

## **MINUTES OF THE MARCH 12, 2012 BOARD OF SELECTMEN'S MEETING**

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

At 7:02 pm, the Chair opened the general meeting of the Board of Selectmen.

**SECRETARY'S REPORT:** Mr. Copeland moved to approve the minutes as amended from the regular meeting on 03/05/12. Mr. Federico seconded the motion, which passed unanimously.

**TREASURER'S REPORT:** Kevin Peck reported that he had \$4,251,625.36 in the general checking account.

### **PUBLIC HEARINGS:**

Resident Bonnie McGrenaghan, who is the owner of the dog that was killed by a Pit Bull a couple of weeks ago, was present at the meeting to discuss the possibility of the Town hiring an animal control officer. She stated that she would like the Town to take a more serious look at this incident. She stated she feels that a \$100 fine was insulting since she lost a member of her family, and she would like to see better rules, larger fines, and more control. Police Chief Scippa was present at the meeting and spoke to the legal aspects of this situation as far as the fine structure and the procedures. Mr. Scippa also clarified information where Ms. McGrenaghan was left with the decision as far as what to do with the Pit Bull. He stated she should not have been left with that decision and apologized for the miscommunication. Mr. Scippa stated the Police Department addresses dog issues either by the Town ordinance or the state laws in place regarding the regulation of dogs. Mr. Scippa stated that during a 10 day quarantine period, required after certain incidents, the Police Department has the opportunity to conduct a proper investigation into the matter. Mr. Copeland pointed out that incidents involving dogs are very minimal, as reported in police activity logs. Further, a part time dog officer may not provide as timely a response as we now have. Therefore, it is difficult for the Town to justify the expense of hiring an animal control officer. Mr. Deschaine stated that State law would not allow Stratham to unilaterally increase fines over what is provided for by statute. Mr. Canada stated that a useful change in the State law would be an increase in the fine structure in order to promote responsible dog ownership.

### **DEPARTMENT REPORTS:**

**FIRE DEPARTMENT:** Fire Chief Rob Cook and Asst. Fire Chief Matt Larrabee were present at the meeting to discuss their Department's activities. They reported that they had 43 calls for service in February.

They then presented an invoice for dues to the START program for \$2,388.54. Mr. Federico moved to authorize the expenditure. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Cook reported that there is a State forestry fire grant available that requires a 50/50 match. They would like to apply for the grant for \$4,976, which would require a Town match of \$2,488. Mr. Deschaine stated that although a public hearing is not necessary, it must be posted as an agenda item prior to accepting the grant. Mr. Larrabee will forward the application to Mr. Deschaine. Mr. Copeland moved to authorize the application for the grant. Mr. Canada seconded the motion, which passed unanimously.

Mr. Cook stated the purchase agreement for the tanker requires five days notice after Town Meeting if it is approved. Mr. Deschaine will take care of that notice requirement if the Warrant article passes.

Mr. Cook noted the most significant response during February was the Domino's fire. Mr. Canada stated it was a good stop to prevent it from spreading throughout the entire plaza.

Mr. Cook stated the Morgera Room is beginning to show some wear and tear, specifically needing repairs to damage to the drywall and needing touch up paint. He stated that this is not in his budget. Mr. Cook has spoken with Town Custodian Charlie Browne about doing the repairs and will try to find alternative funding as well.

The group then had a discussion regarding reserving Stratham Hill Park for the Fair. The Board asked if the space has been reserved, which Mr. Cook did not know. The Board stated the Fair should use the usual process in reserving space at the Park. Mr. Canada stated that Mr. Hickey will be attending the April 9<sup>th</sup> meeting, Mr. Cook's next scheduled visit, to discuss any conflict in the scheduling of the Fair and recreation programs at the Park. The Board also requested that Fair Chairman Stan Walker be present at that meeting as well.

POLICE DEPARTMENT: Mr. Scippa stated \$2,500 SERT dues are due. The Board approved the expenditure unanimously.

Mr. Scippa requested to send two officers to simunitions training at a cost of \$595 each. He explained the use of simunitions training equipment and said this course was to certify the officers as trainers in simunitions. This training could replace some of their current training that involves live ammunition. Mr. Copeland moved to authorize sending two officers to the simunitions training at a cost of \$595 each. Mr. Federico seconded the motion, which passed unanimously.

Mr. Federico requested a status report on the radio equipment upgrade at Stratham Hill. Mr. Scippa stated he does not have a current status report, but will look into the matter.

#### **NEW BUSINESS:**

Mr. Canada then opened the public hearing to take comment on the possible acquisition of three conservation easements as previously posted. Mr. Canada asked if there was any objection to waiving the reading of the public hearing notice, which there was none. Roger Stephenson from the Ad-Hoc Bond Subcommittee was present to discuss the three conservation easements. Members from the Conservation Commission were present at the meeting and identified

themselves as: Bob Keating, Bill Grace, Edie Barker, Pat Elwell, Allison Knab, Donna Jensen and Tim Copeland.

