then discussed the Superior Court decisions with Soft Draw Investment LLC. The abatement amount for 2009 is \$24,525, and the abatement amount for 2010 is \$22,659. The abatement amount for 2011 has not been finalized as of this time since Ms. Lewy has not officially received a ratio, but the amount is estimated to be \$20,945. Mr. Canada moved to accept Ms. Lewy's and the Court's recommendation to drop the Town's portion of the assessment to \$2,430,000 and pay out the correct refunds of approximately \$68,129, once the exact amount for 2011 is determined. The State has not yet set the official tax ratio for 2011 amount which could affect the abatement amount. Mr. Copeland seconded the motion, which passed unanimously.

Ms. Lewy informed the Board that Fairpoint filed for an abatement on the right of ways since they do not believe they are taxable and feels the assessment is illegal and unconstitutional.

Ms. Lewy stated that she will be conducting a presentation at the Town Hall on April 2nd at 10:00 am regarding information on Elderly and Blind Exemptions, and Veteran Credits.

Ms. Lewy reported that there has been a total of 16 abatements filed for 2011.

PARKS & RECREATION: Director Seth Hickey was present at the meeting to discuss his Department's activities. He stated that the slide at Stevens' Park has been recalled and Highway removed the slide and disposed of it immediately. There will be some reimbursement from the manufacturer of the slide, but it will not include any installation or shipping costs. He stated it could be as late as June until the Town receives the replacement. The Board questioned why a recalled product would have any replacement expense associated with the recall and instructed Mr. Hickey to contact Consumer Protection Services and look into the replacement terms further.

Mr. Hickey presented two proposals for fertilizing Stevens Park, Stratham Hill Park, the Police Department, the Fire Department, and the cemeteries to the Board. This Historical Society and

Municipal Center will also be included in the fertilization plan. He stated that they will also be conducting soil testing at each location before the fertilizing is done. Mr. Canada moved to allow Mr. Hickey to proceed with the fertilization schedule with Hillside Landscaping, to include the Historical Society and the Municipal Center. Mr. Copeland seconded the motion, which passed unanimously.

TREASURER'S REPORT: Kevin Peck reported that he had \$4,323,248.81 in the general checking account.

Mr. Hickey continued with his report and stated the new building at the Babe Ruth Field is looking good. At this time, the exterior has been completed.

Mr. Hickey stated he is not sure if the Building Inspector has been out to inspect the kick wall, but he will be following up on this matter.

Mr. Hickey stated that the current Town ordinance on "Animal Control at Stratham Hill Park" does not include the Town Forest. Park Ranger Kim Woods has been concerned about the amount of dog waste that has been left in that area and the Town does not have the ability to enforce anything. Mr. Deschaine stated there is already a Town wide ordinance in place where those issues are addressed.

Mr. Hickey stated they have just completed installing another layer of floor board on the north side of the Gifford Barn. He also requested to lease a 30 yard dumpster in order to clean out items from that barn. Mr. Deschaine stated that the Town's contract with Bestway reads that they provide the dumpster and the Town just pays for the disposal. The Board agreed to have Mr. Hickey talk with Bestway to set it up.

Mr. Hickey requested to start the hiring process for two part time seasonal positions, pending the outcome at Town Meeting. The Board agreed to have Mr. Hickey start the process.

Mr. Hickey updated the Board on current and upcoming programming and activities. He has been working through some issues with customer data input in the software system and will be addressing this with the Recreation Commission.

The group discussed the conflict with the Baseball Board and the Stratham Fair use at the Stratham Hill Park. The Board agreed to have Mr. Hickey attend the April 9th Selectmen's meeting when the Fire Department is present to discuss this further.

The group then discussed the \$5,000 donation that the Stevens family would like to make, and in return have naming rights to the Stevens Field. The Board agreed that although it is a generous offer, in order to give up naming rights, there may be other options available. Mr. Hickey will look into this further.

ADMINISTRATION:

Mr. Deschaine stated the Health Insurance Study Committee is meeting Thursday to compare the final two agencies and come up with a recommendation on long and short term disability plans.

Mr. Deschaine stated he does not have anything to report on the Comcast agreement other than there have been some revisions to the agreement. He will update the Board on March 26th.

The group then discussed the Board's presentation materials for Town Meeting next week. The group then reviewed the Warrant and decided who would present each article.

The group then discussed the employee compensation memo. It was delayed, but should be going out in the next payroll. This year, the memo compares 2010 figures to 2011 figures.

Mr. Canada confirmed that next week's meeting is going to start at 7:00 pm in order to allow time to hear from the woman whose dog was killed by another dog in Town.

At 10:09 pm, Mr. Canada moved to go into non-public session to discuss a personnel issue. Mr. Copeland seconded the motion, which passed unanimously.

At 11:24 pm, Mr. Canada moved to come out of non-public session and to seal the minutes due to the matters discussed. Mr. Federico seconded the motion, which passed unanimously.

Mr. Canada discussed sending out another newsletter from the Board via email. He will get a draft to the rest of the Board for their review prior to sending it out.

At 11:25 pm, Mr. Canada moved to adjourn. Mr. Copeland seconded the motion, which passed unanimously.

Respectfully submitted,

Reviewed by,

Stacey J. Grella
Executive Assistant

Paul R. Deschaine
Town Administrator