

MINUTES OF THE MAY 4, 2009 BOARD OF SELECTMEN'S MEETING

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

The meeting opened at 6:40PM. At 6:41 PM, Mr. Canada moved to go into non-public session with Janet Johnson to discuss a personnel issue. Mr. Copeland seconded the motion, which passed unanimously. At 7:28 PM, Mr. Federico moved to come out of non-public session and to seal the minutes due to the personnel issues discussed. Mr. Copeland seconded the motion, which passed unanimously.

The Board then reconvened at 7:35PM in the hearing room to start the regular business of the meeting that night.

TREASURER'S REPORT: Town Treasurer Kevin Peck reported that he had a balance of \$483,741.27 in the general checking account. He has no money in any type of investments.

DEPARTMENT REPORTS:

Highway: Fred Hutton was present to report on the activities of his department. He presented the Board with a proposal from Bell & Flynn, which included the 2009 paving and reconstruction program. The road being proposed to be reconstructed is Smith Farm Road. Raeder Drive, Doe Run Lane, and Meadowview Drive are to be topcoat paved. Linwood Lane is to receive a base coat along with Stratham Heights Road, which would be shim. The Board reviewed the proposal. Mr. Canada moved to accept the proposal as presented from Bell & Flynn dated April 28, 2009. Mr. Copeland seconded the motion, which passed unanimously. Mr. Hutton then reported that the improvements to Marin Way should begin within the next two weeks.

NEW BUSINESS:

Mr. Canada opened the public hearing on the proposed conservation easement to be placed on the Scamman property by reading the public notice as had been previously posted. The Chair then turned over the presentation to Roger Stephenson, who is the Chair of the Ad Hoc Conservation Bond Subcommittee. It should be noted that Pat Elwell, Gordon Barker, Donna Jensen, Bob Keating, Brad Jones, Dan McAuliffe, and Tim Copeland of the Conservation Commission were present. Ad Hoc Conservation Bond Subcommittee members present were Tammy Hathaway, Caroline Robinson, Dan McAuliffe, Edie Barker, Laura Prescott, and Roger Stephenson. Mr. Stephenson acknowledged that Brian Hart of the Southeast Land Trust of New Hampshire was also present who was instrumental in this process. Mr. Stephenson also thanked all involved in bringing this proposal here tonight.

Mr. Stephenson then addressed the evaluation criteria that were developed over six years ago by the Subcommittee and how it relates to the Scamman property. The Scamman property meets and/or exceeds all six of the basic criteria elements evaluated by the Subcommittee. Caroline Robinson then gave a presentation on the current and natural features of the property. She also

noted adjacent conservation properties that are nearby. Ms. Robinson then described the development potential of the property, which could be subdivided into up to thirty-three individual house lots. The purpose of the easement is not only to conserve the land but to preserve the agricultural activities that have historically occurred on the Scamman property.

Laura Prescott then reviewed the financial considerations of the proposal. She described how the appraised value was arrived at and some of the legal aspects of the easement. Upon completion of her presentation, that concluded the Ad Hoc Subcommittee's presentation. Pat Elwell, Chair of the Conservation Commission, stated her support for the acquisition of the easement and thanked everyone for their support shown to date.

Mr. Canada opened the floor for questions and comments. Becky Mitchell, Chair of the Heritage Commission, spoke in support of the acquisition and the property's historic value. She noted that the property is eligible to be included in the National Historic Registry.

Ken Lanzillo asked how much money would be left in the bond account after this acquisition if there were no grants received to offset the amount. Mr. Stephenson said that the bond account has approximately \$2,400,000 to \$2,500,000 left and that the land conservation fund is at about \$500,000. Mr. Canada asked how much the grant could be for. Mr. Hart said they are still working on the application but it could be as little as \$500,000 all the way up to \$1,000,000. Mr. Deschaine corrected Mr. Stephenson's statement in that the land conservation fund has approximately \$400,000 left in it.

Bob Goodrich asked how much of the frontage on Portsmouth Avenue is being preserved, did it include the house, the barn and the Agway store sites. Mr. Stephenson explained that the house, the barn, and the Agway store are on separate lots that are not part of the easement. Mr. Goodrich asked about the water removal right. He felt that drawing water for a public water supply was inconsistent with the intents of a conservation easement. Mr. Hart explained that the Southeast Land Trust has a number of easements on Town land where water withdrawals are occurring. The sanitary radius and the watershed protection are also consistent with conservation easements. Mr. Hart also pointed out that the water rights are being essentially given to the Town since they are not part of the appraisal. Mr. Goodrich questioned the availability of grants, particularly the Farm and Ranchland Protection Program.

There were no further comments. Mr. Canada closed the public hearing and then moved to approve the purchase and sale agreement as presented. Mr. Federico seconded the motion, which passed unanimously. Bob Keating of the Conservation Commission moved to concur with the action of the Board of Selectmen. Gordon Barker seconded the motion which passed unanimously by the Conservation Commission. At 8:05 PM, the Board recessed to allow the room to clear. In the meantime, executed copies of the purchase and sale agreement will be provided to the Board at a later date to be executed.