Mr. Stephenson then started a presentation on the conservation easements at 11 Stratham Heights Rd., 94 Stratham Heights Road, and 25 & 41 Winnicutt Road. With regards to the Goodrich property at 11 Stratham Heights Road, there are 52 acres already conserved because it was in a well head protection area which the Town received grant money to acquire. Mr. Stephenson presented several photos of the area under consideration and said this is an extension of the existing conservation easement over the four acres. Marty Wool stated that he was told the water rights were not included in the original easement. If that is so, this purchase could be used to clarify that point. Mr. Canada concurred, although the Town's attorneys have stated that we do have the water rights but he would like that further clarified. Mr. Stephenson pointed out that it is in a well head protection area.

The group then discussed the Roberts property at 94 Stratham Heights Road. Mr. Stephenson described the parcel and its attributes and the assistance provided by the Southeast Land Trust. The 17 acres have a potential of creating four to five lots and there is a pond in the center. The total acreage for the property is 19 acres. There is a plan in place for a farmer to buy the property simultaneously, and subject to, the easement. Resident Mark Whiting asked if the farmer is going to lease the farmland from the Town. Mr. Stephenson explained that the farmer is purchasing the farmhouse and all of the land with the conservation easement on it. Mr. Whiting asked about the Breslin property and its status. Mr. Stephenson explained that all owners of property over 10 acres were contacted about the easement program and you need a willing owner to purchase an easement. To date, they have not heard anything from the Breslin's. Resident Ed Saltus asked if the farmer purchasing the property has been identified. Mr. Stephenson said the farmer has an option to purchase the property and the easement is contingent upon the farmer purchasing it. Resident Jack Keating stated this was an innovative approach, but expressed a concern about the type of farming that was going to be done, such as organic farming. There is a lot of water on the property and the use of pesticides could be a problem. Mr. Stephenson said there are regulations in place on the use of pesticides and other activities, but there is no stipulation prohibiting it. Mr. Saltus asked how long this process would take and Mr. Stephenson responded it would be before June 30, 2012.

The group then discussed the two Jones parcels at 25 and 41 Winnicutt Road. Mr. Stephenson described the contiguous parcels and their attributes. They are adjacent to the Crockett Farm cluster subdivision open space. There is currently a conservation easement across the street and the appraisal is based on the potential of 29 house lots within a cluster subdivision. Even a conventional subdivision would result in 7 frontage lots on Winnicutt Road. Resident Tom Gough supported this. Resident Deborah Dunphy also supported this. Marty Wool asked where the five acres to be excluded would be. Mr. Stephenson described the approximate location since it still needs to be surveyed. There is also a first right of refusal on those five acres to which Mr. Canada suggested locking in the price for those five acres for a fixed term. Property owner Brad Jones said he had to consider this. Mr. Copeland stated the water rights should be included on that easement also. Mr. Stephenson stated they would have to consult the Southeast Land Trust.

At 8:43 pm, Mr. Canada closed the public hearing.

After some discussion, Mr. Canada moved to agree to the terms of the sale of the Goodrich property contingent upon satisfactory language clarifying the water withdrawal rights on the original easement. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Copeland moved to authorize the purchase of the Roberts property conservation easement contingent upon acquiring water withdrawal rights, which do not impede the farming activity on site. Mr. Canada seconded the motion, which passed unanimously.

After some discussion with John Boisvert, the Chair of the Public Works Commission, Mr. Copeland moved to authorize the purchase of the Jones property conservation easement contingent on the right for the Town to withdraw water at some future date if necessary. Mr. Canada seconded the motion, which passed unanimously.

#### **PARK PERMITS/MUNICIPAL CENTER RENTALS:**

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

Joanne Schottler requested the use of the Park on September 23, 2012 for the Pease Greeters Picnic. Mr. Copeland moved to allow the use and to waive the fee. Mr. Canada seconded the motion, which passed unanimously.

Laura Fernald requested the use of the Park on June 22, 2012 for a graduation party. The request was approved.

Julie Colella requested the use of the Park on June 30, 2012 for a birthday party. The request was approved.

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

#### **ADMINISTRATION:**

Mr. Deschaine stated the Highway Department has received a quote from Lakes Region Environmental for the tank testing that Mr. Hutton reported on last week. Mr. Canada moved to approve the expenditure of \$750 for the tank testing. Mr. Canada seconded the motion, which passed unanimously.

Mr. Deschaine presented a request from the Cooperative Middle School for a raffle permit to benefit the 8<sup>th</sup> Grade Chamber Choir and Girls Chorus. Mr. Copeland moved to approve the permit request. Mr. Federico seconded the motion, which passed unanimously.

Mr. Deschaine reported that Parks and Recreation Director Seth Hickey contacted the manufacturer of the recalled slide at Stevens Park and did have some success in getting additional concessions on replacement costs, per the Board's request.

The group then discussed details on presentations for Town Meeting this Friday.

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

At 9:41 pm, Mr. Canada moved to come out of non-public session and to seal the minutes due to the matters discussed. Mr. Copeland seconded the motion, which passed unanimously.

At 9:42 pm, Mr. Canada moved to adjourn. Mr. Federico seconded the motion, which passed unanimously.

Respectfully submitted,

Reviewed by,

Stacey J. Grella  
Executive Assistant

Paul R. Deschaine  
Town Administrator