At 8:16 PM, the Board reconvened.

DEPARTMENT REPORTS:

Fire: Chief Robert Law was present to discuss an offer of a donation of \$10,000 to the Fire Department to continue with the goal of finishing the second floor of the Fire House. Mr. Deschaine pointed out that a public hearing would be required in order to accept the donation since the funds exceed the \$5,000 limit set by the statutes. After much discussion, the tentative date for the public hearing for that purpose was set to be May 18, 2009.

Mr. Law then asked about the possibility of expending his new equipment budget up to \$14,600 to acquire fire gear and pagers for new members. These were the amounts budgeted; however, he did not have a complete breakdown of the request. Mr. Law was making the request due to the Board's recent memorandum requiring specific authorization for expenditures in excess of \$1,000. Mr. Copeland moved to authorize the Fire Chief to expend his budget for fire gear and pagers up to the amount of \$14,600. Mr. Federico seconded the motion, which passed unanimously.

Mr. Law then reviewed the remaining expenditures from the new fire engine. There is approximately \$10,000 left in the appropriation for that purchase. He felt that he had more than enough potential expenses to outfit completely the truck that would completely use the \$10,000. He also mentioned that the new engine should be delivered to the Department sometime this week.

Mr. Deschaine asked about the \$4,500 for the plynovent system that Mr. Law had spoken to him about. Mr. Law said that it was still needed and was unsure where the funding would come from. Mr. Deschaine explained that the existing plynovent system, which is designed for a truck with an exhaust that comes out from underneath the truck, needs to be swapped out and modified for a truck that has a vertical exhaust system such as the new truck. If there were no further funds available from the purchase of the new truck, modifications to the building could be paid for from the original construction bond. Mr. Copeland moved and Mr. Canada seconded to authorize up to \$4,500 be expended from the construction bond account for the modifications to the plynovent system. The motion passed unanimously.

The next discussion was concerning the offer by the Interstate Emergency Unit to purchase the retiring Engine 2. They had given a written offer via email, which included two options. One option included a certain amount of free training to Stratham Fire Department members plus a cash payment. The other had additional free training with no cash payment. Mr. Canada asked what the true cash value of the old engine was. He had seen online some information to indicate engines of this type were going as high as \$35,000. Mr. Law stated that the value of the training was greatly dependent upon the amount of State funding provided, so the value could vary significantly to the Town of Stratham. Mr. Law said that the only basis he had to give a value on the old engine was the \$10,000 trade-in value offered by the new engine's vendor. John Sapienza pointed out that there is a unique feature on the old engine, which is a high-pressure pump with a dual reel hose line. As a result, it may have more value than other fire engines of the same make and model. Mr. Copeland suggested placing the truck on Ebay, which might be an easier way of disposing of the engine vs. the State auction. Mr. Federico asked if the State auction had the ability to place a reserve on an item. Mr. Deschaine said that they did not allow

reserve amounts. Mr. Canada asked Mr. Sapienza to get specs on the engine to him and a picture. From there, Mr. Canada will explore other online possibilities of disposing of the vehicle.

Mr. Law asked if the Board had any objections to allowing the Boy Scouts to install shelving in the closet they use for storage. Mr. Copeland thought they were installing freestanding shelves and; therefore, it should not be a problem. Mr. Sapienza said that Dan Crow and Mike Keane had expressed concerns with the structural ability of the walls to hold the weight of any shelving if it was attached to the wall. Mr. Canada asked who was making the request. Mr. Copeland said that he had had a discussion with the leader of the Boy Scout Troop about making more efficient use of the space they have. In the process of several emails, it came to light from the builder and the architect who recommended having any shelving attached to the wall. As a result, that was not what he recommended to the Troop to do. The Board concurred in that assessment and approved only freestanding shelving be used. Mr. Sapienza asked if the Office of Emergency Management's outside storage area would be available for some of the Scout storage. It was unclear at this time if there was any space available, but further contact would be made with Emergency Management Director David Emanuel to see if that was a possibility.

Mr. Law asked if the Board would object to appointing Charles Brown as a new Deputy Fire Warden. The Board didn't express any objection. Mr. Deschaine noted that there is a form necessary for the Board to sign. Mr. Law will provide the form at a later date.

Mr. Law informed the Board that the ambulance service provided by the Fire Department has never responded to inquiries for patient information. Typically, Exeter Hospital or Portsmouth Hospital has issued this type of information. He has been recently told that Exeter Hospital has discontinued that practice. He expressed his reservations that if we were forced to provide that type of information, he would like to have a standardized procedure with the approval of the Board that is reviewed by Town Counsel. Mr. Copeland suggested that if we do provide that type of information, we should charge for that type of service. Mr. Law is still investigating with the hospital if, indeed, the practice has been discontinued to release patient information on our behalf. Mr. Canada asked if the Local Government Center might have forms and/or a policy. Mr. Deschaine said that they may and it would be valuable to investigate once we find out what the actual policy of the hospital is.

There was a discussion concerning the new Fire House sign and when it was going to be lit. Dan Whittier has provided a written estimate and a description of the work. The Board agreed with the proposal. Mr. Canada moved and Mr. Copeland seconded to accept the proposal as presented. Mr. Federico asked if the fixtures will be in the way of someone putting lettering onto the sign. He suggested that a ground level spotlight with landscaping around it would have been preferred. The motion passed with a vote of two for and one against.

Mr. Sapienza reported that one of the retired Police cruisers has been prepped up for use by the Fire Department and they are working on preparing it for that use.

Administration: Mr. Deschaine reported that the group Cara Rince had made an additional request to have an additional raffle to occur on June 28, 2009. The Board had previously approved other raffles for this same group and event. Mr. Copeland moved and Mr. Federico seconded to amend the previous permit to include this request. The motion passed unanimously.

The discussion continued on items being prepared to be delivered for the State auction. There are at least two Police cruisers. Mr. Deschaine noted that there might be other surplus items that could be loaded into the cruisers for delivery such as surplus typewriters and microfiche readers, etc. Mr. Canada moved to authorize Mr. Deschaine to dispose of any item he deems as surplus to the Town of Stratham. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Deschaine presented the estimates for relocating the audio system from the old hearing room to the new hearing room. Mr. Canada moved to accept the proposal provided by Power Sound of New England in the amount of \$3,214. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Deschaine presented a proposal by East Coast Signals to install the emergency traffic control lights at the intersection of Portsmouth Avenue and Winnicutt Road for the benefit of the Fire Department. This contractor was recommended after review by Dan Crow. Mr. Canada moved to accept the proposal from East Coast Signals in the amount of \$32,000. Mr. Copeland seconded the motion, which passed unanimously. Mr. Deschaine noted that the funds for this expenditure would be coming from the offsite improvement funds captured by the Planning Board from surrounding developments.

Discussion then continued on proposals received to conduct the 2008 audit. Mr. Canada asked to postpone action on this item for one week for him to get additional information.

Mr. Deschaine was asked when the ascertainment hearing was going to be conducted regarding the Comcast Franchise Agreement renewal. Mr. Deschaine reminded the Board a date was set of June 1, 2009.

Mr. Canada moved to approve the minutes of March 30, 2009 and April 3, 2009 as presented. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Deschaine distributed the draft of a memo informing employees of the revision in the mileage rate set by the Board. The Board reviewed and concurred with its contents and asked that it be distributed.

Mr. Federico asked about hosting a Public Appreciation event as discussed last week when the Public Service Week proclamation was signed. He had discussed various dates as to what was the best day of the week to hold the event. Tuesdays and Thursdays appear to be the best days but because of several conflicts, he selected Tuesday to be the day. Unfortunately, the recognition week is this week and there would be too short of notice to provide people of the event if it were to be scheduled for tomorrow. As a consequence, the Board decided to hold the appreciation event on Tuesday, May 12, 2009.

MEETINGS SCHEDULED THIS WEEK/MEETINGS TO REPORT ON:

The Chair reviewed the meetings scheduled and the meetings that were held this past week. Mr. Deschaine reported on the construction meeting that occurred last week, which mainly focused on insulating materials to be used.

Mr. Copeland reported on a demonstration at the Pease International Tradeport, which was related to hurricane monitoring. The National Oceanic and Aeronautic Agency put on the demonstration for the Office of Emergency Management. He was impressed with the aircraft used to monitor hurricanes, which consisted of old P3 aircraft from the Navy, which were modified for this purpose.

PARK PERMITS/MUNICIPAL CENTER RENTALS:

Caitlin Stewart's request to use the Park on September 20, 2009 was approved.

The American Legion Post #32 from Exeter for use of the Park on August 30, 2009 was approved along with a request to waive the reservation fee. Mr. Copeland moved and Mr. Federico seconded to approve the use and to waive the fee. The motion passed unanimously.

Hannah Fisher of the American Red Cross had a request to use the Park on June 26, 2009. Mr. Copeland moved to approve the use and to waive the fee. Mr. Federico seconded the motion, which passed unanimously.

OTHER:

At 9:57 PM, Mr. Canada moved to go into non-public session to discuss the potential purchase of land, personnel issues, and an item that might have to do with the reputation of another who is not a member of the Board. Mr. Copeland seconded the motion, which passed unanimously. At 10:45 PM, Mr. Canada moved to come out of non-public session, to seal the minutes due to the nature of the discussion as previously cited and to adjourn. Mr. Copeland seconded the motion, which passed unanimously.

Respectfully Submitted,

Reviewed By,

Norma Corrow
Recording Secretary

Paul Deschaine
Town Administrator